

**TOWN OF WESTWOOD**  
COMMONWEALTH of MASSACHUSETTS

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Trevor W. Laubenstein, Vice Chairman  
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**PLANNING BOARD**  
TOWN CLERK  
TOWN OF WESTWOOD

**DECISION OF THE PLANNING BOARD**  
**LIMITED ENVIRONMENTAL IMPACT AND DESIGN REVIEW**

**APPLICANT:** Jaclyn C. Bennet  
Tobin School  
1054 High Street  
Westwood, MA 02090

**PROPERTY OWNER:** Mark and Mary Beth Tobin  
Tobin School  
P.O. Box 59  
Natick, MA 01760

**PROPERTY LOCUS:** 1054 High Street  
Westwood, MA 02090  
Assessor's Map 20, Lot 108

**BACKGROUND AND PROJECT SUMMARY**

The Applicant proposes alterations to the parking lot to expand the front parking area from the existing nine (9) spaces to a total of thirteen (13) off-street parking spaces serving the Tobin School. The Applicant also proposes to construct a three foot walkway for the new parking spaces, install directional signage, a bicycle rack, and make associated drainage improvements.

The property is located in the SRC (Single Residence C) zoning district. The parking lot expansion is the trigger for and Environmental Impact and Design Review. The childcare facility use is a protected use under M.G.L. Chapter 40A, Section 3 and thus subject to a Limited EIDR pursuant to Section 7.3 of the Westwood Zoning Bylaw.

**STATEMENT OF FINDINGS**

**PROCEDURAL FINDINGS:**

After having reviewed all the plans and reports filed by the Applicant and its representatives and having considered the technical analysis, supplemental information provided during the course of the public hearing, correspondence and testimony from representatives from various boards and commissions and departments within the Town of Westwood and from all other interested parties, the Town of Westwood Planning Board makes the following procedural findings and project findings:

1. On April 21, 2016, an application was filed by or on behalf of the Tobin School, pursuant to Section 7.3 [Environmental Impact and Design Review] of the Westwood Zoning Bylaw

with the Westwood Planning Board and the Westwood Town Clerk (hereinafter "Application").

2. Pursuant to M.G.L. Chapter 40A, Section 9 and 11 and the applicable provisions of the Westwood Zoning Bylaw and the Rules and Regulations of the Westwood Planning Board (hereinafter "Rules and Regulations"), the Planning Board caused notice of the public hearing to be published in the *Westwood Press*, a newspaper of general circulation in Westwood, on May 6, 2016 and May 13, 2016. Notice of the public hearing was posted in the Westwood Town Hall commencing on April 29, 2016, and continuing through the opening of the public hearing on May 24, 2016. Said notice of the public hearing was mailed postage prepaid to all Parties in Interest as defined in M.G.L. Chapter 40A, Section 11 on April 28, 2016.
3. The Planning Board provided copies of the Application to other Town of Westwood boards and commissions, departments and officials including, but not limited to, the Board of Health, Board of Selectmen, Building Commissioner, Conservation Commission, Department of Public Works, Fire Chief, Police Chief, Town Engineer, Historic Commission, and Pedestrian and Bicycle Safety Committee on April 27, 2016.
4. After notice and publication was provided pursuant to M.G.L. Chapter 40A, Section 9 and 11, the public hearing on the Application commenced on May 24, 2016, in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts, and closed the same evening.
5. Westwood Planning Board Members Trevor W. Laubenstein, Steven H. Olanoff, David L. Atkins, Michael L. McCusker, and Christopher A. Pfaff deliberated on the Application at a duly authorized meeting on May 24, 2016.

