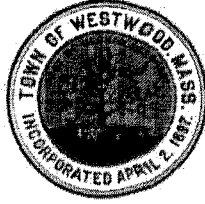


# TOWN OF WESTWOOD

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  
Janice Barba, Land Use Assistant

## PLANNING BOARD

### CERTIFICATE OF VOTE DEFINITIVE SUBDIVISION PLAN

May 13, 2008

2008 MAY 14 P 1:00  
TOWN CLERK  
TOWN OF WESTWOOD

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 applications therefor dated October 31, 2007 and December 21, 2007 and filed with the Planning Board by or on behalf of Wall Street Development Corporation:

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 March 20, 2008, 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 March 20, 2008;

Sheet 2 through Sheet 3 entitled "Subdivision Layout Plans", dated August 16, 2007, revised through March 20, 2008;

Sheet 4 through Sheet 5 entitled "Grading and Drainage", dated August 16, 2007, revised through March 20, 2008;

Sheet 6 through Sheet 10 entitled "Plan & Profile of Roadways", dated August 16, 2007, revised through March 20, 2008;

Sheet 11 through Sheet 14 entitled "Details", dated August 16, 2007, revised through March 20, 2008;

Sheet Supplemental A entitled "Wetland Replication", dated August 16, 2007, revised through March 20, 2008.

2. 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;
3. 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.

4. Letter to the Westwood Planning Board, from Richard J. Gallogly, Esq. of Rackemann, Sawyer & Brewster, re: Second Modification of Powissett Estates Subdivision/Morgan Farms Subdivision, dated May 7, 2008, with attachments, consisting of twenty-nine (29) pages;
5. Letter to the Westwood Planning Board, from Richard J. Gallogly, Esq. of Rackemann, Sawyer & Brewster, dated April 8, 2008, consisting of one (1) page;
6. Letter to Robert Malster, Chairman of the Westwood Planning Board, from Louis Petrozzi, President of Wall Street Development Corp., re: Second Modification of Powissett Estates Subdivision and Morgan Farm Estates Subdivision, dated March 25, 2008, consisting of one (1) page;
7. Letter to the Westwood Planning Board, from Walter M. Lewinski, PE of GLM Engineering Consultants, Inc., re: Second Modification of "Powissett Estates" and Definitive Subdivision of "Morgan Farm Estates", dated March 21, 2008, consisting of three (3) pages;
8. Facsimile transmittal communication to the Diane Beecham, Planner and the Westwood Planning Board from Louis Petrozzi, re: Morgan Farm Estates Subdivision/Powissett Estates Subdivision Modification, dated February 27, 2008, consisting of two (2) pages;
9. Letter to the Westwood Planning Board, from John Bertorelli, PE, PLS, Town Engineer, re: Second Modification-Powissett Estates, dated February 25, 2008, consisting of two (2) pages;
10. Letter to Louis Petrozzi of Wall Street Development Corp., from William J. Scully, PE of MS Transportation Systems, Inc., re: Proposed Modification to Powissett Estates Traffic Review, dated February 22, 2008, consisting of three (3) pages;
11. 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 February 19, 2008, consisting of nine (9) pages;
12. Letter to Robert Malster, Chairman of the Westwood Planning Board, from Louis Petrozzi, President of Wall Street Development Corp., re: Second Modification of Powissett Estates Subdivision and Morgan Farm Estates Subdivision, dated February 1, 2008, consisting of one (1) page;
13. Letter to the Westwood Planning Board, from Walter M. Lewinski, PE of GLM Engineering Consultants, Inc., re: Second Modification of "Powissett Estates" and Definitive Subdivision of "Morgan Farm Estates", dated January 31, 2008, consisting of three (3) pages;
14. Letter to Robert Malster, Chairman of the Westwood Planning Board, from Louis Petrozzi, President of Wall Street Development Corp., re: Second Modification of Powissett Estates Subdivision and Morgan Farm Estates Subdivision, dated January 28, 2008, consisting of one (1) page;
15. 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 10, 2008, consisting of five (5) pages;
16. Letter to Robert Malster, Chairman of the Westwood Planning Board, from Louis Petrozzi, President of Wall Street Development Corp., re: Second Modification of Powissett Estates Subdivision and Morgan Farm Estates Subdivision, dated January 4, 2008, consisting of two (2) pages;

17. Plan entitled "Alternative Plan Morgan Farm Estates, Second Modification of Definitive Subdivision of 'Powissett Estates', Definitive Subdivision of 'Morgan Farm Estates', Westwood, Massachusetts 02090", dated December 17, 2007, prepared by GLM Engineering Consultants, Inc., 19 Exchange Street, Holliston, Massachusetts 01746 and consisting of one (1) sheet;
18. Plan entitled "Conventional Plan, Morgan farm Estates & Powissett Estates, Second Modification of Definitive Subdivision of 'Powissett Estates', Definitive Subdivision of 'Morgan Farm Estates', Westwood, Massachusetts 02090", dated August 16, 2007, prepared by GLM Engineering Consultants, Inc., 19 Exchange Street, Holliston, Massachusetts 01746 and consisting of one (1) sheet;
19. Letter to the Westwood Planning Board, from Richard J. Gallogly, Esq. of Rackemann, Sawyer & Brewster, dated January 15, 2008, consisting of one (1) page;

The reason for the disapproval of said Modification of Definitive Subdivision is as follows:

1. The application has been determined to be incomplete, as it does not contain the signatures of all owners of lots within the Powissett Estates Subdivision and of all holders of mortgages on such lots, as required under Massachusetts General Laws Chapter 41, Section 81W.
2. Notwithstanding the above disapproval, the Planning Board, without prejudice to its determination as set forth in paragraph 1., *supra*, chose to consider the proposed incomplete application as if it had been complete. In so doing and 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**.
3. On the basis of the evidence presented, the Board determines that there is not sufficient reason to deviate from the result that is embodied in its decision of final approval of the Powissett Estates Subdivision.

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 October 31, 2007 and filed with the Planning Board by or on behalf of Wall Street Development Corporation:

The reasons for the disapproval of said Definitive Subdivision Plan are 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. The applicant has not demonstrated sufficient cause for the Planning Board to amend 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. 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

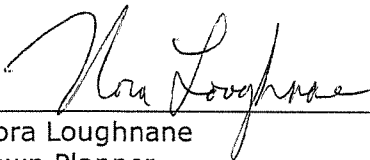
Lane, constitutes a dead-end street as defined in the Subdivision Rules and Regulations, which exceeds the 500-foot maximum length regulation.

3. Major site features, such as existing stone walls, fences, buildings, trees with a caliper of ten (10) inches or larger, rock ridges and outcroppings, water bodies, wetlands, floodplains and significant archeological features and archaeological sites are not shown on the Definitive Subdivision Plan as required by Section III.B.3.n. of the Subdivision Rules and Regulations.
4. No designated open space for recreational purposes as required in Section IV.E. of the Subdivision Rules and Regulations.
5. There are no monuments installed at all street intersections, at all points of change in direction or curvature of streets and at other points where, in the opinion of the Board, permanent monuments are necessary as required by Section V.N.1. of the Rules and Regulations.
6. There are no pipe markers installed at each front corner of each lot as required by Section V.N.5. of the Rules and Regulations.

### 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, Robert E. Moore, Jr., Robert C. Malster, Bruce H. Montgomery, Henry W. Gale.

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.



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Nora Loughnane  
Town Planner  
DATED: May 13, 2008