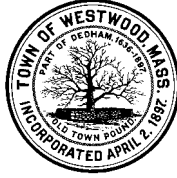


TOWN OF WESTWOOD

Commonwealth of Massachusetts

Robert C. Malster, Chairman
Steven H. Olanoff, Vice Chairman
Robert E. Moore, Secretary
George A. Nedder
Bruce H. Montgomery



200G AUG 17 Mi II: 05

PLANNING BOARD CERTIFICATE OF VOTE DEFINITIVE SUBDIVISION PLAN

August 15, 2006

Pursuant to M.G.L. Chapter 41, § 81U, the Planning Board of the Town of Westwood, by vote of four in favor and one abstention, hereby **approves** the Definitive Subdivision Plan entitled "Howard Estates Definitive Subdivision Plans Located in Westwood, Massachusetts", dated September 25, 2005 and revised through July 20, 2006; prepared by Consolidated Design Group, Inc., 21 Main Street, Hudson, MA 01749; consisting of the following six (6) sheets and filed by Charles & Jane Howard III, 265 Dover Road, Arthur F. & Paula L. Howe, 259 Dover Road and Charles & Ethel M. Howard, 265 Dover Road, all in Westwood, Massachusetts:

Sheet 1 entitled "Howard Estates Definitive Subdivision Plans Located in Westwood, Massachusetts", dated September 25, 2005 and revised through July 20, 2006;

Sheet 2 entitled "Definitive Subdivision "Howard Estates" Existing Conditions in Westwood, Mass.", dated July 20, 2006;

Sheet 3 entitled "Draft "Howard Estates" Subdivision Plan Westwood, Mass.", dated July 20, 2006;

Sheet 4 entitled "Definitive Subdivision "Howard Estates" Topographic Plan Westwood, Mass.", dated September 25, 2005 and revised through July 20, 2006;

Sheet 5 entitled "Definitive Subdivision "Howard Estates" Utility Profile in Westwood, Mass.", dated May 10, 2006 and revised through July 20, 2006;

Sheet 6 entitled "Definitive Subdivision "Howard Estates" Construction Details in Westwood, Mass.", dated September 25, 2005 and revised through July 20, 2006.

The approval of said Definitive Subdivision Plan is subject to the conditions specified herein. These conditions include both waivers and extensions to the Rules and Regulations Governing the Subdivision of Land in Westwood, dated December 15, 1998.

Conditions of Approval

1. Section III.B.1.h. requiring a traffic study shall be waived. The Planning Board finds that this waiver is in the public interest and is not inconsistent with the intent and purpose of the Subdivision Control Law.
2. Section IV.A.2.e. requiring the layout width of the right-of-way to be a minimum of fifty (50) feet shall be waived, due to the constraints of the existing right-of-way which has a layout width of forty (40) feet. The Planning Board finds that this waiver is in the public interest and not inconsistent with the intent and purpose of the Subdivision Control Law.
3. Section IV.A.3.b. shall be waived to allow for a maximum centerline grade of fourteen percent (14%) as shown on the Definitive Plan. Since the constraints of the existing topography does not currently allow for emergency vehicle access to the existing residence on the property and the proposed centerline grade of the subdivision roadway will allow for this emergency access, the Planning Board finds that this waiver is in the public interest and not inconsistent with the intent and purpose of the Subdivision Control Law.
4. Section IV.A.3.c. shall be waived to allow for the subdivision roadway and Dover Road intersection to have a leveling area with a grade not to exceed four percent (4%) for a distance of not less than fifty (50) feet, as shown on the Definitive Plan. Given the constraints of the existing topography of the property, the Planning Board finds that this waiver is in the public interest and is consistent with the intent and purpose of the Subdivision Control Law.
5. Section IV.A.4.d. shall be waived to allow for the turnaround to have an outside street line diameter of thirty (30) feet, as shown on the Definitive Plan. Since the roadway will serve a total of two residences and this turnaround can adequately accommodate passenger vehicles, the Planning Board finds that this waiver is in the public interest and is consistent with the intent and purpose of the Subdivision Control Law.
6. Section V.E.2. shall be waived to allow for a minimum roadway pavement width of sixteen (16) feet with a three (3)-foot gravel shoulder on one side and a five (5)-foot gravel shoulders on the other side, as shown on the Definitive Plan. Since the roadway will serve a total of two residences, the Planning Board finds that this waiver is in the public interest and is consistent with the intent and purpose of the Subdivision Control Law.
7. Section V.F. requiring the installation of granite curbing along each edge of the roadway shall be waived. The Planning Board finds that this waiver is in the public interest and not inconsistent with the intent and purpose of the Subdivision Control Law.
8. Section V.H. requiring the construction of six (6)-foot sidewalks on both sides of the roadway shall be waived. The Planning Board finds that this waiver is in the public interest and not inconsistent with the intent and purpose of the Subdivision Control Law.
9. Section V.K. requiring side slopes that provide for seven (7)-foot wide shoulders shall be waived to allow for the side slopes as shown on the Definitive Plan. The Planning Board finds that this waiver is in the public interest and not inconsistent with the intent and purpose of the Subdivision Control Law.

