

# TOWN OF WESTWOOD

Commonwealth of Massachusetts

Robert E. Moore, Jr., Chairman  
Robert C. Malster, Vice Chairman  
George A. Nedder, Secretary  
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2005 OCT 14 AM 9:45

TOWN CLERK  
TOWN OF WESTWOOD

## PLANNING BOARD

### CERTIFICATE OF VOTE DEFINITIVE SUBDIVISION PLAN

October 11, 2005

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 modification of an approved definitive subdivision plan as described in the following application therefor dated and filed with the Planning Board on March 31, 2005 and as modified by subsequent submissions filed with the Planning Board by and or behalf of PJMJ LLC and John Cronin, Jr.:

1. Definitive Plan entitled "Philip Estates Definitive Subdivision Plan Modification", dated September 8, 2004 and revised through August 8, 2005; 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 Plan Modification";

Sheet 2 entitled "Legend Definitive Subdivision Plan Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through August 5, 2005;

Sheet 3 through Sheet 4 entitled "Layout Definitive Subdivision Plan Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through August 5, 2005;

Sheet 5 through Sheet 6 entitled "Existing Conditions Definitive Subdivision Plan Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through August 5, 2005;

Sheet 7 through Sheet 8 entitled "Grading Definitive Subdivision Plan Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through August 5, 2005;

Sheet 9 entitled "Profile Definitive Subdivision Plan Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through August 5, 2005;

Sheet 10 entitled "Sewer & Drainage Details Definitive Subdivision Plan Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through August 5, 2005;

Sheet 11 entitled "Water Details Definitive Subdivision Plan Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through August 5, 2005;

Sheet 12 entitled "Roadway Details Definitive Subdivision Plan Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through August 5, 2005;

Sheet 13 entitled "Drain Profiles Definitive Subdivision Plan Modification Plan of Land in Westwood, MA", dated September 8, 2004 and revised through August 5, 2005;

2. Report entitled "Philips Way Subdivision Modification, Westwood, MA", dated March 31, 2005 and revised through August 5, 2005;
3. Technical memorandum to the Planning Board, dated July 14, 2005, from Carl J. Balduf, Town Engineer, consisting of five (5) pages [first review];
4. Technical memorandum to the Planning Board, dated August 9, 2005, from Carl J. Balduf, Town Engineer, consisting of five (5) pages [second review];
5. Technical memorandum to the Planning Board, dated August 9, 2005, from Richard Merrikin, Merrikin Engineering, 2 Milliston Road, Suite 1C, Millis, MA 02054, consisting of two (2) pages [response to Town Engineer's August 9, 2005 memorandum];
6. 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 and John Cronin, Jr. 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 only with respect to the deposit of the sum of three thousand dollars (\$3,000.00) 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. An additional one thousand dollars (\$1,000.00) from the remaining application fees shall also be waived. A total application fee of five thousand seven hundred ninety nine dollars (\$5,799.00) 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. 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. 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. The Department of Public Works shall specify a limit of work with respect to the paving of the existing Philip's Way roadway stub and Margery Lane. The existing roadway stub will be reconstructed at the time of the new roadway construction. A notation to that effect shall be included on the Definitive Plan.
9. There shall be a wooden or metal guardrail installed along the easterly side of roadway where there is a two to one (2:1) slope, which is in the vicinity of Lot 6A.
10. The sidewalk shall be extended to the driveway location on Lot 4A, which shall be shown on the Profile sheet.
11. A Cape Cod berm shall be installed along the entire length of the roadway, including the existing Philip's Way roadway stub, which shall be shown on the Profile sheet. This berm shall be installed at the same time as the final coat of the bituminous concrete.

12. The bearing, distance and title information on the existing drainage easement to be abandoned shall be shown on the Layout sheet. The area and designation for the drainage easement on Lot 6A to be granted to the Town shall also be shown on the Layout sheet.
13. The connections to the water and sewer systems shall be clearly shown on the Profile sheet. The limits of the cold plane and overlay shall also be shown on this sheet.
14. It must be demonstrated to the satisfaction of the Westwood Department of Public Works that the stormwater run-off is being adequately treated in conformance with DEP stormwater management standards.
15. It must be demonstrated to the satisfaction of the Westwood Department of Public Works that the rate of exfiltration used for the recharge calculations is technically sound.
16. A Source Water Protection Plan (SWPP) shall be prepared and submitted to the appropriate state and federal agencies in connection with this Subdivision.
17. Lot corners will be set in compliance with the Westwood Subdivision Rules and Regulations. A notation to that effect shall be provided on the Layout sheet.
18. The Fire Chief shall review and approve the location of the fire hydrant.
19. The Definitive Plan shall have the appropriate stamps and signatures prior to the final endorsement by the Planning Board.
20. All deeds conveying out lots within the Subdivision shall contain a description reserving the fee in the roadway to the Applicant.
21. All floodplain areas as set forth on the Flood Insurance Rate Map (FIRM) effective as of June 17, 2002 shall be shown on the Existing Conditions and Grading sheets.
22. 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.
23. The Dedham-Westwood Water District shall review and approve the water service connection details.
24. There shall be included a notation on the Definitive Plan that the drainage plan and calculations for this Definitive Plan are included in the report entitled "Philips Way Subdivision Modification, Westwood, MA", dated March 31, 2005, and revised through August 5, 2005.
25. The notation with respect to the developer retaining the fee interest in the roadway, which is included in the General Notes shown on the Legend sheet, shall also be provided on the Layout sheet.

26. The Definitive Plan shall include a reference to this Certificate of Vote and its date of approval.
27. 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.
28. 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.
29. 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.