

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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PLANNING BOARD

CERTIFICATE OF VOTE
OPEN SPACE RESIDENTIAL DEVELOPMENT (OSRD)
DEFINITIVE SUBDIVISION APPROVAL

TOWN CLERK
TOWN OF WESTWOOD

OFF FAR REACH ROAD

Pursuant to M.G.L. Chapter 41, §81U, Westwood's Rules and Regulations Governing the Subdivision of Land, and the Westwood Zoning Bylaw, the Planning Board of the Town of Westwood, at a meeting on November 17, 2015 by a vote of three members in favor and none opposed, voted to conditionally **approve** the **Open Space Residential Development (OSRD) Definitive Subdivision Off Far Reach Road** on the application filed by Old Grove Partners, LLC as described in the supporting material and plan for a four lot subdivision with three single-family residential lots and one open space lot for land off of Far Reach Road as shown on the plans entitled "Open Space Residential Development Definitive Plan Off Far Reach Road in Westwood, Massachusetts", dated September 3, 2015, last revised on November 5, 2015, prepared by Beals and Thomas, Inc. for Old Grove Partners, LLC, and originally filed with the Planning Board and Town Clerk on September 3, 2015.

APPLICANT: Old Grove Partners, LLC
117 Kendrick Street, Suite 700
Needham, MA 02494

PROPERTY OWNER: Far Reach, LLC
c/o Connors Family Office
200 Clarendon Street, 60th Floor
Boston, MA 02116

PROPERTY LOCUS: Land off of Far Reach Road
Assessor's Map 03, Lot 023

PROJECT SUMMARY AND BACKGROUND

The Applicant submitted an application for a definitive subdivision dated September 3, 2015, which application included a plan entitled "Open Space Residential Development Definitive Plan Off Far Reach Road in Westwood, Massachusetts (Norfolk County)", that proposed the subdivision of an undeveloped ~8.9 acre parcel, situated on the east side of Far Reach Road and south of Ridge Road into three buildable single-family lots, a ~170 foot road with a cul-de-sac and a ~4.5 acre open space parcel.

The project requires Definitive Subdivision Approval under M.G.L. Chapter 41, §81 and was filed under Open Space Residential Development (OSRD) §8.3 of the Westwood Zoning

Bylaw and also requires an Environmental Impact and Design Review (EIDR) §7.3 of the Westwood Zoning Bylaw.

On August 28, 2014, the Applicant submitted an application for a four lot Definitive Subdivision on the property. During the course of the public hearings, the Planning Board encouraged the Applicant to file under the OSRD Zoning Bylaw. On April 27, 2015, the Planning Board approved the Applicant's request for a Leave to Withdraw without Prejudice and to apply the funds submitted with the 2014 application to the future application.

STATEMENT OF 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, commissions, departments within the Town of Westwood, members of the public, and from all other interested parties, the Town of Westwood Planning Board makes the following procedural findings and project findings:

Procedural Findings:

1. On September 3, 2015, an application was filed by or on behalf of Old Grove Partners, LLC of Needham, MA (hereinafter referred to as the "Applicant") with the Westwood Planning Board and the Westwood Town Clerk (hereinafter "Application") pursuant to M.G.L. Chapter 41, Section 81, and the Rules and Regulations Governing the Subdivision of Land in Westwood, last amended July 10, 2012.
2. Pursuant to M.G.L. Chapter 41, Sections 81k through 81GG (hereinafter "Subdivision Control Law"), and the applicable provisions of the 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 October 2, 2015 and again on October 9, 2015. Notice of the public hearing was posted in the Westwood Town Hall in the office of the Town Clerk on September 21, 2015 and continuing through the opening of the public hearing on October 20, 2015. Said notice of the public hearing was mailed postage prepaid to the applicant, property owner, and all abutters as prescribed in the Subdivision Control Law on September 22, 2015.
3. The Planning Board provided copies of the Application to other 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, Town Engineer, Police Chief, Fire Chief, and the Dedham Westwood Water District on September 17, 2015.
4. The Board of Health filed their report to approve the Definitive Subdivision on September 24, 2015, after a vote to approve on September 22, 2015, pursuant to M.G.L. Chapter 41, Section 81U.
5. After notice and publication was provided pursuant to the applicable provisions of the Subdivision Control Law and the Board's Rules and Regulations, the public hearing on the Application commenced on October 20, 2015, in the Champagne Meeting Room at

50 Carby Street, and was continued to November 17, 2015 in the same location, on which date the Planning Board closed the public hearing.

