

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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PLANNING BOARD

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

APPLICANT: Petruzziello Properties, LLC
21 Eastbrook Road
Dedham, MA 02026

PROPERTY OWNER: Petruzziello Properties, LLC
21 Eastbrook Road
Dedham, MA 02026

PROPERTY LOCUS: 9 School Street
Assessor's Map 23, Lot 161

2016 MAY 25 P 12:45
TOWN CLERK
TOWN OF WESTWOOD

BACKGROUND AND PROJECT SUMMARY

The Applicant proposes to relocate the historic building at 317 Washington Street, historically known as the Jeremiah Dean Blue Hart Tavern, to the front portion of the Applicant's property at 9 School Street for the temporary storage of the building. The proposal is to move the building from its present location on Washington Street to the front wooden portion of 9 School Street west of the existing building. Vegetation will be removed to locate the building and a gravel area surrounding the Blue Hart Tavern building is proposed. The Blue Hart Tavern is proposed to remain on the property temporarily for storage.

The purpose of the building's relocation is to provide time for a permanent use and location of the historic building to be considered while allowing construction to proceed at 317 Washington Street. The temporary preservation of the historic building was a condition of the Applicant's Special Permit approval for a mixed use project at its current site at 317 Washington Street (301-323 Washington Street) approved by the Planning Board on April 25, 2016.

The property is located in the SRA (Single Residence A) zoning district. The proposed temporary structure, building or use is permitted by Special Permit from the Zoning Board of Appeals in the SRA zone. The location and use of the building at 9 School Street are subject to Environmental Impact and Design Review (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 28, 2016, an application was filed by or on behalf of Petruzziello Properties, LLC, 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 29, 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 the Pedestrian and Bicycle Safety Committee on April 29, 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. The Planning Board closed the public hearing on the same evening on May 24, 2016.
5. Westwood Planning Board Members Christopher A. Pfaff, Trevor W. Laubenstein, Steven H. Olanoff, David L. Atkins, and Michael L. McCusker deliberated on the Application at a duly authorized meeting on May 24, 2016.

PROJECT FINDINGS:

1. The subject property consists of approximately 26,367 Sq. Ft. located at 9 School Street and is shown as Map 23, Lot 161 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. Presently, the project site contains a one-story commercial building that is currently vacant but was most recently used for a personal service establishment and five off-street paved parking spaces.
3. The Applicant proposes to relocate the historic building at 317 Washington Street, known as the Jeremiah Dean Blue Hart Tavern, to the front portion of the Applicant's property at 9 School Street for the temporary storage of the building. The Blue Hart Tavern Building was constructed in 1741 and is one of the oldest surviving houses in Westwood. The proposal is to move the building from its present location on Washington Street to the front wooden portion of 9 School Street west of the existing building. Some trees and vegetation will be removed to locate the building and a gravel area surrounding the Blue Hart Tavern building

is proposed. The Blue Hart Tavern is proposed to remain on the property temporarily for storage for an undetermined amount of time without utility connections at 9 School Street in Westwood, MA 02090.

4. The purpose of the building's relocation is to provide time for a permanent use and location of the historic building to be fully considered while allowing construction to proceed at 317 Washington Street. The temporary preservation of the historic building was a condition of the Applicant's Special Permit approval for a mixed use project at its current site at 317 Washington Street (301-323 Washington Street) approved by the Planning Board on April 25, 2016. Rehabilitation, reuse and/or a permanent location of the historic building is not part of this approval.
5. The Applicant is working with Richard Geddes of Geddes Mover Building, Inc. to relocate the building. Mr. Geddes has experience moving other buildings in Westwood such as the Colburn School building on High Street.
6. The Project Site is located within the SRA (Single Residence A) zoning district. The proposed temporary structure, building or use is permitted by Special Permit from the Zoning Board of Appeals in the SRA zone, subject to Environmental Impact Design Review (EIDR), pursuant to Section 7.3 of the Westwood Zoning Bylaw.
7. Available on-site parking is five paved parking spaces for the existing commercial building. The five parking spaces are sufficient to meet the minimum parking requirements of Section 6.1 of the Westwood Zoning Bylaw for the most recent use categorized as personal service establishment use. The existing building is currently vacant and the Blue Hart Tavern building is not proposed to be occupied.
8. 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 hereby granted by the Planning Board after finding they were not relevant or applicable to this proposal:

1. Waiver of submission of an exterior lighting plan required by Section 7.3.7.2 of the Westwood Zoning Bylaw.
2. Waiver of submission of a traffic study required by Section 7.3.7.3 of the Westwood Zoning Bylaw.

