

TOWN OF WESTWOOD
Commonwealth of Massachusetts

Steven M. Rafsky, Chairman
Steven H. Olanoff, Vice Chairman
John J. Wiggin, Secretary
Bruce H. Montgomery
Carol E. Chafetz



Nora Loughnane, Town Planner
Janice M. Hurlburt, Planning & Land Use Specialist

TOWN CLERK
TOWN OF WESTWOOD

PLANNING BOARD

**CERTIFICATE OF VOTE
DEFINITIVE SUBDIVISION PLAN**

January 25, 2011

The Planning Board of the Town of Westwood did this date, by a vote of five to zero, vote to **disapprove** the **Second Modification of Definitive Subdivision of Powissett Estates and Definitive Subdivision of Morgan Farm Estates** as described in the following application therefor dated August 4, 2010 and filed with the Planning Board by or on behalf of Wall Street Development Corporation on September 8, 2010, and associated materials made part of the record:

1. Definitive Plan entitled "Second Modification of Definitive Subdivision of 'Powissett Estates', Definitive Subdivision of 'Morgan Farm Estates', 11-Lot Single Family Residential Subdivision, Westwood, Massachusetts", dated August 16, 2007, revised through November 9, 2010, prepared by GLM Engineering Consultants, Inc., 19 Exchange Street, Holliston, Massachusetts 01746 and consisting of the following fifteen (15) sheets:

Sheet 1 entitled "Cover Sheet" dated August 16, 2007, revised through November 9, 2010;

Sheet 2 through Sheet 3 entitled "Subdivision Layout Plans", dated August 16, 2007, revised through November 9, 2011;

Sheet 4 through Sheet 5 entitled "Grading and Drainage", dated August 16, 2007, revised through November 9, 2010;

Sheet 6 through Sheet 10 entitled "Plan & Profile of Roadways", dated August 16, 2007, revised through November 9, 2010;

Sheet 11 through Sheet 14 entitled "Details", dated August 16, 2007, revised through November 9, 2010;

Sheet Supplemental A entitled "Wetland Replication", dated August 16, 2007, revised through November 9, 2010;

2. Definitive Plan entitled "Second Modification of Definitive Subdivision of 'Powissett Estates', Westwood, Massachusetts", dated August 16, 2007, revised through January 20, 2011, prepared by GLM Engineering Consultants, Inc., 19 Exchange Street, Holliston, Massachusetts 01746 and consisting of the following six (6) sheets:

Sheet 1 entitled "Cover Sheet" dated August 16, 2007, revised through January 20, 2011;

Sheet 2 through Sheet 5 entitled "Layout Plans", dated August 16, 2007, revised through January 20, 2011;

Sheet 6 entitled "Details", dated August 16, 2007, revised through January 20, 2011;

