

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

Christopher A. Pfaff, Chairman
Steven H. Olanoff, Vice Chairman
Trevor W. Laubenstein, Secretary
John J. Wiggin
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PLANNING BOARD

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

APPLICANT: 20 SWP LLC
C/O Richard Lee

APPLICANT ADDRESS: 80 Arlo Road
Newton, MA 02464

PROPERTY OWNER: Richard Lee and Marilyn Lee-Tom, Trustees
20 SWP LLC
80 Arnold Road
Newton, MA 02464

PROPERTY LOCUS: 20 Southwest Park
Westwood, MA 02090
Assessor's Map 17, Lot 62

TOWN CLERK
TOWN OF WESTWOOD
2016 MAR - 3 A 10: 26

BACKGROUND AND PROJECT SUMMARY

The Applicant proposes interior renovations for a ~5,000 SF Certified Public Accounting office (professional service establishment), replace the exterior building light fixtures, replace windows, a new front entrance and walkway, and plantings in the front lawn area.

The property is located in the Highway Business (HB) zoning district. The proposed professional service establishment is permitted by-right in the HB zone. The change of use and exterior alterations 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 January 7, 2016, an application was filed by or on behalf of Richard Lee, 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 January 22, 2016 and January 29, 2016. Notice of the public hearing was posted in the Westwood Town Hall commencing on January 15, 2016, and continuing through the opening of the public hearing on February 9, 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 January 15, 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 Bike Safety Committee on January 12, 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 February 9, 2016, in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts, and was continued to February 23, 2016. The Planning Board closed the public hearing on February 23, 2016.
5. Westwood Planning Board Members Trevor W. Laubenstein, Steven H. Olanoff, John J. Wiggin, Bruce H. Montgomery, and Christopher A. Pfaff deliberated on the Application at a duly authorized meeting on February 23, 2016.

PROJECT FINDINGS:

1. The subject property consists of approximately 43,124 S.F. located at 20 Southwest Park and is shown as Map 17, Lot 62 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. Presently, the project site contains a ~15,560 S.F. one-story brick building and 48 parking spaces.
3. The Applicant proposes to make interior renovations for a ~5,000 SF Certified Public Accounting office, replace the exterior building light fixtures, replace windows, a new front entrance, and add hemlocks and boxwoods plantings in the front lawn area along a new six foot walkway. The original application proposal for a ~10,000 child care use for Futures Behavioral Center was withdrawn.
4. The Project Site is located within the Highway Business (HB) zoning district and the Flexible Multiple Use Overlay-2 (FMUOD-2). The proposed professional service establishment use is permitted by-right in the HB zone pursuant to Westwood Zoning

Bylaw Section 4.1.5.20, subject to Environmental Impact Design Review (EIDR), pursuant to Section 7.3 of the Westwood Zoning Bylaw.

5. Available on-site parking is 48 parking spaces. The proposed parking spaces are sufficient to meet the minimum parking requirements of Section 6.1 of the Westwood Zoning Bylaw (47 required for professional service use, 48 provided).
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 hereby granted by the Planning Board:

1. Waiver of submission of a traffic study of Section 7.3.7.3 of the Westwood Zoning Bylaw.
2. Waiver of submission of a presentation model of Section 7.3.7.7 of the Westwood Zoning Bylaw.
3. Waiver of showing the existing drainage patterns, utilities, sanitary sewer and water supply, and grading on the submitted site plan pursuant to Section 7.3.7.1.

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, as shown on the final approved plan entitled "Plot Plan, #20 Southwest Park, Westwood, Mass", prepared by R.E. Cameron & Associates, Inc., dated February 16, 2016 and in the application therefor filed in the office of the Town Clerk on January 7, 2016, subject to the Conditions stated herein, all of which are an integral part hereof:

CONDITIONS OF APPROVAL:

1. The bicycle rack shown on the approved Project Plan is not required.
2. A second dumpster shall be provided within the proposed dumpster enclosure.

3. 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.
4. 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.
5. 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.
6. 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.
7. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.
8. 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 and submitted to the Planning Board.

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 January 7, 2016. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application, photographs, and narrative prepared by Richard Lee, dated January 5, 2016, received by the Town Clerk and Planning Department on January 7, 2016.
2. Plan entitled "Plot Plan, #20 Southwest Park, Westwood, Mass", prepared by R.E. Cameron & Associates, Inc., dated December 7, 2015, plan updated February 16, 2016.
3. Electronic Mail from Westwood Public Safety Officer Paul Sicard to Abigail McCabe, Re: EIDR Application for 20 Southwest Park, sent February 3, 2016.
4. Architectural plan set entitled "Proposed Renovations for 20 Southwest Park, Westwood, MA" floor plans (Sheet A.1) and elevations (Sheet A.2), Existing Floor Plan (Sheet Ex.1), Existing Elevation (Sheet Ex.2), prepared by Carmine Guarracino.

5. Updated Architectural plan entitled "Proposed New Entrance and Planting Plan, Proposed Renovations for 20 Southwest Park, Westwood, MA", undated.
6. Light specifications by RAB Lighting for SLIM 12 and SLIM 37.
7. Memorandum from Town Engineer Jeffrey Bina, to Town Planner Abigail McCabe, RE: Environmental Impact and Design Review (EIDR), 20 Southwest Park, dated February 1, 2016.
8. Applicant's cover letter for revised submission from Richard Lee to Abigail McCabe, RE: 20 Southwest Park Project No. PB-2016-10, dated February 16, 2016.

RECORD OF VOTE

The following members of the Planning Board voted on February 23, 2016 to grant EIDR Approval for the abovementioned Project: Christopher A. Pfaff, Steven H. Olanoff, Bruce H. Montgomery, John J. Wiggin, 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
March 3, 2016