#### **PROJECT FINDINGS:**

1. The subject property consists of approximately 1.24 acres located at 1054 High Street and is shown as Map 20, Lot 108 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. Presently, the project site contains 1.5 story building used for a child care facility with a one-car garage, nine paved parking spaces in the front of building, a gravel driveway and gravel parking area off of Lake Shore Drive, a play area and sport field in the backyard.
3. The Applicant proposes to construct a new parking area for seven vehicles on the west side of the building, which will result in four (4) new parking spaces for a total of thirteen (13) off-street parking spaces at 1054 High Street, Westwood, MA 02090. A three foot walkway serving the new parking area, a bicycle rack, a deciduous tree, and drainage improvements were also proposed with this application.
4. The Project Site is located within the SRC (Single Residence C) zoning district. The existing childcare use is permitted by-right in the SRC zone under M.G.L. Chapter 40A, Section 3 and Section 4.1.4.4 of the Westwood Zoning Bylaw, subject to a Limited Environmental Impact Design Review (EIDR), pursuant to Section 7.3 of the Westwood Zoning Bylaw.
5. Available on-site parking is thirteen (13) spaces. The proposed parking spaces are sufficient to meet the minimum parking requirements of Section 6.1 of the Westwood Zoning Bylaw (10 required, 13 provided) for six employees and two classrooms.

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Tobin School Parking Expansion – 1054 High Street  
Planning Board Vote – May 24, 2016

6. The Project, as modified by the Conditions of this Decision, will not be detrimental to the Town or to the general character or visual appearance of the surrounding properties, and will be consistent with all applicable standards set forth in Section 7.3.8 of the Westwood Zoning Bylaw.

#### **WAIVERS:**

The Planning Board considered requests for the specific waivers listed below, and determined that such waivers will result in a substantially improved project; that such project will otherwise meet the performance and design standards set forth in this Section; and that such waivers will pose no substantial detriment to any adjacent property or proximate neighborhood, and will not nullify or substantially derogate from the intent or purpose of the Westwood Zoning Bylaw. The following waivers are found to not be applicable to the proposed project and are hereby granted by the Planning Board:

1. Partial waiver of the exterior lighting plan requirements by waiving the requirement for the photometric plan showing the illumination intensity of Section 7.3.7.2 and 6.4.4 of the Westwood Zoning Bylaw.
2. Waiver of the requirement for the submission of a traffic study in Section 7.3.7.3 of the Westwood Zoning Bylaw.
3. Waiver of the requirement for the submission of a rendering or drawing in Section 7.3.7.4 of the Westwood Zoning Bylaw.
4. Waiver of the requirement for the submission of a presentation model in Section 7.3.7.7 of the Westwood Zoning Bylaw.

#### **DECISION:**

The Planning Board evaluated the Application in relation to the above Findings, and as the approving authority, by a vote of five (5) in favor and none (0) opposed, hereby **grants** Limited Environmental Impact and Design Review Approval pursuant to Section 7.3 of the Westwood Zoning Bylaw for the Project as described above and in the application therefor filed in the office of the Town Clerk on April 21, 2016 and on the plan entitled "Topographic Site Plan, 1054 High Street", prepared by VTP Associates, Inc., last revised on May 19, 2016, subject to the Conditions stated herein, all of which are an integral part hereof:

#### **CONDITIONS OF APPROVAL:**

1. Except as modified by the Conditions and Findings hereof, the Project shall comply with the Project Plans in all respects and the Applicant shall pursue completion of the Project with reasonable diligence and continuity.
2. The proposed infiltration chambers shall be coordinated with and inspected by the Town Department of Public Works during excavation, during installation, and after completion for final inspection for compliance with the approved plan.
3. The spot lights on the building and any lights over 15 feet above the ground shall be removed or altered to comply with Section 6.4 of the Zoning Bylaw. The Applicant shall install three additional lights to provide adequate lighting to serve the parking area near parking spaces numbered 3 and 4, number 8 and 9, and number 12. All lighting shall be