10. Section V.M. requiring the planting of street trees shall be waived. The Planning Board finds that this waiver is in the public interest and not inconsistent with the intent and purpose of the Subdivision Control Law.
11. There shall be no further division or subdivision of Lot 4 and/or Lot 5 to create additional buildable lots. This restriction shall be included as a note on the Definitive Plan.
12. The existing bituminous driveway across the property at 259 Dover Road, which is marked to be abandoned on the Definitive Plan, shall be removed and the land restored in accordance with an agreement between the owners of record of 259 Dover Road and 265 Dover Road.
13. Parcel A-1 shall be identified on the Definitive Plan.
14. There shall be a note on the Definitive Plan to indicate that Parcel C-3 (2,364± square feet) will be combined with Parcel B-2 (37,704± square feet) to create Lot 3 (40,068± square feet).
15. There shall be a note on the Definitive Plan to indicate that Parcel C-1 (1,748± square feet) will be combined with Parcel A-1 (39,306± square feet) to create Lot 1 (41,054± square feet).
16. A closed traverse for the boundaries of the Subdivision, the roadway and the interior lot lines shall be shown on the Definitive Plan, as required by Section B.1.f. of the Subdivision Rules and Regulations.
17. It must be demonstrated to the satisfaction of the Fire Department and the Dedham-Westwood Water District that there is adequate water flow at the location of the proposed fire hydrant.
18. All slope easements shall be specifically described by length and direction on the Definitive Plan as required by Section V.K. of the Subdivision Rules and Regulations.
19. Monuments shall be installed at all street intersections, at all points of change in direction or curvature of streets and at other points as determined by the Town Engineer, as required by Section V.N. of the Subdivision Rules and Regulations.
20. Sheet 1 of the Definitive Plan shall list only those waivers of the Subdivision Rules and Regulations that have been granted by the Planning Board.
21. The word "Draft" shall be removed from the title of Sheet 3 of the Definitive Plan.
22. Compliance with the Board of Health memorandum dated February 22, 2006 which requires the following: 1) the existing private drinking water well shall be shown on the Definitive Plan; 2) the existing residence at 265 Dover Road must be connected to the municipal sewer system once it becomes available; and 3) if the existing residence at 265 Dover Road does not connect to the municipal water service then the drinking water well must be tested in compliance with the Board of Health private well regulations after the construction of the subdivision roadway.

23. The subdivision roadway shall remain a private way in perpetuity and shall not be proposed nor accepted as a public way. There shall be no non-emergency municipal services provided to the subdivision roadway, which include snow and trash removal. This restriction shall be included as a note on the Definitive Plan.
24. Any future change, modification or amendment to the Definitive Plan as may be approved by the Planning Board shall be in accordance with the requirements of M.G.L. Chapter 41, § 81W.
25. The Definitive Plan shall include a reference to this Certificate of Vote and its date of approval.
26. Before endorsement of the Definitive Plan, the Applicant shall provide for an appropriate Performance Guarantee to ensure that the required improvements will be constructed and/or installed in accordance with the approved Definitive Plan as required by Section III.B.6. and M.G.L. Chapter 41 § 81U.
27. The Applicant shall submit a final Definitive Plan incorporating all the above Conditions and any changes necessitated for compliance with said Conditions to the Planning Board for their final review and approval and endorsement.
28. Within thirty (30) days after the final endorsement of the Definitive Plan, the Applicant shall provide three (3) copies of said Plan showing the final endorsement, as required by Section III.B.10.