

# 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



## PLANNING BOARD

Diane Beecham, Town Planner  
Town Hall 580 High Street Westwood, MA 02090 Telephone (781) 251-2581 FAX (781) 461-6839

April 24, 2007

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

RE: Issuance of permits pursuant to M.G.L. Chapter 40, §15C [designation and improvement of scenic roads]

Applicant: O.P.D.V. Trust, Christopher M. Noble, Trustee  
Grove and Summer Streets  
Assessor's Map 5, Lot 019A; Assessor's Map 5, Lots 119 and 120

Dear Ms. McCracken:

Please find enclosed the decisions of the Planning Board to issue permits pursuant to M.G.L. Chapter 40, §15C [designation and improvement of scenic roads] for the removal of trees and portions of a stone wall within the public right of way along the frontage of property located at 303 Grove Street.

Sincerely,

Diane Beecham  
Town Planner

Enclosure

cc: Applicant  
Board of Selectmen  
Building Commissioner  
Conservation Commission  
Department of Public Works  
Fire Chief  
Police Chief  
Town Counsel  
Town Engineer  
Tree Warden

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## PLANNING BOARD

**APPLICANT:** O.P.D.V. Trust, Christopher M. Noble, Trustee  
Grove Street, Land Court Plan 30612V, Lots 122, 123 and 124

### PROPERTY

**LOCUS:** In the vicinity of 303 Grove Street  
Town of Westwood Assessors' Map 5, Parcel 019A

### PROJECT SUMMARY:

O.P.D.V. Trust proposes to remove three (3) trees and approximately seventy (70) linear feet of an existing fieldstone wall located along Grove Street to allow for the construction of a shared driveway through Lot 124 to access Lots 122, 123 and 124. The location of the shared driveway opening and the fieldstone wall is shown on the plan entitled "Driveway Plan Lots 122-124 Hawthorne Estate 303 Grove Street Westwood, Massachusetts Prepared for Christopher M. Noble, O.P.D.V. Trust", dated August 30, 2006 and revised through December 8, 2006.

The three lots are part of a larger development which includes a total of nine (9) new residential building lots and one (1) lot with an existing estate residence. The development parcel is approximately thirty-six (36) acres in size and is located at the northeasterly corner of Summer Street and Grove Street. The Approval Not Required plan creating the lots was endorsed by the Planning Board in 2005. A Shared Driveway special permit was granted for these two lots by the Planning Board on March 26, 2007.

The three (3) trees slated for removal are located on Lot 124 and consist of the following:

- One (1) dead 10-inch caliper White Ash;
- One (1) 16-inch caliper Oak;
- One (1) 4-inch caliper Crab Apple.

The work also will include the removal of approximately seventy (70) linear feet of an existing fieldstone wall along Grove Street. The removed stones will be reused as necessary to construct an enhanced entrance for the shared driveway, which will include repositioned fieldstone walls and end posts which flank the driveway.

## STATEMENT OF FINDINGS:

The Town of Westwood Planning Board makes the following findings with respect to the abovementioned Application:

1. On August 30, 2006, an application was filed by O.P.D.V. Trust, Christopher M. Noble, Trustee pursuant to M.G.L. Chapter 40, §15C and the Rules and Regulations of the Town of Westwood Planning Board as Permit Granting Authority Pursuant to M.G.L. Chapter 40, §15C, adopted July 14, 2004 ("Scenic Roads Rules and Regulations"). The Planning Board is the Permit Granting Authority under this Section.
2. The trees designated to be removed are located within the Grove Street public right-of-way and have a minimum trunk diameter of four (4) inches or more as measured one (1) foot above grade. The removal of the designated portion of the existing fieldstone wall within the Grove Street public right-of-way will include more than fifteen (15) linear feet of the wall involving more than one (1) cubic foot of wall material per linear foot above existing grade. A permit pursuant to M.G.L. Chapter 40, §15C and the Town of Westwood Scenic Roads Rules and Regulations is required for the tree and wall removal.
3. A public hearing was held in accordance with the Westwood Scenic Roads Rules and Regulations in the Champagne Meeting Room, 50 Carby Street, Westwood, Massachusetts on October 24, 2006, December 19, 2006 and January 9, 2007 at which time the Planning Board closed the public hearing at the end of this hearing. The Planning Board also held a site visit on November 10, 2006. Planning Board members Robert C. Malster, Bruce H. Montgomery, Robert E. Moore, Jr., Steven H. Olanoff and George A. Nedder were present for all public hearings.
4. The tree removal and stone wall opening to accommodate the shared driveway opening will have minimal negative impact on the natural and environmental resources of Grove Street.
5. The tree removal and stone wall opening to accommodate the shared driveway opening will have minimal impact on the scenic and aesthetic characteristics of Grove Street.
6. The tree removal and stone wall opening to accommodate the shared driveway opening will have minimal impact on the historical characteristics of Grove Street.
7. The tree removal and stone wall opening to accommodate the shared driveway opening will, in turn, eliminate the need for two separate driveway openings along Grove Street which is a narrow, winding road in poor condition, and thus will have a beneficial impact on public safety.
8. Reuse of the removed stones and construction of an enhanced entrance to the shared driveway are appropriate compensatory actions that will provide benefit to the neighborhood by improving the aesthetic and historic value of Grove Street.

