

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

Christopher A. Pfaff, Chairman
Steven H. Olanoff, Vice Chairman
Trevor W. Laubenstein, Secretary
Bruce H. Montgomery
John J. Wiggin



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2016 JAN 13 10 57 AM
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 voted in favor to **grant** the application from Canton Street Realty trust, David Spiegel, as voted on January 12, 2016, and filed in the Office of the Town Clerk on December 18, 2015, requesting Planning Board Special Permit pursuant to Section 7.1 [Earth Material Movement] of the Westwood Zoning Bylaw, to import, export, and re-grade the lot in excess of 200 cubic yards of earth material in a residential district at 485 Canton Street, Westwood, MA 02090 for work associated with the demolition and rebuilding of a single-family dwelling.

LAND AFFECTED: 485 Canton Street (Assessors' Map 32, Lot 006)


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.

Appeals, if any, shall be made pursuant to Section 17 of said M.G.L. 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.

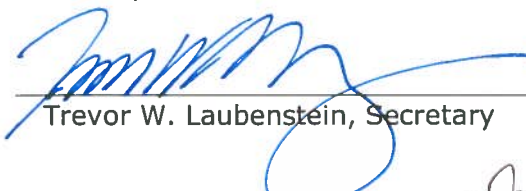
WESTWOOD PLANNING BOARD



Christopher A. Pfaff, Chairman



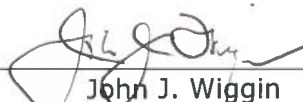
Steven H. Olanoff, Vice Chairman



Trevor W. Laubenstein, Secretary



Bruce H. Montgomery



John J. Wiggin

Dated: 1/12/16

**DECISION OF THE PLANNING BOARD
SPECIAL PERMIT**

2016 JAN 13 A 10: 51
TOWN CLERK
TOWN OF WESTWOOD

APPLICANT: David Spiegel, Trustee
Canton Street Realty Trust

ADDRESS: P.O. Box 890
Norwood, MA 02062

PROPERTY OWNER: Canton Street Realty Trust
P.O. Box 890
Norwood, MA 02062

PROPERTY LOCUS: 485 Canton Street
Assessor's Map 32, Lot 006

BACKGROUND AND PROJECT SUMMARY

The Applicant proposes to bring in over 200 cubic yards of fill to regrade the property for the demolition and replacement of the existing single-family residence. The property is located in the SRC (Single Residence C) zoning district. The proposed earth material movement for importing and regrading of greater than 200 cubic yards is subject to a Special Permit, pursuant to Section 7.1 of the Westwood Zoning Bylaw.

STATEMENT OF FINDINGS

PROCEDURAL FINDINGS:

After having reviewed all the plans and reports filed by the Applicant and its representatives and having considered the technical analysis, supplemental information provided during the course of the public hearing, correspondence and testimony from representatives from various boards and commissions and departments within the Town of Westwood and from all other interested parties, the Town of Westwood Planning Board makes the following procedural findings and project findings:

1. On December 16, 2015, an application was filed by or on behalf of Canton Street Realty Trust, pursuant to Section 7.1 [Earth Material Movement] of the Westwood Zoning Bylaw with the Westwood Planning Board and the Westwood Town Clerk on December 18, 2015 (hereinafter "Application").
2. Pursuant to M.G.L. Chapter 40A, Section 9 and 11 and the applicable provisions of the Westwood Zoning Bylaw and the Rules and Regulations of the Westwood Planning Board (hereinafter "Rules and Regulations"), the Planning Board caused notice of the public hearing to be published in the *Westwood Press*, a newspaper of general circulation in Westwood, on December 25, 2015 and January 1, 2016. Notice of the public hearing was posted in the Westwood Town Hall commencing on December 18, 2015, and continuing through the opening of the public hearing on January 12, 2016. Said notice of the public hearing was mailed postage prepaid to all Parties in Interest as defined in M.G.L. Chapter 40A, Section 11 on December 18, 2015.
3. The Planning Board provided copies of the Application to other Town of Westwood boards and commissions, departments and officials including, but not limited to, the Board of Health, Board of Selectmen, Building Commissioner, Conservation Commission, Department of Public Works, Fire Chief, Police Chief and Town Engineer, on December 17, 2018.

4. After notice and publication was provided pursuant to M.G.L. Chapter 40A, Section 9 and 11, the public hearing on the Application commenced on January 12, 2016, in the Hall at the Islington Community Center at 288 Washington Street, Westwood, Massachusetts, 02090. The Planning Board closed the public hearing on January 12, 2016.
5. Westwood Planning Board Members Trevor W. Laubenstein, Steven H. Olanoff, John J. Wiggin, Bruce H. Montgomery, and Christopher A. Pfaff deliberated on the Application at a duly authorized meeting on January 12, 2016.