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- shield to prevent glare onto nearby properties. The specific light locations, light fixture type, and manufacturer's specification shall be submitted to the Town Planner for review and approval prior to installation.
4. The parking space closest to High Street labelled #1 on the submitted plan shall be reserved for employee parking.
  5. The proposed bicycle rack shall meet the Planning Board's Bicycle Parking Design Guidelines. The proposed detail/design shall be submitted to the Town Planner for review prior to installation.
  6. There shall be no parking in the gravel area off of Lakeshore Drive. The unapproved parking gravel area in the wetlands buffer zone off of Lakeshore Drive shall be restored. The gravel driveway off of Lakeshore may remain.
  7. The one-way circulation off of High Street and parking lot striping shall be as shown on the approved plan, the pavement markings, and directional signs shall be replaced and maintained as necessary.
  8. The limit of work shall be clearly delineated to prohibit work beyond the erosion control line and appropriate erosion controls installed to protect the buffer zone.
  9. All surface stormwater runoff shall be directed into the proposed catch basin.
  10. The Applicant shall provide one (1) original and three (3) certified copies of an "As Built" Site Development Plan. Certification shall be by a Registered Professional Engineer and/or Land Surveyor, as required, and shall indicate that all driveways, parking areas, sidewalks, storm drains, sewer mains, water mains and their appurtenances have been constructed in accordance with said Project Plans and are accurately located as shown thereon. The "As Built" plan shall be delivered to the Board in a format approved by the Information Systems Director for compatibility with the Town of Westwood GIS database.
  11. If the Project, or any Condition imposed in this Decision, requires permit, license, or other approval from any other board, committee, or agency of the Town of Westwood or other regulatory agency of the Commonwealth or the federal government, the Applicant shall make an appropriate application for the same. If any condition of such permit, license, or other approval from any other board, committee, or agency is inconsistent with this Decision, the Applicant shall make application to the Planning Board for amendment of this Decision, and the Planning Board shall consider such application in accordance with the requirements of M.G.L. Chapter 40A § 9 and all applicable Planning Board rules and regulations.
  12. Applicant shall promptly repair any damage which Applicant causes to sidewalks, street pavement, signs or other fixtures or features within the public right of way, after obtaining permission from the Town. Such repairs shall be performed to Town of Westwood standards.
  13. Project related construction and earth material movement shall comply with the Town's General Bylaws Chapter 292, for Noise and Construction between 7:00 a.m. and 7:00 p.m. Monday through Saturday and 12:00 p.m. to 7:00 p.m. on Sundays.

14. This EIDR Approval shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within two (2) years following the grant thereof. The Planning Board may extend such approval, for good cause, upon the written request of the Applicant. In the case of the EIDR Approval, the term "substantial use thereof or construction thereunder" shall mean the commencement and substantial progress of approved vertical construction activity.
15. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.
16. Any alterations, modifications, deletions or amendments to the EIDR Approval shall be done in accordance with the requirements of M.G.L. Chapter 40A § 9.

### **APPLICATION AND PLANS**

The Planning Board evaluated the Application filed by or on behalf of the Applicants in the Planning Office and the Office of the Town Clerk on April 21, 2016. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application prepared by Jaclyn Bennet, dated April 21, 2016, and received by the Town Clerk and Planning Department on April 21, 2016.
2. Project Summary and Narrative, prepared by VTP Associates, Inc. dated April 20, 2016 (3 pages).
3. Plan entitled "Topographic Site Plan, Westwood, Massachusetts Showing Proposed Conditions At #1054 High Street", prepared by VTP Associates, Inc. of Newton, MA, dated January 27, 2016, last revised on May 19, 2016.
4. Stormwater Report, 1054 High Street, Westwood, Massachusetts, prepared by Nestor R. Martinez, dated January 27, 2016.
5. Memorandum from Conservation Agent, Karon Skinner Catrone, to Planning Board, Re: Planning Board Review – 1054 High Street, dated May 2, 2016.
6. Memorandum from Town Engineer, Jeffrey Bina, to Abigail McCabe, Re: Environmental Impact and Design Review, 1054 High Street, dated May 11, 2016.
7. Memorandum from Building Inspector, Joe Doyle, to Westwood Planning Board, RE: 1054 High Street Parking Plan, dated May 19, 2016.
8. Memorandum from Abby McCabe, Town Planner to Planning Board Members, Re: 1054 High Street – Limited EIDR –Tobin School, dated May 17, 2016, revised May 23, 2016.

### **RECORD OF VOTE**

The following members of the Planning Board voted on May 24, 2016 to grant EIDR Approval for the abovementioned Project: Christopher A. Pfaff, Steven H. Olanoff, Dave Atkins, Michael McCusker, Trevor W. Laubenstein.

The following members of the Planning Board voted in opposition to EIDR Approval for the abovementioned Project: None.



Abigail McCabe, Town Planner

May 25, 2016