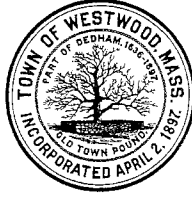


TOWN OF WESTWOOD

Commonwealth of Massachusetts

Robert E. Moore, Jr., Chairman
Robert C. Malster, Vice Chairman
George A. Nedder, Secretary
Henry W. Gale
Steven H. Olanoff



2006 FEB 24 11:11:58

PLANNING BOARD

Diane Beecham, Town Planner
Town Hall 580 High Street Westwood, MA 02090 (781) 326-6450 (781) 329-8030

February 24, 2006

Ms. Edith McCracken
Town Clerk
Town Hall, 580 High Street
Westwood, MA 02090

RE: Application for a Senior Residential Development Special Permit (Reynold's Farm)
Town of Westwood Assessors' Map 34, Lots 43, 44, 45 and 46
5.04-acre site on High Street/Route 109

Edward Musto
124 Canton Terrace
Westwood, MA 02090

Dear Ms. McCracken:

Please find enclosed the decision of the Planning Board to *deny* an application for a Special Permit pursuant to Section 8.6 [Senior Residential Development] in connection with a proposal to develop 19 units of senior housing on an approximately five-acre parcel on Route 109.

Sincerely,

Diane Beecham
Town Planner

Enclosure

cc: Board of Appeals
Board of Assessors
Board of Health
Board of Selectmen
Building Commissioner
Conservation Commission
Dedham-Westwood Water District

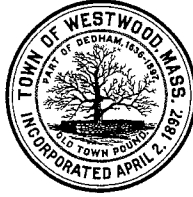
Department of Public Works
Economic Development Officer
Fire Chief
Police Chief
Town Clerk
Town Counsel
Town Engineer

TOWN OF WESTWOOD

Commonwealth of Massachusetts

2006 FEB 24 AM 11:55

Robert E. Moore, Jr., Chairman
Robert C. Malster, Vice Chairman
George A. Nedder, Secretary
Henry W. Gale
Steven H. Olanoff



2006 FEB 24 AM 11:55

PLANNING BOARD NOTICE OF DECISION

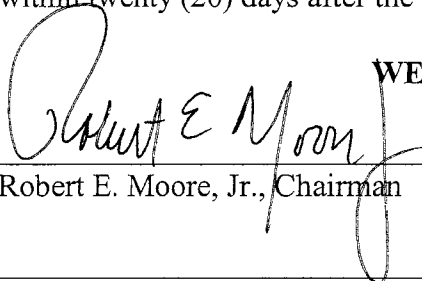
In compliance with Chapter 40A of the General Laws of the Commonwealth of Massachusetts, you are hereby notified that the Westwood Planning Board has, by a vote of three in favor and one opposed, voted to *deny* the application of Edward J. Musto dated January 30, 2004 for a special permit pursuant to the provisions of Section 8.6 [Senior Residential Development] and site plan approval pursuant to Section 7.3 [Environmental Impact and Design Review] of the Westwood Zoning Bylaw.

LAND AFFECTED: 5.04-acre site on High Street/Route 109
Assessors' Map 34, Lots 43, 44, 45 and 46

The Planning Board hereby certifies that attached hereto is a true and complete copy of the Board's decision and that said decision and any plans referred to therein have been filed with the Planning Board.

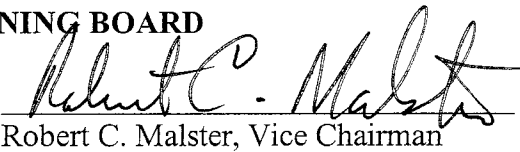
The Planning Board hereby certifies that statutory requirements have been complied with pursuant to Section 9 of said Chapter 40A.

Appeals, if any, shall be made pursuant to Section 17 of said Chapter 40A and shall be filed within twenty (20) days after the filing of a copy of the decision in the office of the Town Clerk.