**DECISION:**

The Planning Board has evaluated the application in relation to the standards set forth in Section 6 of the Town of Westwood Scenic Roads Rules and Regulations and finds that if the conditions hereinafter set forth are satisfied, the Project will not produce a substantial adverse impact upon the safety, environmental, historical or aesthetic characteristics of the area or property therein.

The Planning Board, by a vote of five in favor and none opposed, hereby submits its **approval** pursuant to Chapter 40, §15C and the Town of Westwood Scenic Roads Rules and Regulations for the Project as described in the Application therefor dated August 30, 2006, subject to the conditions stated herein.

1. Plan entitled "Driveway Plan Lots 122-124 Hawthorne Estate 303 Grove Street Westwood, Massachusetts Prepared for Christopher M. Noble, O.P.D.V. Trust", dated August 30, 2006 and revised through December 8, 2006, prepared by Meridian Associates, Inc., 152 Conant Street, Beverly, Massachusetts 01015 and 69 Milk Street, Suite 302, Westborough, Massachusetts 01581, consisting of two (2) sheets:
2. Report entitled "Stormwater Management Report, Proposed Common Driveways Serving Lots 122, 123 & 124 and Lots 126 & 127, Hawthorn Estate Property Grove Street and Summer Street, Westwood, Massachusetts", dated August 30, 2006, Prepared by Meridian Associates, Inc., 69 Milk Street, Suite 032, Westborough, Massachusetts 01581, consisting of 49 pages;
3. Declaration of Common Driveway, Utility Easement and Covenants, consisting of four (4) sheets.

The foregoing plans and documents are hereby incorporated by reference and made part of this Decision.


**CONDITIONS OF APPROVAL:**

The approval of the abovementioned Application is subject to the following conditions:

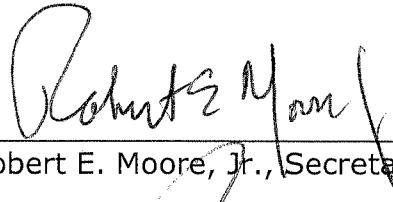
1. To the fullest extent possible, the Applicant, its heirs, successors or assigns shall minimize the removal or disturbance of existing vegetation and the remaining fieldstone wall during the construction of the shared driveway.
2. After the trees and the designated area of the fieldstone wall is removed and the subsequent construction of the shared driveway, there shall be no additional clearing or pruning of the vegetation within the Grove Street right-of-way. The Applicant its heirs, successors or assigns may remove or prune dead, diseased or noxious vegetation within this right-of-way only with the approval of the Tree Warden.
3. The Tree Warden shall be given adequate written notice prior to the start of the tree removal and stone wall opening.

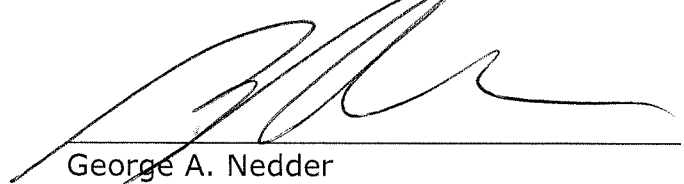
4. The opening of the stone wall to accommodate the shared driveway shall be located as shown on the Project Plans and shall be no wider than is necessary to safely accommodate the curb radii of thirty (30) feet and twenty-five (25) feet and the eighteen (18)-foot pavement width of the shared driveway, as shown on said Plans. No more than seventy ( $\pm 70$ ) linear feet of the existing stone wall shall be removed, as requested in the Application.
5. To the fullest extent possible, the Applicant shall reuse the stones removed to create the new opening, and others as needed, to reinforce and repair areas of the existing stone wall that have fallen into disrepair.


**WESTWOOD PLANNING BOARD**

  
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Bruce H. Montgomery

DATED: April 23, 2007