3. Report entitled "Drainage Calculations for 'Second Modification of Powissett Estates and Morgan Farm Estates', A 11-Lot Definitive Subdivision, Westwood, Massachusetts", dated August 16, 2007, revised through March 20, 2008, prepared by GLM Engineering Consultants, Inc., 19 Exchange Street, Holliston, Massachusetts 01746, consisting of one hundred and forty-nine (149) pages;
4. Report entitled "Traffic Impact and Access Study, Second Modification to Powissett Estates Subdivision and Proposed Morgan Farm Estates, Westwood, Massachusetts, Updated Analysis", dated September, 2007, prepared by MS Transportation Systems, Inc., P.O. Box 967, 300 Howard Street, Framingham, MA 01701, consisting of forty-six (46) pages;
5. Letter to the Westwood Planning Board, from Louis Petrozzi, President, Wall Street Development Corp., re: 2nd Modification of Powissett Estates Subdivision and Morgan Farms Subdivision, dated August 4, 2010, with attachments, consisting of ninety (90) pages;
6. Memorandum to Nora Loughnane, Town Planner, from Linda Shea, Health Director, re: Second Modification of Powissett Estates Definitive Subdivision Plan (dated August 16, 2007, revised on January 30, 2008 and August 4, 2010), and Definitive Subdivision Plan of Morgan Farm Estates" (dated August 16, 2007, revised January 30, 2008, February 25, 2008, March 20, 2008 and August 4, 2010), dated September 22, 2010, consisting of one (1) page;
7. Letter to Nora Loughnane, Town Planner, from Eileen Commane, Executive Director of the Dedham-Westwood Water District, dated October 12, 2010, consisting of one (1) page.
8. Memorandum to Nora Loughnane, Town Planner, from Sargent Paul Sicard, re: Powissett Estates, dated September 27, 2010, consisting of one (1) page;
9. Memorandum to Nora Loughnane, Town Planner, from William P. Scoble, Fire Chief, re: Second Modification of Powissett Estates Subdivision Plan, dated November 1, 2010, consisting of one (1) page;
10. Letter to the Town of Westwood Planning Board, from Paul Brodmerkle, PE of Site Design Professionals, LLC, re: Engineering Peer Review Town of Westwood Planning Board Rules and Regulations, Location: "Morgan Farm Estates" and "Powissett Estates", Westwood, dated November 1, 2010, consisting of five (5) pages;
11. Memorandum to Nora Loughnane, Planning Director, from Jeffrey Bina, Town Engineer, re: Second Modification of Powissett Estates Definitive Subdivision Plan, Plan Dated August 16, 2007, dated November 9, 2010, consisting of one (1) page;
12. Letter to the Town of Westwood Planning Board, from Paul Brodmerkle, PE of Site Design Professionals, LLC, re: Engineering Peer Review Town of Westwood Planning Board Rules and Regulations, Location: "Morgan Farm Estates" and "Powissett Estates", Westwood, dated November 24, 2010, consisting of seven (7) pages;
13. Memorandum to Nora Loughnane, Planning Director, from Jeffrey Bina, Town Engineer, re: Second Modification of Powissett Estates Definitive Subdivision Plan (Morgan Farm Estates), Plan Dated August 16, 2007, Revised to November 9, 2010, and Second Modification of Powissett Estates Definitive Subdivision Plan, Plan Dated August 16, 2007, revised to November 9, 2010, dated November 24, 2010, consisting of two (2) pages;

14. Letter to the Steven Rafsky, Chair, Westwood Planning Board, from Eric Arnold, Executive Director, Hale Reservation, dated November 24, 2010, consisting of one (1) page;
15. Handwritten letter to the Westwood Planning Board, from Richard Gallogly, Attorney for Wall Street Development Corp., granting extension of time for consideration of Second Modification of Powissett Estates and the Definitive Subdivision of Morgan Farm Estates through January 31, 2011, dated November 30, 2010, consisting of one (1) page;
16. Statement of Thomas Hiller of 10 Little Boot Lane, dated January 11, 2011, consisting of one (1) page; and
17. Letter to the Town of Westwood Planning Board, from Paul Brodmerkle, PE of Site Design Professionals, LLC, re: Engineering Peer Review Town of Westwood Planning Board Rules and Regulations, Location: "Morgan Farm Estates" and "Powissett Estates", Westwood, dated January 25, 2011, consisting of eight (8) pages.

After public hearing and incorporating by reference the entire record of its decision in the approval of the Definitive Subdivision of Powissett Estates dated May 7, 2001, the Planning Board of the Town of Westwood did this date, by a vote of five to zero, vote to **disapprove** the **Second Modification of Definitive Subdivision of Powissett Estates** as described above and in the application therefor dated August 4, 2010 and filed with the Planning Board by or on behalf of Wall Street Development Corporation on September 8, 2010. The reason for the disapproval of said Modification of Definitive Subdivision is as follows:

1. The right-of-way between the dead-end streets of Little Boot Lane and Shoe String Lane was originally approved with conditions restricting its use to emergency and pedestrian access only. This arrangement was designed, in part, to prevent access from Dover Road to Woodland Road through the Powissett Estates Subdivision. On the basis of the evidence presented, the Board determines that the Applicant has not demonstrated sufficient cause for the Planning Board to deviate from the result that is embodied in its decision of final approval of the Powissett Estates Subdivision by amending the definitive subdivision and special permit approvals for Powissett Estates to remove these restrictions and allow for a change in the use and/or construction standard of said right-of-way.
2. No grading or invert details were provided for extension of the culvert at Station 8+30.
3. No temporary easement has been proposed to permit finish grading of the back edge of the proposed sidewalk on the easterly side of Little Boot Lane.