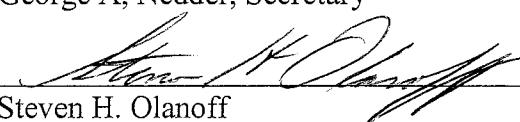


Robert E. Moore, Jr., Chairman

WESTWOOD PLANNING BOARD



Robert C. Malster, Vice Chairman

George A. Nedder, Secretary


Steven H. Olanoff

Henry W. Gale
February 21, 2006

DATE

DECISION OF THE PLANNING BOARD OF THE TOWN OF WESTWOOD

APPLICANT: Edward J. Musto
124 Canton Terrace
Westwood, MA 02090

**PROPERTY
LOCUS:** Assessors' Map 34, Lots 43, 44, 45 and 46
5.04-acre site on High Street/Route 109

HEARING: The Planning Board of the Town of Westwood scheduled a public hearing in accordance with the General Laws of the Commonwealth of Massachusetts on Tuesday, February 3, 2004 to consider the application of Edward J. Musto for a special permit pursuant to the provisions of Section 8.6 [Senior Residential Development] and Section 7.3 [Environmental Impact and Design Review] of the Westwood Zoning Bylaw. At this meeting, the Planning Board voted unanimously to approve the Applicant's request to withdraw this application without prejudice in order to change the application to include an expanded project boundary. The Planning Board scheduled another public hearing for the revised application in accordance with the General Laws of the Commonwealth of Massachusetts on Monday, March 15, 2004; continued to May 4, 2004; continued to May 25, 2004 (immediately continued and no testimony taken); continued to June 8, 2004; continued to July 13, 2004; continued to September 14, 2004; continued to September 28, 2004; continued to November 30, 2004; continued to February 1, 2005; continued to March 15, 2005 (immediately continued and no testimony taken); continued to April 12, 2005 (immediately continued and no testimony taken); continued to May 17, 2005 (immediately continued and no testimony taken); continued to June 7, 2005; continued to July 5, 2005; continued to August 23, 2005; continued to October 25, 2005; and continued to December 13, 2005 at which time the Planning Board closed the public hearing at the end of this hearing.

PROJECT SUMMARY

Edward Musto proposes to develop a 19-unit Senior Residential Development on four contiguous parcels totaling approximately five acres located at 1531, 1537, 1545 and 1561 High Street. The project is being proposed pursuant to the Senior Residential Development provision of the Westwood Zoning Bylaw which restricts unit occupancy to persons fifty-five (55) years and older, their spouses and physically or mentally handicapped close relatives.

The two-story townhouse units are proposed to be in a mixture of two and three unit buildings. A 26-foot wide access drive from High Street will split into two roadways (Road A and Road B) that are 21 feet wide, with a sidewalk on one side of each of the roadways. An unpaved pedestrian pathway will loop around the property and a paved pathway is also proposed along the northerly side of High Street, in front of the development. The Project Plans provide for 10-12 visitor parking spaces in addition to the two garage and driveway spaces provided for each unit.

There will be public sewer and water service to the Site and extensive off-site drainage improvements. Also, as part of project, the Applicant has proposed to deed two off-site housing units to the Westwood Housing Authority as part of their affordable rental housing inventory.

Section 8.6 of the Town of Westwood Zoning Bylaw provides for the issuance of a special permit for a Senior Residential Development upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the Town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this Bylaw, the determination shall include consideration of each of the following:

- Impact on the quantity and quality of available housing choices for residents fifty-five (55) years of age and older, with a range of income levels and physical abilities;
- Proximity of the proposed development to public transportation, open space, neighborhood shopping and service facilities;
- Impact on the natural environment;
- Impact on vehicular and pedestrian movement and safety;
- Compatibility of the proposed development with the surrounding neighborhood.

STATEMENT OF FINDINGS

I. PROCEDURAL REQUIREMENTS

On January 30, 2004, an application was filed by Edward J. Musto pursuant to Section 8.5 [Major Residential Development], Section 8.6 [Senior Residential Development] and Section 7.3 [Environmental Impact and Design review] of the Westwood Zoning Bylaw. The Planning Board is the Special Permit Granting Authority pursuant to Sections 8.5 and 8.6 and the Permit Granting Authority pursuant to Section 7.3.

The Planning Board of the Town of Westwood scheduled a public hearing in accordance with the General Laws of the Commonwealth of Massachusetts on Tuesday, February 3, 2004 to consider the aforementioned application of Edward J. Musto. At this meeting, the Planning Board voted unanimously to approve the Applicant's written request to withdraw this application without prejudice in order to revise the application to include an expanded project boundary. The Planning Board scheduled another public hearing for the revised application in accordance with the General Laws of the Commonwealth of Massachusetts on Monday, March 15, 2004; continued to May 4, 2004; continued to May 25, 2004 (immediately continued and no testimony taken); continued to June 8, 2004; continued to July 13, 2004; continued to September 14, 2004; continued to September 28, 2004; continued to November 30, 2004; continued to February 1, 2005; continued to March 15, 2005 (immediately continued and no testimony taken); continued to April 12, 2005 (immediately continued and no testimony taken); continued to May 17, 2005 (immediately continued and no testimony taken); continued to June 7, 2005; continued to July 5, 2005; continued to August 23, 2005; continued to October 25, 2005; and continued to December 13, 2005 at which time the Planning Board closed the public hearing at the end of this

hearing. Westwood Planning Board members Henry W. Gale, Robert C. Malster, Robert E. Moore, Jr. and Steven H. Olanoff were present for all public hearings at which testimony was taken.

The Planning Board conducted its deliberations and final vote on this Application at its duly authorized meeting on January 24, 2006.

In its review of the legislative history and intent of the Senior Residential Development bylaw provision; correspondence from Town Counsel to the Planning Board; and a discussion with the Zoning Enforcement Officer, the Planning Board finds that the Project requires a special permit pursuant to Section 8.6 [Senior Residential Development] and a permit pursuant to Section 7.3 [Environmental Impact and Design Review]. The Planning Board is the Special Permit Granting Authority and Permit Granting Authority, respectively, pursuant to these Sections.

The Project Site is located in Residential Zoning District C. A Senior Residential Development (SRD) is allowed in this zoning district subject to the grant of a special permit.

