

TOWN OF WESTWOOD

Commonwealth of Massachusetts

Robert E. Moore, Jr., Chairman
Robert C. Malster, Vice Chairman
George A. Nedder, Secretary
Henry W. Gale
Steven H. Olanoff



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TOWN CLERK
TOWN OF WESTWOOD

PLANNING BOARD

Diane Beecham, Town Planner
Town Hall 580 High Street Westwood, MA 02090 (781) 326-6450 (781) 329-8030

July 6, 2005

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

RE: Temple Beth David, 7 Clapboardtree Street
Town of Westwood Assessors' Map 28, Lot 329 and Map 29, Lot 171
Special Permit pursuant to Section 6.1.8 [Reduction of Required Minimum Number of Parking Spaces]

Dear Ms. McCracken:

Please find enclosed the decision of the Planning Board to **grant** a special permit pursuant to Section 6.1.8 [Reduction of Required Minimum Number of Parking Spaces] in connection with the construction of a two-phase, 10,394 square foot addition to Temple Beth David.

Sincerely,

Diane Beecham
Town Planner

Enclosure

cc: Board of Appeals
Board of Assessors
Board of Health
Board of Selectmen
Building Commissioner
Conservation Commission
Department of Public Works
Economic Development Officer
Fire Chief
Police Chief
Town Counsel
Town Engineer

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TOWN OF WESTWOOD PLANNING BOARD NOTICE OF DECISION

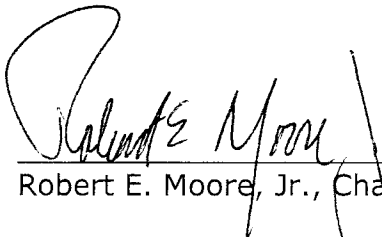
In compliance with Chapter 40A of the General Laws of the Commonwealth of Massachusetts, you are hereby notified that the Westwood Planning Board has, by a vote of five in favor and none opposed, voted to grant the application of Temple Beth David of Westwood for a Special Permit pursuant to Section 6.1.8 (Reduction of Required Minimum Number of Parking Spaces) of the Westwood Zoning Bylaw.

LAND AFFECTED: 7 Clapboardtree Street
Town of Westwood Assessors' Map 28, Lot 329 and Map 29, Lot 171

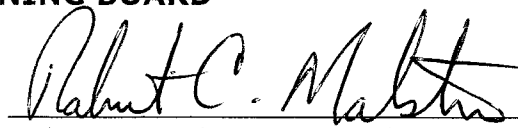
The Planning Board hereby certifies that attached hereto is a true and complete copy of the Board's decision and that said decision and any plans referred to therein have been filed with the Planning Board and Town Clerk.

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



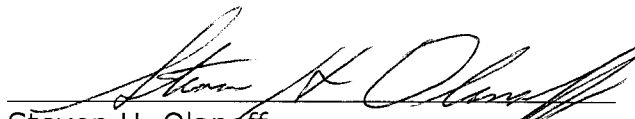
Robert E. Moore, Jr., Chairman



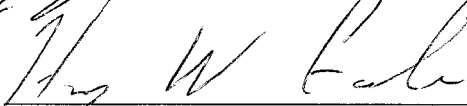
Robert C. Malster, Vice Chairman



George A. Nedder, Secretary



Steven H. Olanoff



Henry W. Gale

DATED: 7/5/05

DECISION OF THE PLANNING BOARD OF THE TOWN OF WESTWOOD

APPLICANT

/OWNER: Temple Beth David of Westwood
7 Clapboardtree Street
Westwood, MA 02090

PROPERTY

LOCUS: 7 Clapboardtree Street
Town of Westwood Assessors' Map 28, Lot 329 and Map 29, Lot 171

PROJECT SUMMARY

Temple Beth David proposes to construct a 6,588 square foot addition (Phase I) to its existing 8,587 square foot building located at 7 Clapboardtree Street. The Phase I addition will include six classrooms, a chapel and administrative office space. A second phase, to be constructed at a future date, will include the expansion of the sanctuary and function hall and the construction of a new pre-school. This phase will provide for an additional 3,806 square feet. There are currently 43 on-site parking spaces and an additional 68 non-stacked spaces are proposed as part of the expansion project. Of these 68 spaces, 31 are proposed to remain unpaved and essentially serve as overflow parking. There will also be extensive drainage and landscaping improvements.