6. Westwood Planning Board members Trevor W. Laubenstein, Bruce H. Montgomery, Christopher A. Pfaff, Steven H. Olanoff, and John J. Wiggin were present for the October 20, 2015 public hearing at which testimony was taken.
7. Westwood Planning Board members Trevor W. Laubenstein, Christopher A. Pfaff, and Steven H. Olanoff, were present for all public hearings on October 20 and November 17, 2015, and deliberated on the Application at duly authorized meeting on November 17, 2015.

Project Findings:

1. The subject property consists of one ~8.9 acre parcel of land shown on the Westwood Board of Assessors' Map 03, Lot 023 ("Project Site" or "Property").
2. The Project Site is located within the Single Residence C (SRC) zoning district. The proposed OSRD Definitive Subdivision Plan constitutes a use permitted in this district, subject to the issuance of an OSRD Definitive Subdivision Plan Approval and OSRD-EIDR Approval by the Planning Board, and subject to the Planning Board granting certain waivers, including waivers for the requirements for a full traffic study, showing all trees with a 10" caliper or greater, providing six foot sidewalk on both sides of the street, six foot grass plots on both sides of roadway, cul-de-sac diameter width, width of roadway, vertical granite curbing, curb radius, reinforced concrete pipe, and headwalls at open ends of pipes.
3. An OSRD Definitive Subdivision Plan was voluntarily submitted by the Applicant in response to a request for the same from the Planning Board.
4. The OSRD Definitive Subdivision Plan, providing for three (3) residential house lots and an open space lot, is preferable to the originally proposed development in 2014 for a standard four (4) lot subdivision for residential house lots.
5. The Applicant proposes to construct a 22-foot wide and ~170 feet long road to serve the above parcel, and to accommodate the development of three (3) single-family houses and one (1) open space lot, on each of said parcels (herein after "Development").
6. The Planning Board granted all necessary waivers by a vote on November 17, 2015 and granted an OSRD-EIDR Approval for the Project on November 17, 2015.
7. The Applicant submitted, and the Planning Board considered, all plans and materials necessary for the Board to confirm the sufficiency of measures established to provide for effective protection and maintenance of the common open space, as required in the OSRD-EIDR Approval.
8. The Applicant submitted, and the Planning Board approved, all waivers and plans and materials necessary for the Board to confirm compliance with all applicable elements of the EIDR standards in Section 7.3 of the Zoning Bylaw, as required in the OSRD-EIDR Approval.

9. The Planning Board considered the OSRD Definitive Plan in conformance with all conditions of the OSRD-EIDR Approval.
10. The Planning Board found that, subject to the conditions imposed herein, the Development proposed in the OSRD Definitive Subdivision Plan is in harmony with the general purpose and intent of the Subdivision Regulations and with Section 8.3 of the Town of Westwood Zoning Bylaw.

WAIVERS

The Planning Board on November 17, 2015, by a vote of three in favor and none opposed, **granted** the following waivers to the OSRD Bylaw and Subdivision Rules and Regulations after determining that the waivers will not nullify or substantially derogate from the intent and purpose of the Subdivision Control Law, the Board's Subdivision Rules and Regulations, and the OSRD Zoning Bylaw.

