

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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Steven H. Olanoff, Vice Chairman
Christopher A. Pfaff, Secretary
Steven M. Rafsky
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PLANNING BOARD

CERTIFICATE OF VOTE
MINOR MODIFICATION OF OPEN SPACE RESIDENTIAL DEVELOPMENT
DEFINITIVE SUBDIVISION APPROVAL

February 26, 2013

Pursuant to M.G.L. Chapter 41, Section 81W, the Planning Board of the Town of Westwood hereby **approves** a **Minor Modification of the Open Space Residential Development (OSRD) Definitive Subdivision of Morgan Farm Estates** as described below, and in associated materials made part of the record.

APPLICANT: Wall Street Development Corp.

PROPERTY OWNERS: Wall Street Development Corp. and Hale Reservation, Inc.

PROPERTY LOCUS: Land off Morgan Farm Road
Assessor's Map 13, Lot 186 and Assessor's Map 20, Lot 13

BACKGROUND AND PROJECT SUMMARY

The Applicant requested a minor modification of the previously approved and modified Morgan Farm Estates OSRD Definitive Subdivision, which was originally granted by the Planning Board on July 10, 2012, and subsequently modified by the Planning Board on November 13, 2012. Both the previously approved plan and the modified plan result in a total of ten (10) residential lots and additional conservation parcels which total 22.6 acres of land. The purpose of this minor modification is to reconfigure the boundaries of Lots 1 thru 6.

The OSRD development constitutes a use permitted in this district, subject to the issuance of an OSRD Definitive Subdivision Approval by the Planning Board pursuant to the Rules and Regulations Governing the Subdivision of Land in the Town of Westwood, Massachusetts, and subject to the issuance of an Open Space Residential Development Environmental Impact and Design Review (OSRD-EIDR) Approval by the Planning Board pursuant to Sections 8.3 and 7.3 of the Westwood Zoning Bylaw, and subject to the Planning Board having granted certain waivers, including a waiver of the five hundred (500) foot limitation on dead-end streets.

APPLICATION AND PLANS

The Planning Board evaluated the request for a Minor Modification of OSRD Definitive Subdivision of Morgan Farm Estates, which request was presented to the Planning Board at a public meeting on February 26, 2013, and the following related submissions ("Project"):

1. Plan entitled "Amended Open Space Definitive Subdivision, Second Modification of Powissett Estates and Morgan Farm Estates, 10 Lot Residential Subdivision, Westwood, Massachusetts", prepared by GLM, 19 Exchange Street, Holliston, MA 01746, dated September 10, 2012, and revised through February 4, 2013 ("Definitive Subdivision Plan"), consisting of fifteen (15) sheets, as follows:

Sheet 1 of 13:	Cover Sheet;
Sheet 2 of 13:	Subdivision Layout Plan;
Sheet 3 of 13:	Subdivision Layout Plan;
Sheet 4 of 13:	Existing & Proposed Contours;
Sheet 5 of 13:	Existing & Proposed Contours;
Sheet 6 of 13:	Profile Morgan Farm Road;
Sheet 7 of 13:	Profile Morgan Farm Road;
Sheet 8 of 13:	Profile Road B;
Sheet 9 of 13:	Wetland Replication Plan;
Sheet 10 of 13:	Details;
Sheet 11 of 13:	Details;
Sheet 12 of 13:	Details;
Sheet 13 of 13:	Details;
Sheet E-1 of 2:	Erosion Control Plan; and
Sheet E-2 of 2:	Erosion Control Plan.

1. Report entitled "Drainage Calculations for Open Definitive Subdivision, Second Modification Powissett and Morgan Farm Estates, Westwood, Massachusetts", prepared by GLM, 19 Exchange Street, Holliston, MA 01746, dated September 30, 2012, consisting of ninety-three (93) pages.
2. Letter to Jack Wiggin, Chairman, Westwood Planning Board, from Louis Petrozzi, President, Wall Street Development Corp., re: Open Space Residential Development, 2nd Modification of Powissett Estates and Morgan Farm Estates Subdivision, dated August 28, 2012, consisting of one (1) page with five (5) page attachment.
3. Letter to Jack Wiggin, Chairman, Westwood Planning Board, from Louis Petrozzi, President, Wall Street Development Corp., re: Open Space Definitive Subdivision, 2nd Modification of Powissett Estates and Morgan Farm Estates - Amendment, dated August 31, 2012, consisting of one (1) page with eight (8) page attachment.
4. Electronic communication to Nora Loughnane, Town Planner, from Bill Scoble, Fire Chief, re: Morgan farm - Road B Turnaround, dated October 9, 2012, consisting of one (1) page.
5. Letter to Jack Wiggin, Chairman, Westwood Planning Board, from Louis Petrozzi, President, Wall Street Development Corp., re: Open Space Residential Development, 2nd Modification of Powissett Estates and Morgan Farm Estates Subdivision, dated October 10, 2012, consisting of one (1) page.
6. Letter to Louis Petrozzi, from Nora Loughnane, Town Planner, re: Applications for Modifications of Approved Morgan Farm Estates Open Space Residential Development