STATEMENT OF FINDINGS

1. On April 7, 2005, an application was filed by Temple Beth David of Westwood pursuant to Section 6.1.8 of the Westwood Zoning Bylaw. This Section provides for the issuance of a special permit to reduce the required minimum number of parking spaces 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 43 parking spaces on the Temple Beth David site. As part of the Phase I and Phase II expansion project, a minimum of 78 additional spaces would be required for a total of 121 on-site spaces. The Applicant is requesting to provide a total of 111 parking spaces that meet all parking design standards, which can be increased to 139 spaces (to include stacked spaces) during High Holiday and special events.
3. The Planning Board of the Town of Westwood held a public hearing in accordance with the General Laws of the Commonwealth of Massachusetts to consider the aforementioned application of Temple Beth David of Westwood. The public hearing commenced on May 31, 2005. The public hearing was further continued and testimony taken on June 14, 2005. The public hearing was closed at the adjournment of the hearing on June 14, 2005. Westwood Planning Board members Henry W. Gale, Robert C. Malster, Robert E. Moore, Jr., Steven H. Olanoff and George A. Nedder were present for all public hearings.
4. The calculation of the minimum parking requirements, using the standards set in the Zoning Bylaw, is not consistent with the manner in which the Temple Beth David facility is

presently used and its future use in the expanded facility. The minimum parking space requirements are calculated with the assumption that the sanctuary, function hall, classrooms, chapel and office space are in use simultaneously. In actuality, the sanctuary space is at capacity during relatively few events during the year, such as the High Holidays, Rosh Hashanah and Yom Kippur. During these events, other functions such as the school and use of the chapel are not in use. In addition, the classroom seats that are included as part of the calculation of the minimum parking requirement are actually seats for pre-school and grade school students, who can not drive and thus can not contribute to the actual parking demand.

5. The Planning Board finds that based on testimony provided at the public hearing and written testimony provided by the Community Safety Officer, the additional 68 conventional spaces, or the 96 stacked spaces, will be sufficient to accommodate the Temple's usual and customary religious and educational uses and High Holiday and special events for the Phase I and Phase II expansion project as shown on the Project Plans.
6. 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.
7. The Planning Board finds that the issuance of special permit pursuant to Section 6.1.8 of the Westwood Zoning Bylaw for the aforementioned application of Temple Beth David 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. Specifically, the significant landscaping and buffering that will be provided on the so-called Lot 100 will enhance the appearance of the parking area from the abutting residences.
8. The Planning Board finds that maintaining 31 of the conventional overflow spaces as unpaved will reduce the amount of stormwater run-off from this site. Also, by remaining unpaved, these overflow spaces will enhance the aesthetic quality of the proposed project and reduce any potential negative impacts on the adjoining residential neighborhood. Further, the substantial drainage improvements as part of this Project to bring this site into compliance with the stormwater management standards will have a significant beneficial environmental impact.
9. The relocation of the Town's 15-foot wide drainage easement [Deed Book 2189 Page 593] through the westerly side of the Temple property to coincide with the location of the existing pedestrian walkway easement will be a benefit to both the Temple and to the Town. The Board will request that the Board of Selectmen approve the relocation of this drainage easement.