1. Waiver of Section III.B.1.h of the Subdivision Regulations requiring traffic study describing the effect of traffic generated by the subdivision on other streets in the Town.
2. Waiver of Section III.B.3.n of the Subdivision Regulations requiring the location of major site features, including existing trees with a caliper of ten (10) inches or larger, to allow the Applicant to show only those trees with a caliper of 24 inches or greater.
3. Waiver of Section V.H of the Subdivision Regulations requiring a six (6) foot-wide sidewalk on both sides of the proposed roadway. A five (5) foot sidewalk is provided on the north side of the proposed road extending from Far Reach Road and connects to all three driveways serving each house lot.
4. Waiver of Section V.I of the Subdivision Regulations requiring a six (6) foot grass plot on each side of the roadway. A grass plot will be provided on the north side of the road adjacent to the sidewalk between the sidewalk and private property line.
5. Waiver of Section IV.E of the Subdivision Regulations requiring open space for a park or playground for recreation purposes. The plans propose a 4.456 acre open space parcel to remain in a natural state with access to the public from Far Reach Road through an unrestricted easement over lot 3.
6. Waiver of Section IV.A.4.d of the Subdivision Regulations requiring dead-end streets to have an outside street line diameter at the closed end of the cul-de-sac to be at least one hundred feet (100). The proposed cul-de-sac has an outside diameter of 88 feet, which is sufficient for emergency access for Westwood fire vehicles and minimizes unnecessary impervious surfaces.
7. Waiver of Section V.E.2 of the Subdivision Regulations requiring a minimum width of 26 feet for paved roadways. The proposed plans show a 22 foot wide paved area from Far Reach Road and continuing through the end and around the cul-de-sac of the new roadway. The Fire Department found 22 ft. to be sufficient for emergency access.

8. Waiver of Section IV.A.2.d of the Subdivision Regulations requiring property lines at street intersections to be rounded or cut back to provide for a curb radius of not less than 40 feet. The proposed plans provide a 30 ft. curb radius to reduce pavement.
9. Waiver of Section V.F requiring granite vertical curbing (Type VA4) along each edge of roadway in all streets. The proposed plans provide a Cape Cod berm along all roadways and is consistent with the adjacent roads in the area.
10. Partial waiver of Section X.A.1 requiring a minimum of 12 inch reinforced concrete pipe for all stormwater/drainage piping. A partial waiver was approved to provide HDPE drain pipes less than 12 inches in diameter in the tributary drainage areas on the individual private lots.
11. Waiver of Section X.A.6 requiring headwalls at open ends of pipe. The plans propose flared end outlets in lieu of headwalls.

CONDITIONS

After the public hearing, the Westwood Planning Board by a vote of three in favor and none opposed, **approved** the Definitive Subdivision Off Far Reach Road as described above and as shown in the plan set entitled "Open Space Residential Development Definitive Plan Off Far Reach Road in Westwood, Massachusetts", consisting of seven (7) sheets, last revised on November 5, 2015, prepared by Beals and Thomas, Inc. for Old Grove Partners, LLC, be revised as outlined below and subject to the following conditions:

1. The Applicant shall submit revised plans showing 12 inch reinforced concrete drainage pipes within the road and in the drain easement.
2. Revise the plans to label the abutters separated from the subdivision only by a street, pursuant to Section III.B.3.d of the Subdivision Regulations.
3. The Applicant shall verify the infiltration rates of the soil conditions with test pits and percolation tests prior to the construction of the detention and infiltration basins. The test results should be submitted to the Town Engineer and Planning Board through the Town Planner. Any resultant changes or modifications to the plan based on the test shall be reviewed by the Planning Board.
4. The Department of Public Works shall be contacted to inspect the basins after excavation and before loam and seed is installed to verify the soil conditions.
5. The catch basin detail shall be revised to have a hood on the outlet pipe and a minimum of a 4 foot sump.
6. The final long-term Operations and Maintenance Plan shall be reviewed and approved by the Town Planner, Fire Chief, and the Town Engineer, prior to issuance of building permits.
7. A final Sediment and Erosion Control Plan and Stormwater Pollution Prevention Plan (SWPPP) shall be submitted to the Town Engineer and Planning Board prior to the commencement of construction.
8. Stockpile areas during construction shall be located outside the 100-ft. wetland buffer.