(OSRD) Definitive Subdivision and Modification of Morgan Farm Estates Open Space Residential Development Environmental Impact and Design Review (OSRD-EIDR) Approval, dated October 10, 2012, consisting of one (1) page.

7. Letter to Nora Loughnane, Town Planner, from Chris McKeown, President of the Board, Hale Reservation, dated October 11, 2012, consisting of two (2) pages.
8. Letter to Jack Wiggin, Chairman, Westwood Planning Board, from Louis Petrozzi, President, Wall Street Development Corp., re: Open Space Residential Development, 2nd Modification of Powissett Estates and Morgan Farm Estates Subdivision, dated October 15, 2012, consisting of one (1) page.
9. Letter to Chris Gallagher, Deputy Director of Public Works, from Louis Petrozzi, President, Wall Street Development Corp., re: Open Space Definitive Subdivision, 2nd Modification of Powissett and Morgan Farm Estates, Construction Management Plan, dated October 15, 2012, consisting of one (1) page with five (5) page attachment.
10. Electronic communication to Nora Loughnane, Town Planner, from Louis Petrozzi, President, Wall Street Development Corp., re: Morgan Farm – Road B, dated October 19, 2012, consisting of one (1) page with three (3) page attachment.
11. Electronic communication to Nora Loughnane, Town Planner, from Chris Gallagher, Deputy Director of Public Works, re: Morgan Farm, dated October 19, 2012, consisting of one (1) page.
12. Letter to Town of Westwood Planning Board, from Paul Brodmerkle, P.E., Managing partner of Site Design Professionals, re: Engineering Peer Review, Town of Westwood Planning Board Rules and Regulations, Location: "Morgan Farm Estates" and "Powissett Estes", Westwood, Owner/Occupant: Wall Street Development Corp., dated October 18, 2012, consisting of two (2) pages.
13. Letter to Town of Westwood Planning Board, from Paul Brodmerkle, P.E., Managing partner of Site Design Professionals, re: Engineering Peer Review, Town of Westwood Planning Board Rules and Regulations, Location: "Morgan Farm Estates" and "Powissett Estes", Westwood, Owner/Occupant: Wall Street Development Corp., dated November 8, 2012, consisting of three (3) pages.
14. All of the foregoing plans and reports are hereby incorporated by reference and made part of this Decision.

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 and commissions and departments within the Town of Westwood and from all other interested parties, the Town of Westwood Planning Board has determined that the Application complies with the requirements of the Planning Board's Rules and Regulations for the Subdivision of Land ("Subdivision Regulations"), and with the requirements of Section 8.3 [Open Space Residential Development]. Specifically, the Planning Board makes the following procedural findings and project findings:

PROCEDURAL FINDINGS:

1. On February 26, 2013, a request for a minor modification of the approved OSRD Definitive Subdivision of Morgan Farm Estates (hereinafter "Application") was presented to the Planning Board by or on behalf of Wall Street Development Corp. (hereinafter "Applicant"), pursuant to M.G.L. Chapter 41, Section 81W, and the Rules and Regulations Governing the Subdivision of Land in Westwood, dated December 15, 1998 (hereinafter "Rules and Regulations").
2. Westwood Planning Board members Steven M. Rafsky, Steven H. Olanoff, Bruce H. Montgomery, Christopher A. Pfaff, and John J. Wiggin were present and deliberated on the Application at a duly authorized meeting on February 26, 2013.

PROJECT FINDINGS:

1. The subject property consists of approximately 22.6 acres, located off of Morgan Farm Road, and is shown as Map 13, Lots 186 and Assessor's Map 20, Lot 13 on the Westwood Board of Assessors' Map ("Project Site" or "Property").
2. The Project Site is located within the Single Residence C (SRC) zoning district. The proposed 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 a waiver of the five hundred (500) foot limitation on dead-end streets.
3. The requested plan modification is found to be minor in nature, and would be eligible for endorsement as an Approval Not Required (ANR) plan if submitted subsequent to the Planning Board's endorsement of the previously approved Modification of the Open Space Residential Development (OSRD) Definitive Subdivision of Morgan Farm Estates.
4. Approval and endorsement of the requested Definitive Subdivision Plan is preferable to endorsement of the previously approved plan in that the Definitive Subdivision Plan results in an improved configuration of Lots 1 thru 6.
5. The Planning Board considered the Project in conformance with all conditions of the related Minor Modification of OSRD-EIDR Approval.
6. The Planning Board determined that, subject to the conditions imposed herein, the development proposed in the 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.