II. FINDINGS

The Planning Board finds that there are substantive deficiencies in the final overall Project design that, in order to address, will require significant changes to the Project Plans. Although there have been extensive public hearings and at least nine revisions to the Project Plans, the Board finds that the Applicant has not produced a site plan that adequately relates the building and infrastructure layout and design to the specific characteristics of the Project Site. The grading of the site is inadequate, resulting in an excessive number of retaining walls and steep driveways with essentially no landing areas. Also, the layout of the dwelling units relative to the various retaining walls interspersed throughout the site has resulted in an awkward design in which some of the units will have stairs leading directly from the door to the retaining walls.

Throughout the public hearing process, the Planning Board underscored the need for ample setbacks from the adjoining properties. Although this was realized in earlier designs, the final plan's smaller setbacks were inadequate. In addition, the Planning Board has expressed concerns regarding the location of Roadway A relative to the property lines of the existing residences along High Street. Again, the final plan presented a significantly and inadequate setback as compared to some of the earlier designs. The Board also finds that the sidewalk along the northerly side of Roadway A is problematic because of the excessive number of driveway openings.

The Planning Board finds that there are technical deficiencies in the Project Plans that, in order to address, will require significant changes and additions to the Project Plans. The current plan to address the existing off-site drainage problems along High Street and Stanford Drive is incomplete; it will require a significant amount of additional engineering work to ensure that it will be an adequate mitigation measure that can be implemented. On a conceptual level, this current plan provides for the inadequate drainage inlet on High Street to be replaced with a new drop inlet in a better location, a new drain manhole to be added and the insufficient drain pipe under High Street, as well as several sections of the drainage pipe under Stanford Drive, to be replaced with significantly larger-sized pipe. Substandard pipes that drain the on-site wetlands will also be replaced. Presently, the Board can not make the determination of the adequacy of this plan until the detailed engineering work is completed.

The architectural plans either do not adequately reflect the buildings as shown on the Project Plans or are incomplete. The architectural plans include backyard decks which are not shown on the Project Plans. Also, the architectural plans do not reflect the fact that since the units are at significantly different grades, they have a various number of steps leading to the front doors. There are also no floor plans for the units designated as handicap accessible. Also, because of the various grades, the Board can not make a determination that in all cases, there will be a suitable means of access and egress to all units for handicapped persons as required by Section 8.6.2.5 of the Zoning Bylaw.

There are also other various components of the Project Plans that either are absent or lack sufficient detail. These includes, but are not limited, to the porous pavement parking areas, mail/bus shelter area and an engineered design of the paved pedestrian pathway along the northerly side of High Street, in front of the project.

Based on the above Findings, the Planning Board finds that the adverse impacts of the Project, in view of the particular characteristics of the site and of the Project in relation to that site, will outweigh its beneficial impacts to the Town or the neighborhood.

DECISION

The Planning Board has evaluated the application in relation to the above findings and as the Special Permit Granting Authority, the Board, by a vote of three in favor and one opposed, finds that the adverse impacts of the Project, in view of the particular characteristics of the site and of the Project in relation to that site, will outweigh its beneficial impacts to the Town or the neighborhood and hereby votes to *deny* said application dated January 30, 2004 and subsequent revisions, and the following related submissions (hereinafter referred to as the "Project Plans") filed with the Planning Board by or on behalf of Edward J. Musto:

1. Plan entitled "Reynold's Farm (previously 1545-1561 High Street) A Senior Residential Development Westwood, MA", dated November 15, 2003 and revised January 20, 2004; April 20, 2004; November 20, 2004; January 10, 2005; March 7, 2005; April 1, 2005; June 24, 2005; October 10, 2005; and November 1, 2005, 000, prepared by Fred L. Pfischner, Jr., PE, Pfischner Engineering Company, P.O. Box 453, Norfolk, MA 02056, consisting of seven (7) sheets;
2. Report entitled "Traffic Impact Assessment for Proposed Residential Units on High Street (Route 109) in Westwood, Massachusetts", revised through February 2005, prepared by Gillon Associates Co., 3 Old Farm Road, Norwood, MA 02062;
3. Technical Memorandum entitled "Response to Traffic Related Comments, 1545-1561 High Street 'Reynolds Farm'", prepared for Carl Balduf, P.E., P.L.S., Town Engineer, prepared by John T. Gillon, P.E., 3 Old Farm Road Norwood, MA 02062;
4. Report entitled "Stormwater Management Report for Reynold's Farm (Formerly 1545-1561 High Street) A Senior Residential Community in Westwood, MA", revised through January 10, 2005, prepared by Fred L. Pfischner, Jr., PE, Pfischner Engineering Company, P.O. Box 453, Norfolk, MA 02056.

5. All of the foregoing plans and reports are hereby incorporated by reference and made part of this Decision.

RECORD OF VOTE

The following members of the Planning Board voted to grant a special permit for this Application: Steven H. Olanoff.

The following members of the Planning Board voted in opposition to the grant of a special permit for this Application: Robert E. Moore, Jr., Robert C. Malster, Henry W. Gale.