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 Temple Beth David of Westwood, as described above and in the application therefor dated April 7, 2005 and subsequent revisions, and the following related submissions filed with the Planning Board by or on behalf of Temple Beth David of Westwood:

1. Plan entitled "Permitting Drawings For: Temple Beth David, 7 Clapboardtree Street, Westwood, MA 02090", dated March 18, 2005 and revised through June 10, 2005, prepared by Geller DeVellis, Inc., 70 Walnut Street, Wellesley, MA 02481 (Civil Engineer/Landscape Architect); Menders, Torrey & Spencer, Inc., 123 North Washington Street, Boston, MA 02114 (Architecture); Cubellis Saivetz Associates, 1 Campanelli Drive, Braintree, MA 02184 (Surveyor) and consisting of the following ten (10) sheets;

Sheet 1, Existing Conditions Plan, dated November 7, 2002;
Sheet LR-1, Layout and Materials Plan, dated March 18, 2005;
Sheet LR-2, Grading and Utilities Plan, dated March 18, 2005;
Sheet LR-3, Planting Plan, dated March 18, 2005;
Sheet LR-4, Site Details Sheet 1, dated March 18, 2005;
Sheet LR-5, Site Details Sheet 2, dated March 18, 2005;
Sheet LR-6, Photometrics Plan, dated March 18, 2005;
Sheet A-1, Renovation & Addition Floor Plan, dated March 18, 2005;
Sheet A-2, Renovation & Addition Exterior Elevations, dated March 18, 2005;
Sheet SKL-1, Temple Beth David, dated May 31, 2005 [to reflect increase in width of driveway to 18 feet];
2. Report entitled "Drainage Report, Temple Beth David, 7 Clapboardtree Street, Westwood, MA", dated July 9, 2004 and revised through June 8, 2005, prepared by Geller DeVellis Inc., 29 Washington Street, Wellesley, MA 02481;
3. Memorandum entitled "Traffic Impact Assessment, Proposed Temple Beth David Renovations, Weston, [sic] Massachusetts, MCM Project No. TO4214.OP", dated June 18, 2004 and July 16, 2004, prepared by McMahon Associates, Inc., 180 Canal Street, Boston, Massachusetts 02114 and consisting of ten (10) pages;
4. Memorandum to the Westwood Planning Board Re: Temple Beth David, 7 Clapboardtree Street, Application for Site Plan Review and Special Permit to Reduce Parking Spaces, dated April 7, 2005, prepared by Matthew Watsky, Attorney at Law, East Brook Executive Park, 30 Eastbrook Road, Suite 301, Dedham, MA 02026 and consisting of five (5) pages;
5. Memorandum to the Westwood Conservation Commission Re: Engineering Review, Notice of Intent, Temple Beth David, 7 Clapboardtree Street, prepared by Kevin Walker, P.E., K & J Engineering, Inc., 205 West Grove Street, Suite A, Middleborough, MA 02346 and consisting of three (3) pages;

6. All of the foregoing plans and reports are hereby incorporated by reference and made part of this Decision.

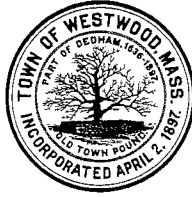
CONDITIONS

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 Applicant shall provide the minimum number of required parking spaces as set forth in the Table of Parking Requirements 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.
3. The emergency access gate at the northerly end of Sherman's Way shall be shown on the Project Plans. There shall also be a note added that a gate at this location shall remain for emergency access to the adjoining Chase Estates subdivision.
4. The drainage easement relocation and the pedestrian walkway easement shall be recorded at the Norfolk County Registry of Deeds, with reference to the recording on the Plan. A copy of the recordings shall be provided to the Planning Board.
5. The final Project Plans incorporating the conditions herein shall be submitted to the Town Engineer for a final technical review.
6. 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 no appeal has been filed, is recorded in the Registry of Deeds and indexed under the name of the property owner of record and parcel address. A copy of this recording shall be provided to the Planning Board.
7. 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 by such date 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.
8. Any alterations, modifications, deletions or amendments to this Special Permit shall be done in accordance with the requirements of MGL Chapter 41A § 9.