The board further, by the same vote, voted to **disapprove** the **Definitive Subdivision of Morgan Farm Estates** as described above and in the application therefor dated August 4, 2010 and filed with the Planning Board by or on behalf of Wall Street Development Corporation on September 8, 2010. The reasons for the disapproval of said Definitive Subdivision are as follows:

1. The Planning Board did not deviate from the result that is embodied in its decision of final approval of the Powissett Estates Subdivision by amending the definitive subdivision and special permit approvals for Powissett Estates to allow for a change in the use and/or construction standard of the emergency right-of-way between the dead-end streets of Little Boot Lane and Shoe String Lane.
2. Section IV.A.4.a. of the *Rules and Regulations Governing the Subdivision of Land in the Town of Westwood, Massachusetts* [adopted December 15, 1998] (hereinafter "the Subdivision Rules and Regulations") specifies that a dead-end street shall include, without limitation, any street with only a single access onto an existing through street. Section IV.A.4.c. of the Subdivision Rules and Regulations requires that dead-end streets shall be no

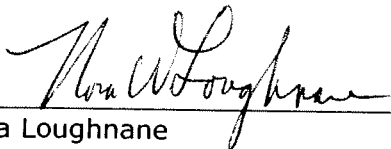
longer than five hundred (500) feet and Section IV.A.4.b. specifies that no new dead-end street shall originate from an existing dead-end street unless the total new length of the combined streets is less than five hundred (500) feet. This Definitive Plan's proposed extension of the existing Morgan Farm Road dead-end street, so as to connect Morgan Farm Road to the right-of-way between the dead-end streets of Little Boot Lane and Shoe String Lane, constitutes a dead-end street as defined in the Subdivision Rules and Regulations, which exceeds the 500-foot maximum length regulation.

3. On the basis of the evidence presented, the Board determines that the Applicant has not demonstrated that the proposed retaining wall along the easterly side of Morgan Farm Road, which extends from approximately Station 19+25 to Station 23+00, can be constructed without encroaching onto neighboring property.
4. Construction details concerning municipal utility installations were requested for review and approval by the Town Engineer and Department of Public Works, but were not provided.
5. The soil log for Basin #1 indicates that the bottom on this basin would not be a minimum of two (2) feet above the seasonal high groundwater table, as recommended by DEP. No test pit has been provided to confirm that the bottom of basin #2 is a minimum of two (2) feet above the seasonal high groundwater table.
6. On the basis of the evidence presented, the Board determines that the Applicant has not demonstrated satisfaction of the requirement for designated open space for recreational purposes set forth in Section IV.E. of the Subdivision Rules and Regulations.
7. Major site features, including existing trees with a caliper of ten (10) inches or larger, have not been shown on the Definitive Subdivision Plan as required by Section III.B.3.n. of the Subdivision Rules and Regulations.
8. The MWRA requirement for a ten (10)-foot separation between water and sewer has not been provided in at least one location.
9. The "Traffic Impact and Access Study" submitted with the application was last updated in 2007. No further update of this study was provided to confirm the validity of this report under current conditions.

RECORD OF VOTE

The following members of the Planning Board voted to disapprove the proposed Second Modification of Definitive Subdivision of Powissett Estates and Definitive Subdivision of Morgan Farm Estates: Steven H. Olanoff, John J. Wiggin, Bruce H. Montgomery, Carol E. Chafetz and Steven M. Rafsky.

The following members of the Planning Board voted to approve the proposed Second Modification of Definitive Subdivision of Powissett Estates and Definitive Subdivision of Morgan Farm Estates: None.



Nora Loughnane
Town Planner

DATED: January 31, 2011