

TOWN OF WESTWOOD

Commonwealth of Massachusetts

Robert C. Malster, Chairman
Steven H. Olanoff, Vice Chairman
Robert E. Moore, Jr., Secretary
George A. Nedder
Bruce H. Montgomery



2007 JAN 18 AM 9:08

TOWN CLERK
TOWN OF WESTWOOD

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 five in favor and none opposed, voted to grant the application of Romanow, Inc., d/b/a Romanow Container for a Special Permit pursuant to Section 6.1.8 (Reduction of Required Minimum Number of Parking Spaces) of the Westwood Zoning Bylaw.

LAND AFFECTED: 346 University Avenue
Town of Westwood Assessors' Map 38, Parcels 008, 009 and 010

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 and Town Clerk.

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.

WESTWOOD PLANNING BOARD

Robert C. Malster, Chairman

Steven H. Olanoff, Vice Chairman

Robert E. Moore, Jr., Secretary

George A. Nedder

Bruce H. Montgomery

DATED: 01/16/07

**DECISION OF THE PLANNING BOARD
OF THE TOWN OF WESTWOOD**

APPLICANT

/OWNER: Romanow, Inc., d/b/a Romanow Container
346 University Avenue, LLC
346 University Avenue
Westwood, MA 02090

PROPERTY

LOCUS: 346 University Avenue
Town of Westwood Assessors' Map 38, Parcels 008, 009 and 010

PROJECT SUMMARY

Romanow Container proposes to construct a 67,300 square foot addition to its existing 145,320 square foot industrial building located at 346 University Avenue. The building expansion will provide for additional warehouse space, to be used in a manner consistent with the facility's current use as a manufacturer of corrugated boxes and other corrugated materials. The current driveway and parking area are proposed to remain as presently configured, with minimal modifications to accommodate loading docks on the new addition. A portion of the project site is located within two (2) Zone I wellhead protection areas.

There are currently 68 striped parking spaces of which the Applicant has indicated is sufficient to serve the existing facility and its expansion. The site plan submitted as part of the application provides for an additional 86 spaces that can be provided on the project site to accommodate the existing facility and building addition. The additional spaces would all be created by striping the existing paved areas on the site. The Applicant has requested a special permit pursuant to Section 6.1.8 of the Zoning Bylaw [Reduction of Minimum Number of Required Spaces] for permission not to stripe or line these additional 86 parking spaces.

This project will also require Environmental Impact and Design Review pursuant to Section 7.2 of the Bylaw and a Water Resource Protection District special permit pursuant to Section 9.3 of the Bylaw.

STATEMENT OF PLANNING BOARD FINDINGS

1. On October 19, 2006, an application was filed by Romanow, Inc., d/b/a Romanow Container pursuant to Section 6.1.8 of the Westwood Zoning Bylaw. This Section provides for the issuance of a special permit to reduce the minimum number of parking spaces as required by Section 6.1.2 (Table of Parking Requirements) if specific criteria can be met as outlined in Section 6.1.8.2. The Planning Board is the Special Permit Granting Authority under this Section.
2. There are currently 68 striped or lined parking spaces on the Romanow Container site. The minimum number of required parking spaces for the existing 145,320 square foot industrial building is calculated as follows: 11,200 square feet of office use at which at one (1) space for each 333 square feet of such use equals 34 spaces; 6,000 square feet of warehouse/assembly/light manufacturing space at which at one (1) parking space for each 500 square feet of such use equals 12 spaces; and 126,400 square feet of

storage/warehouse space at which one (1) parking space for each 2,000 square feet of such use equals 63 spaces, for a total minimum number of 109 required parking spaces.

3. The proposed 67,300 square foot building addition will be used entirely as warehouse space at which one (1) parking space for each 2,000 square feet of such use equals 34 additional parking spaces, for a total of 143 parking spaces for the project site.
4. The Applicant is requesting to a special permit pursuant to Section 6.1.8 for permission not to stripe or line the additional 75 parking spaces required to meet the minimum number of 143 parking spaces in order that the total number of marked parking spaces on the site remain at 68 spaces.
5. The Planning Board of the Town of Westwood held a public hearing on December 19, 2006 in accordance with the General Laws of the Commonwealth of Massachusetts to consider the aforementioned application of Romanow, Inc., d/b/a Romanow Container. The public hearing was closed at the adjournment of the hearing on December 19, 2006. Westwood Planning Board members Robert C. Malster, Robert E. Moore, Jr., Steven H. Olanoff, George A. Nedder and Bruce H. Montgomery were present for this public hearing.
6. The building expansion for primarily warehouse and storage uses does not warrant the minimum number of parking spaces otherwise required in the Table of Parking Requirements.
7. Based on the information provided in the submitted application and the technical memorandum submitted by the Town Engineer, the Applicant has adequately demonstrated that the minimum number of required parking spaces as set forth in the Table of Parking Requirements can be accommodated on the site should the use, or the intensity or character of the use, of the premises ever be changed so that the additional parking spaces were needed. Further, the continued availability of appropriate space on the site to accommodate these additional parking spaces has been assured in a manner satisfactory to the Planning Board.
8. The issuance of a special permit pursuant to Section 6.1.8 of the Westwood Zoning Bylaw for the aforementioned application of Romanow, Inc., d/b/a Romanow Container will not be detrimental to the Town or to the general character or visual appearance of the surrounding neighborhood or abutting uses, and would be consistent with the intent of this Bylaw.
9. The total floor area of the building expansion is not greater than that which would be permitted absent the grant of a special permit pursuant to Section 6.1.8.
10. The Applicant currently rents additional warehouse space in a building on the north side of University Avenue across from its facility and shuttles trucks between the two facilities on an average of twelve (12) trips per day. The new addition would alleviate the need to rent this additional space and thus would eliminate this shuttling, which will improve traffic safety on University Avenue.

