

TOWN OF WESTWOOD
Commonwealth of Massachusetts

Robert C. Malster, Chairman
Steven H. Olanoff, Vice Chairman
Robert E. Moore, Jr., Secretary
Bruce H. Montgomery
Henry W. Gale



Nora Loughnane, Town Planner
Janet Parba, Land Use Assistant

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TOWN CLERK
TOWN OF WESTWOOD

PLANNING BOARD

**CERTIFICATE OF VOTE
DEFINITIVE SUBDIVISION PLAN**

July 15, 2008

Pursuant to M.G.L. Chapter 41, § 81-W, the Planning Board of the Town of Westwood, by vote of five in favor and none opposed, hereby **approves** the second modification of an approved definitive subdivision plan as described in the following application therefor dated and filed with the Planning Board on November 15, 2007 and as modified by subsequent submissions filed with the Planning Board by and/or on behalf of PJMJ LLC:

1. Definitive Plan entitled "Philip Estates Definitive Subdivision Plan Modification", prepared by Merrikin Engineering Co., 2 Milliston Road, Suite 1C, Millis, MA 02054, consisting of the following thirteen (13) sheets:

Sheet 1 entitled "Philip Estates Definitive Subdivision Modification", undated;

Sheet 2 entitled "Legend Definitive Subdivision Modification Plan of Land in Westwood, MA", dated October 25, 2007 and revised through May 9, 2008;

Sheet 3 through Sheet 4 entitled "Layout Definitive Subdivision Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through May 9, 2008;

Sheet 5 through Sheet 6 entitled "Existing Conditions Definitive Subdivision Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through May 9, 2008;

Sheet 7 through Sheet 8 entitled "Grading Definitive Subdivision Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through May 9, 2008;

Sheet 9 entitled "Profile Definitive Subdivision Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through May 9, 2008;

Sheet 10 entitled "Sewer & Drainage Details Definitive Subdivision Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through May 9, 2008;

Sheet 11 entitled "Water Details Definitive Subdivision Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through May 9, 2008;

Sheet 12 entitled "Roadway Details Definitive Subdivision Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through May 9, 2008;

Sheet 13 entitled "Drain Profiles Definitive Subdivision Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through May 9, 2008;

2. Report entitled "Philips Way Subdivision Modification, Westwood, MA, Drainage Calculations", prepared by Merrikin Engineering Co., 2 Milliston Road, Suite 1C, Millis, MA 02054, dated March 31, 2005 and revised through April 15, 2008;
3. Memorandum to the Planning Board, dated June 11, 2008, from Sgt. Paul R. Sicard, Safety Officer, consisting of one (1) page;
4. Letter to Philip Eramo, dated June 16, 2008, from Conservation Commission Specialist Karon Skinner Catrone, consisting of one (1) page;
5. Memorandum to the Planning Board, dated July 2, 2008, from John R. Bertorelli, Town Engineer, consisting of two (2) pages;
6. Memorandum to the Planning Board, dated July 7, 2008, from Linda R. Shea, Health Director, consisting of one (1) page;
7. All of the foregoing plans and reports are hereby incorporated by reference and made part of this Decision.

The approval of said Definitive Subdivision Plan Modification and all related application materials and submissions filed with the Planning Board by or on behalf of PJMJ LLC are 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.c. shall be waived with respect to the three-thousand five hundred dollar (\$2,500.00) application fee, the one thousand dollar (\$1,000.00) lot fee, the one thousand one hundred and seventy dollar (\$1,170.00) road fee, and the three thousand dollar (\$3,000.00) fee to defray the costs incurred by the Planning Board for all fees, expenses and costs in connection with the review and evaluation of the Definitive Plan. The Planning Board finds this waiver to be appropriate in light of fees previously paid and the simultaneous review of plans in association with Conservation Commission proceedings. The remaining two thousand dollar (\$2,000.00) inspection fee and one hundred twenty-nine dollar (\$129.00) abutter fee shall not be waived. A total sum of two thousand one hundred and twenty-nine dollars (\$2,129.00) shall be remitted to the Planning Board forthwith.
2. 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.
3. 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 subdivision right-of-way which currently 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.
4. Section V.E.3. requiring a ninety (90)-foot minimum outside diameter within a turn-around shall be waived, due to the constraints of the existing subdivision right-of-way which currently has a turn-around of eighty six (86) 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.

5. Section V.F. requiring the installation of granite curbing along each edge of the roadway shall be waived, due to the constraints of the existing subdivision right-of-way which currently does not have granite curbing. In lieu of granite curbing, a Cape Cod berm shall be installed along each edge of the roadway, as shown on submitted plans. 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.
6. Section V.H.1. requiring the construction of six (6)-foot sidewalks on both sides of the roadway shall be waived, due to the constraints of the existing subdivision right-of-way which currently has a five (5)-foot sidewalk along one edge of the roadway. In lieu of six (6)-foot sidewalks on both sides of the roadway, a five (5)-foot sidewalk shall be constructed along the westerly side of the roadway, as shown on submitted plans. 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.
7. Section V.I.1. requiring a six (6)-foot wide grass plot adjacent to the curbing on each side of the roadways shall be waived, due to the constraints of the existing subdivision right-of-way which currently has a two (2)-foot wide grass plot on one side of the roadway. 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. Any reference to the disposition of Parcel A on the plan entitled "Philip Estates Definitive Subdivision Plan Modification" shall be deleted in its entirety and replaced with the following: "Parcel A is not a buildable lot".
9. The Fire Chief shall review and approve the location of the fire hydrant.
10. The Definitive Plan shall have the appropriate stamps and signatures prior to the final endorsement by the Planning Board.
11. All deeds conveying out lots within the Subdivision shall contain a description reserving the fee in the roadway to the Applicant.
12. The Applicant must grant to the Town the appropriate easements, including drainage easements, over the roadway and detention basin prior to the start of the Subdivision construction.
13. The Dedham-Westwood Water District shall review and approve the water service connection details.
14. The Definitive Plan shall include a reference to this Certificate of Vote and its date of approval.
15. 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.5. and M.G.L. Chapter 41 § 81-U.
16. 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 approval and endorsement.
17. 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.

RECORD OF VOTE

The following members of the Planning Board voted to approve the proposed Second Modification of Definitive Subdivision of Phillips Estates: Steven H. Olanoff, Robert E. Moore, Jr., Robert C. Malster, Bruce H. Montgomery, Henry W. Gale.

The following members of the Planning Board voted to disapprove the proposed Second Modification of Definitive Subdivision of Phillips Estates: None.



Nora Loughnane
Town Planner

DATED: July 15, 2008