9. A pedestrian access easement over lot 3 shall be provided to permit access to all areas of the open space lot and shall be clearly noted on the revised plan with the annotation that the easement shall not be restricted with fencing, plantings, signage, or other obstructions to prevent pedestrian access.
10. The pedestrian easement shall be identified with cedar post trail signage, or other similar material, of not more than 4 feet in height on Far Reach Road.
11. The existing guard rail along Far Reach Road shall be opened to at least three feet in width to allow physical access to the pedestrian access easement and annotated on the revised plan.
12. The Applicant shall submit to the Town Planner, in a timely fashion, final drafts of all legal documents related to the project, including deeds for each lot, sewer easement, homeowners' association documents, pedestrian access easement, and other documents related to the transfer, permanent preservation, and maintenance of the open space parcel, for review and approval by Town Counsel.
13. A conservation restriction or other means acceptable pursuant to Section 8.3.11.4 of the Zoning Bylaw to convey and ensure the ownership, protection, maintenance of the Open Space parcel shall be submitted to the Planning Board, the Town Planner, and Town Counsel prior to the issuance of final certificate of occupancy. The open space shall be perpetually kept in an open state and shall be labeled on the plan as "Public Accessible Open Space".
14. The Applicant and Owner, including future owners, shall preserve the existing natural landscape features of the open space parcel, and this shall be annotated on the plan.
15. There shall be a 20-ft. wide sewer easement for the area of the proposed sewer main from the connection in Far Reach Road to SMH-2 located in the proposed roadway. The easement shall be granted to the Town of Westwood Sewer Division.
16. The maintenance of the individual low pressure sewer services from the houses to SMH-2 shall be the responsibility of the individual property owners.
17. If the Project, or any Condition imposed in this Decision, requires a 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 [e.g., Earth Material Movement Special Permit, Land Disturbance Permit, Order of Conditions, Notice of Intent with local Conservation Commission and EPA]. 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.
18. After notice from the Town Clerk of "No Appeal", the Applicant shall submit the Definitive Subdivision Plan, for endorsement by the Planning Board and the Certificate of Vote, and following said endorsement, shall record the Definitive Subdivision Plan and a copy of this Decision at the Norfolk County Registry of Deeds.
19. The Applicant shall promptly repair any damage which applicant causes to sidewalks, streets, pavements, or other fixtures or features within the public right of way, after obtaining permission from the Town, and such repair shall be to Town of Westwood standards.

20. The Applicant shall provide for a Performance Guarantee, in a manner acceptable to the Planning Board, prior to the release of any lot or the issuance of any building permit.
21. A final As-Built plan showing the road and utilities shall be submitted to the Town Engineer and Town Planner. The "As Built" plan shall be delivered in a format approved by the Information Systems Director for compatibility with the Town of Westwood GIS database.
22. Project related construction 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.
23. The two (2) foot wide gravel strip around the cul-de-sac island shall have at least three (3) inches of loam and seed.
24. The extent of the sidewalk on the north side of the road shall be clearly identified on the revised plan with a plan note.
25. Revise the planting plan to show the deciduous trees to be planted at a 3-3.5 inch caliper and 12-foot evergreens to be planted.

APPLICATION AND PLANS

The Planning Board evaluated the Application filed by or on behalf of the Applicant and the following material associated with this application.

1. Application for Definitive Subdivision Plan and Environmental Impact and Design Review, narrative and supporting material; prepared by Old Grove Partners, dated September 3, 2015; received as complete by the Planning and Town Clerk on September 3, 2015.
2. Stormwater Management Calculations and Plans, Section 5 of Application Submittal Packet, prepared by Beals and Thomas, Inc.
3. Plans entitled "Open Space Residential Development Definitive Plan Off Far Reach Road in Westwood, Massachusetts", consisting of seven (7) sheets, dated September 3, 2015, last revised on November 5, 2015, prepared by Beals and Thomas, Inc. for Old Grove Partners, received by the Town Clerk and Planning Department on September 3, 2015.
4. Architectural Plans entitled "Proposed Residence: Lot 1 Far Reach Rd. Westwood, MA" prepared by HPA Design Inc., Title Sheet - sheet AO.1, First Floor Plan - Sheet A1.1, Second Floor Plan - Sheet A1.2, Elevations - Sheet A2.1, Elevations - Sheet A2.2, Sections - Sheet A4.1, Air Barrier Notes and Details A4.2, in Section 9 of Application Submission Packet.
5. Architectural Plans entitled "Proposed Residence Lot 2 Far Reach Rd. Westwood, MA", prepared by HPA Design, Inc., Title Sheet - Sheet A0.1, First Floor Plan - Sheet A1.1, Second Floor Plan - Sheet A1.2, Elevations - Sheet A2.1, Elevations - Sheet A2.2, Elevations - Sheet A2.3, Sections - Sheet A4.1, Air Barrier Notes and Details - Sheet A4.2, in Section 9 of Application Submission Packet.