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 five in favor and none opposed, voted to **grant** a special permit for the application of Romanow, Inc., d/b/a Romanow Container, as described above and in the application therefor dated October 19, 2006 and subsequent revisions, and the following related submissions filed with the Planning Board by or on behalf of Romanow, Inc., d/b/a Romanow Container:

1. Plan entitled "Romanow Container Corp. Building Addition in Westwood, Massachusetts (Norfolk County)", dated September 18, 2006, prepared by Beals and Thomas, Inc., Reservoir Corporate Center, 144 Turnpike Road, Southborough, Massachusetts 01772 (Civil Engineer/Surveyor and Landscape Architect); Planners Designers Architects, Inc., 16 Huron Drive, Natick, Massachusetts 01760 (Architect) and consisting of the following eight (8) sheets;

Sheet C1, Topographic Plan, dated October 12, 2006;
Sheet C2, Layout, Grading and Utility Plan, dated October 12, 2006;
Sheet C3, Notes, Legend and Site Details, dated September 18, 2006;
Sheet C4, Site Details, dated September 18, 2006;
Sheet EXH, Parking Striping Exhibit, dated October 16, 2006;
Sheet A1, Floor Plan, dated November 29, 2005 and revised through October 16, 2006;
Sheet A2, Elevations, dated November 29, 2005 and revised through October 16, 2006;
Sheet E1, Photometric Site Plan, dated October 12, 2006;
2. Report of application materials entitled "Romanow, Inc. d/b/a Romanow Container 346 University Avenue, Westwood, Massachusetts, Application to Planning Board, Special Permit and Site Plan Review", dated October 19, 2006, prepared by Michael M.T. Romanow, Esquire, Romanow and Romanow, 190 North Main Street, Natick, Massachusetts 01760;
3. Memorandum to Diane Beecham, Town Planner Re: Romanow, Inc. d/b/a Romanow Container ("Romanow") 346 University Avenue, Westwood, Massachusetts 02090 (the "Property"), Site Plan Review—Building Addition, dated December 7, 2006, prepared by Michael M.T. Romanow, Esquire, Romanow and Romanow, 190 North Main Street, Natick, Massachusetts 01760, consisting of four (4) pages;
4. Technical Memorandum to Westwood Planning Board Attention: Mr. Rob, Malster, Chairman, dated December 19, 2006, prepared by John R. Bertorelli, P.E., P.L.S., Town Engineer, consisting of two (2) pages;
5. All of the foregoing plans and reports are hereby incorporated by reference and made part of this Decision.

CONDITIONS

The foregoing approval is issued to the Applicant for the aforementioned Project in accordance with the terms and conditions set forth below, all of which are an integral part hereof:

1. Except as modified by the conditions and findings hereof, the Project shall comply with the final Project Plans in all respects, and the Applicant shall pursue completion of the Project with reasonable diligence and continuity.
2. The minimum number of required striped parking spaces as set forth in the Table of Parking Requirements shall be provided on the Project Site if there is a change of use or in the intensity or character of use that results in an increased parking need, as determined by the Planning Board. This condition shall be included as a note on the Project Plans.
3. The Applicant shall provide at least the minimum required number of handicapped spaces as required by the State Building Code, based on the current number of sixty-eight (68) striped parking spaces.
4. All catch basin hoods shall be inspected to ensure that they are fitted and operating properly. All catch basins shall be inspected and vacuum cleaned on an annual basis.
5. The manufacturer specifications for the Grasscrete Fire Lane shall be reviewed and approved by the Fire Chief.
6. All wall-mounted lighting fixtures attached to the building expansion shall be mounted no higher than fifteen (15) feet above grade as required by Section 6.4.6 of the Bylaw.
7. The Applicant shall comply with all provisions of the Environmental Impact and Design Review decision granted to the Applicant with respect to this Property, dated January 16, 2007, to construct a 67,300 square foot expansion to the existing building.
8. The Project Plans shall include a reference to this Decision and its date of approval.
9. This Special Permit shall not take effect until a copy of the Decision, bearing the certification of the Town Clerk that twenty (20) days have elapsed after the filing of the decision and either that no appeal has been filed or the appeal has been filed within such time is recorded in the Norfolk County Registry of Deeds and indexed under the name of the property owner of record and parcel address. If the Special Permit has been approved by reason of the failure of the Special Permit Granting Authority to act within the time prescribed, a copy of the Application for the Special Permit accompanied by the certification of the Town Clerk stating the fact that the Special Permit Granting Authority failed to act within the time prescribed, and whether or not an appeal has been filed within that time, and that the grant of the Application resulting from the failure to act has become final, is recorded in the Norfolk County Registry of Deeds and indexed under the name of the property owner of record and parcel address.
10. This Special Permit shall lapse within a specified period of time, not more than two (2) years, which shall not include such time required to pursue or await the determination of an appeal referred to in Chapter 40A § 17, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause or, in the case of permit for

construction, if construction has not begun within the specified period of time except for good cause. Prior to the expiration of the Special Permit, the Applicant may apply for an extension of the Special Permit for a period not to exceed one (1) year if the substantial construction or use thereof has not commenced for good cause.

11. Any alterations, modifications, deletions or amendments to this Special Permit shall be done in accordance with the requirements of M.G.L. Chapter 41A § 9.

RECORD OF VOTE

The following members of the Planning Board voted to grant a special permit for this Application: Robert C. Malster, Robert E. Moore, Jr., Steven H. Olanoff, George A. Nedder and Bruce H. Montgomery.

The following members of the Planning Board voted in opposition to the grant of a special permit for this Application: None.