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PLANNING BOARD

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July 6, 2005

Mr. Matthew Watsky, Esq.
East Brook Executive Park
30 Eastbrook Road, Suite 301
Dedham, MA 02026

RE: 7 Clapboardtree Street
Temple Beth David

Dear Matt:

Please find enclosed the Planning Board's Environmental Impact and Design Review Decision approval pursuant to Section 7.3 of the Westwood Zoning Bylaw for the Temple Beth David property located at 7 Clapboardtree Street. The decision is effective immediately and a copy has been forwarded to the Building Commissioner as required.

Sincerely,

A handwritten signature in cursive script that reads "Diane Beecham".

Diane Beecham
Town Planner

Enclosure

cc: Board of Appeals
Board of Assessors
Board of Health
Board of Selectmen
Building Commissioner
Conservation Commission
Dedham-Westwood Water District

Department of Public Works
Economic Development Officer
Fire Chief
Police Chief
Town Clerk
Town Counsel
Town Engineer

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TOWN OF WESTWOOD PLANNING BOARD NOTICE OF DECISION

APPLICANT /OWNER:

Temple Beth David of Westwood
7 Clapboardtree Street
Westwood, MA 02090

PROPERTY LOCUS:

7 Clapboardtree Street
Town of Westwood Assessors' Map 28, Lot 329 and Map 29, Lot 171

PROJECT SUMMARY

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DECISION OF THE WESTWOOD PLANNING BOARD

The Planning Board, by a vote of five in favor and none opposed, hereby submits its Environmental Impact and Design Review **approval** pursuant to Section 7.3 of the Westwood Zoning Bylaw for the Project as described above and in the application therefor dated April 7, 2005 and subsequent revisions, and the following related submissions filed with the Planning Board by or on behalf of Temple Beth David of Westwood:

1. Plan entitled "Permitting Drawings For: Temple Beth David, 7 Clapboardtree Street, Westwood, MA 02090", dated March 18, 2005 and revised through June 10, 2005, prepared by Geller DeVellis, Inc., 70 Walnut Street, Wellesley, MA 02481 (Civil

Engineer/Landscape Architect); Menders, Torrey & Spencer, Inc., 123 North Washington Street, Boston, MA 02114 (Architecture); Cubellis Saivetz Associates, 1 Campanelli Drive, Braintree, MA 02184 (Surveyor) and consisting of the following ten (10) sheets;

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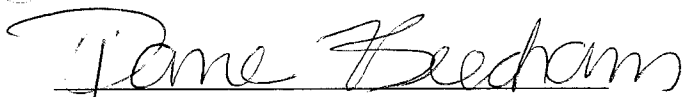
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6. All of the foregoing plans and reports are hereby incorporated by reference and made part of this Decision.

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 Applicant shall submit the required \$750.00 application review fee to the Planning Board.

3. The emergency access gate at the northerly end of Sherman's Way shall be shown on the Project Plans. There shall also be a note added that a gate at this location shall remain for emergency access to the adjoining Chase Estates subdivision.
4. The drainage easement relocation and the pedestrian walkway easement shall be recorded at the Norfolk County Registry of Deeds, with a reference to the recording shown on the Plan. A copy of the recordings shall be provided to the Planning Board.
5. Compliance with all provisions of the Special Permit granted to the Applicant on July 5, 2005 to reduce the required minimum number of parking spaces pursuant to Section 6.1.8 of the Westwood Zoning Bylaw.
6. The final Project Plans incorporating the conditions herein shall be submitted to the Town Engineer for a final technical review.
7. This Environmental Impact and Design Review approval 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 by such date except for good cause. Prior to the expiration of the Environmental Impact and Design Review approval, the Applicant may apply for an extension of this approval for a period not to exceed one (1) year if the substantial construction or use thereof has not commenced for good cause.



Diane Beecham
Town Planner

DATE: July 6, 2005