3. Waiver of submission of a rendering and drawings required by Section 7.3.7.4 of the Westwood Zoning Bylaw.
4. Waiver of the submission of a presentation model required by 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** 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 28, 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. Prior to the commencement of relocation of the structure to the Property, the Applicant shall hire a pest control company to inspect the structure and the relocation site for rodents and/or wildlife, and to exterminate if necessary, and shall provide a copy of the invoice and the inspection report to the Health Department.
3. Prior to the commencement of relocation of the structure to the Property, the Planning Board and Westwood Historical Commission shall be provided thirty (30) days to document the property, including photographs of the building interior.
4. The structure shall be moved by a firm working predominantly in the moving of structures, with verifiable qualifications and a demonstrable record of achievement in this kind of activity. And shall have significant experience in the moving of historic structures or buildings over 50 years old.
5. A continuous landscape buffer area extending a minimum of twenty (20) feet in depth along the entire length of the property line separating 9 School Street from 21 School Street shall be maintained in its current natural condition. Vegetation removal to the east of this landscape buffer area shall be limited to the minimum possible to allow the structure to be located on the property.
6. The Applicant shall maintain five (5) existing on-site parking spaces as shown on the approved plans.
7. A compost sock and construction fence shall be installed around the limit of work as shown on the submitted plan.

8. Plans for temporary support of the relocated structure shall be approved by the Building Commissioner prior to the move. The Applicant shall be solely responsible for any additional structural stabilization or support deemed necessary by the Building Commissioner over the period of time during which the relocated structure is temporarily located at 9 School Street.
9. The relocated structure shall be properly secured and mothballed while situated at 9 School Street. The structure shall be secured from vandals and break-ins by boarding up all windows and doors, leaving a single entry point reinforced by proper locking mechanism. Locked security fencing shall be installed and maintained around the perimeter of the relocated structure. The security fencing shall be temporary and removed when the structure is eventually removed. The security fencing shall be six (6) feet high chain-link and set back ten (10) feet from the School Street property line. The gravel area between School Street and the security fence shall be mulched. The exterior of the structure shall be secured from moisture penetration, including the cleaning of all gutters to allow for proper drainage. The Applicant shall be solely responsible for such other regular maintenance as required to ensure the structure's preservation.
10. If the Project, or any Condition imposed in this Decision, requires permit, license, or other approval from any other board including the Zoning Board of Appeals for the proposed temporary use of the property, 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.
11. The Applicant shall promptly repair any damage caused by the Applicant or any of its contractors, agents or assigns, 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.
12. The Town may inspect the Premises from time to time upon reasonable notice to the owner to determine the structure is safe, appropriately maintained, and properly secured.
13. 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.
14. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.

15. No alterations or uses of the structure shall be permitted without first obtaining proper Town approval. 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

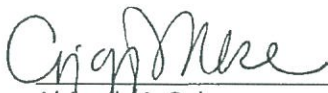
The Planning Board evaluated the Application filed by or on behalf of the Applicants in the Planning Office and the Office of the Town Clerk on April 28, 2016. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application and Narrative and Impact Statement prepared by Petruzzello Properties, LLC, received by the Town Clerk and Planning Department on April 28, 2016.
2. Plan entitled "Site Plan Temporary Location For Blue Heart Tavern, 9 School Street, Westwood, Massachusetts", prepared by Norwood Engineering, dated April 28, 2016
3. Memorandum from Abby McCabe to Planning Board Members, Re: 9 School Street - Blue Hart Tavern, dated May 17, 2016.
4. Electronic Mail from Peter Paravalos, Historic Commission Chairman, to Janice Barba, re: Planning Board - Relocate Blue Hart Tavern, sent May 16, 2016.
5. Massachusetts Cultural Resource Information (MACRIS) form for Jeremiah Dean House, 317 Washington Street.
6. Memorandum from Health Director Linda Shea to Planning Board, Subject: Relocation of Blue Hart Tavern-317 Washington Street, dated May 24, 2016.
7. Photographs of project area taken by Planning Staff on May 17, 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, David L. Atkins, Michael L. 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

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