6. Architectural Plans entitled "Proposed Residence Lot 3 Far Reach Rd. Westwood, MA", prepared by HPA Design, Inc., Title Sheet – Sheet A0.1, First Floor Plan – Sheet A1.1, Second Floor Plan – Sheet A1.2, Elevations – Sheet A2.1, Elevations – Sheet A2.2, Sections – Sheet A4.1, Air Barrier Notes and Details – Sheet A4.2, in Section 9 of Application Submission Packet.
7. Full size artistic renderings of residences, untitled and undated.
8. Request for Peer Review Professional Services Scope and Qualifications, from Town Planner Abigail McCabe, to VHB, Site Design Professionals, and BETA Group dated September 22, 2015.
9. Response to Request for Peer Review Professional Services from BETA Group, prepared by Philip F Paradis, Re: Off Far Reach Road – Definitive Plan, Open Space Residential Developments and Environmental Impact & Design (EIDR) Peer Review Scope & Fee (Attachment A), consisting of three pages, dated October 1, 2015.
10. Memorandum from Health Director Linda R. Shea, to Town Planner Abigail McCabe, Subject: Off Far Reach Road – Definitive Subdivision Plan Open Space Residential Development (OSRD) and Environmental Impact and Design Review (EIDR), dated September 24, 2015.
11. Memorandum from Public Safety Officer, Sgt. Paul R. Sicard, to Abigail McCabe, Subject: Subdivision off Far Reach Road, dated October 9, 2015.
12. Memorandum from Town Engineer, Jeffrey Bina, to Town Planner, Abigail McCabe; RE: OSRD-definitive plan, off Far Reach Road, dated October 19, 2015 and November 17, 2015.
13. Review Comments from Professional Peer Review BETA Group, Inc., prepared by Philip Paradis, to Abigail McCabe, consisting of seven (7) pages, dated October 20, 2015.
14. Meeting Summary Letter from John Bensley, Beals and Thomas, Inc., consisting of two pages, issue date October 30, 2015.
15. Electronic Mail from Conservation Agent Karon Catrone, Town Planner Abigail McCabe, Subject: Comments for Far Reach Road project, sent: November 2, 2015.
16. Cover letter from Applicant for revised submission, letter prepared by John Bensley of Beals and Thomas, Inc., to Westwood Planning Board, consisting of four (4) pages, dated November 5, 2015.
17. Draft Declaration of Covenants, Restrictions and Easements and Homeowners Association, prepared by Far Reach, LLC Timothy D. Connors, received by Planning Department November 6, 2015.
18. Operation and Maintenance Plan entitled "Definitive Subdivision Off Far Reach Road, Westwood, Massachusetts", prepared for Far Reach, LLC, prepared by Beals and Thomas, Inc., dated November 2, 2015, received by Planning Department November 6, 2015.
19. Electronic Mail from Deputy Fire Chief Michael Reardon, to Town Planner Abigail McCabe, Subject: Far Reach Road, sent November 13, 2015.

20. Review Comments from Professional Peer Review BETA Group, Inc., prepared by Philip Paradis, to Abigail McCabe, consisting of nine (9) pages, dated November 10, 2015.

21. Memorandum from Town Planner, Abigail McCabe to Planning Board Members, RE: Far Reach Road – Open Space Residential Development (OSRD), Definitive Subdivision & EIDR, consisting of three (3) pages, dated November 13, 2015, revised November 17, 2015.

All of the foregoing plans and reports are hereby incorporated by reference and made part of this Decision and the Board’s findings.

RECORD OF VOTE

The following members of the Planning Board voted on November 17, 2015 to grant **Approval** for the abovementioned Open Space Residential Definitive Subdivision Project: Christopher A. Pfaff, Steven H. Olanoff, and Trevor W. Laubenstein.

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


Abigail McCabe, Town Planner


DATE