DECISION

The Planning Board evaluated the Application in relation to the above findings, and did this day by a vote of five (5) in favor and none (0) opposed, **approve** the **Minor Modification of OSRD Definitive Subdivision Plan of Morgan Farm Estates** as described above, subject to the conditions herein.

CONDITIONS OF APPROVAL

The approval of the abovementioned Application, including the Definitive Subdivision Plan and all related application materials and submissions filed with the Planning Board by or on behalf of the Applicant, are subject to the conditions specified herein.

1. Except as modified by the conditions and findings hereof, the Project shall comply with the Definitive Subdivision Plan, and with all conditions of prior approvals, in all respects, and the Applicant shall pursue completion of the project with reasonable diligence and continuity, allowing for phased development of the Project, as appropriate.
2. The development shall be limited in perpetuity to a total of 10-lots, regardless of the number of lots which could otherwise be developed, and the endorsed Definitive Subdivision Plan shall contain the wording "No further subdivision allowed. Further division of any lot created along this portion of Morgan Farm Road or Road B, whether by ANR or any other method, is expressly prohibited, except that lots may be reconfigured, such that the total number of building lots does not exceed ten (10) lots.
3. The Applicant shall install additional fire hydrants along the length of the cul-de-sacs, if determined necessary by the Fire Chief, and shall install residential fire suppression sprinkler systems in each residential structure on any lot which is located more than 500-feet from the start of the dead-end street, measured along the centerline of Morgan Farm Road from the southernmost edge of the right-of-way of Little Boot Lane, all in a manner to be approved by the Fire Chief.
4. The Applicant shall provide an easement for any portion of the drainage system which falls outside of the right-of-way, for approval by the Town Engineer.
5. All erosion control measures shall be inspected and approved by the Westwood Conservation Agent throughout the entire period of construction of the Project.
6. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.
7. The Applicant shall record a copy of this Certificate of Vote at the Norfolk County Registry of Deeds.
8. The Applicant shall submit a final Definitive Subdivision Plan, including a reference to this Certificate of Vote, to the Planning Board for their final review and approval and endorsement. Said Definitive Subdivision Plan shall bear the stamp of the Registered Professional Engineer and/or Registered Professional Land Surveyor responsible for the preparation of the Plan.
9. After endorsement, the Applicant shall record the final Definitive Subdivision Plan at the Norfolk County Registry of Deeds.
10. The Applicant shall provide road acceptance plans to the Town Engineer prior to the issuance of a building permit for the last buildable lot in the Development and prior to the expiration of any performance guarantee for the Project.
11. The Applicant shall provide one (1) original and three (3) certified copies of "As Built" roadway and utility plans to the Town Engineer prior to the issuance of a building permit for the last buildable lot in the Development and prior to the expiration of any performance guarantee for the Project. Certification shall be by a Registered

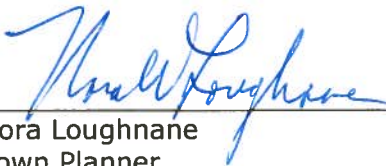
Professional Engineer and/or Land Surveyor, as required, and shall indicate that all driveways, sidewalks, storm drains, sewer mains, water mains and their appurtenances have been constructed in accordance with said Project Plans and are accurately located as shown thereon. The detention basins shall be certified to have been built in accordance with the approved Plans, including volume, area and location. The "As Built" plan shall be delivered to the Board in a format approved by the Information Systems Director for compatibility with the Town of Westwood GIS database.

12. Any future change, modification or amendment to this decision or to the final Definitive Subdivision Plan, as may be approved by the Planning Board, shall be in accordance with the requirements of M.G.L. Chapter 41, § 81W.

RECORD OF VOTE

The following members of the Planning Board voted to approve the Minor Modification of Open Space Residential Development Definitive Subdivision of Morgan Farm Estates: Steven M. Rafsky, Bruce H. Montgomery, Christopher A. Pfaff, Steven H. Olanoff and John J. Wiggin.

The following members of the Planning Board voted to deny the Modification of Open Space Residential Development Definitive Subdivision of Morgan Farm Estates: None.



Nora Loughnane
Town Planner

DATED: April 8, 2013