PROJECT FINDINGS:

1. The subject property consists of approximately 40,000 S.F. located at 485 Canton Street and is shown as Map 32, Lot 006 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. The project site contained a single-family residence that was issued a demolition and foundation permit from the Building Commissioner on December 4, 2015 to demolish and rebuild a new single-family residence. On December 10, 2015, it was determined that an Earth Material Movement special permit was necessary for the proposed work.
3. The Applicant proposes to demolish the existing residence to construct a new ~2,980 S.F. single-family residence with a three car garage, remove 103 cubic yards of fill, bring in 1,380 cubic yards of fill for a net total of 1,277 cubic yards of fill to regrade the lot to increase the grade by 6 feet, and install an infiltration system.
4. The Project Site is located within the SRC zoning district. The proposed single-family dwelling use is permitted by-right in the SRC zone, and the Earth Material Movement greater than 200 cubic yards is subject to an Earth Material Movement (EMM) Special Permit, pursuant to Section 7.1.8.1 of the Westwood Zoning Bylaw.
5. The Project, as modified by the Conditions of this Decision, will not be detrimental to the Town or to the general character or visual appearance of the surrounding properties, and will be consistent with all applicable standards set forth in Section 7.1 of the Westwood Zoning Bylaw.

DECISION:

The Planning Board evaluated the Application in relation to the above Findings, and as the approving authority, by a vote of five (5) in favor and none (0) opposed, hereby **grants** Special Permit **Approval** pursuant to Section 7.1 of the Westwood Zoning Bylaw for the Project as described above and as shown on the plan entitled "Building Permit Plan 485 Canton Street Westwood, Massachusetts", prepared by Norwood Engineering, dated November 12, 2015, revised December 16, 2015, and last revised on January 7, 2016 in the application therefor filed in the office of the Town Clerk on December 18, 2015, subject to the Conditions stated herein, all of which are an integral part hereof:

CONDITIONS OF APPROVAL:

1. Except as modified by the Conditions and Findings hereof, the Project shall comply with the Project Plans in all respects and the Applicant shall pursue completion of the Project with reasonable diligence and continuity.

2. The existing pavement on Canton Street shall be protected from damage from loading and unloading of material and/or equipment related to the proposed construction.
3. The crushed stone entrance shown on the above mentioned submitted plan last revised on January 7, 2016 shall be replaced when the stone becomes clogged with dirt or is no longer effective in preventing excess tracking of material onto the public way.
4. Accessible cleanouts shall be provided at the bends in the four inch piping leading from the roof drains to the infiltration chambers.
5. The Applicant shall notify the Town Department of Public Works during installation and backfill of infiltration chambers that are proposed to ensure compliance with the design.
6. The project engineer shall certify that the infiltration system was installed per the proposed design shown on the submitted and approved plan last revised on January 7, 2016. If the final design varies significantly from the proposed design, an as-built plan certified by the design engineer shall be submitted to the Town Planner and Town Engineer prior to the issuance of the Certificate of Occupancy.
7. Project related construction and earth material movement shall comply with the Town's General Bylaws Chapter 292, for Noise and Construction between 7:00 a.m. and 7:00 p.m. Monday through Saturday and 12:00 p.m. to 7:00 p.m. on Sundays.
8. All trucks carrying earth material to or from 485 Canton Street shall be required to access Canton Street from the South from University Avenue only. Trucks going to or from the property shall be prohibited from travelling north on Canton Street and prohibited from travelling on Everett Street.
9. If the Project, or any Condition imposed in this Decision, requires permit, license, or other approval from any other board, committee, or agency of the Town of Westwood or other regulatory agency of the Commonwealth or the federal government, the Applicant shall make an appropriate application for the same. If any condition of such permit, license, or other approval from any other board, committee, or agency is inconsistent with this Decision, the Applicant shall make application to the Planning Board for amendment of this Decision, and the Planning Board shall consider such application in accordance with the requirements of M.G.L. Chapter 40A § 9 and all applicable Planning Board rules and regulations.
10. Applicant shall promptly repair any damage which Applicant causes to sidewalks, street pavement, signs or other fixtures or features within the public right of way, after obtaining permission from the Town. Such repairs shall be performed to Town of Westwood standards.
11. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.

APPLICATION AND PLANS

The Planning Board evaluated the Application filed by or on behalf of the Applicants in the Planning Office and the Office of the Town Clerk on December 18, 2015. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application prepared by Canton Street Realty Trust dated December 15, 2015, received by the Planning Department on December 16, 2015 and the Town Clerk on December 18, 2015.
2. Plan entitled "Building Permit Plan, 485 Canton Street, Westwood, Massachusetts", prepared by Norwood Engineering, dated November 12, 2015, revised December 16, 2015, and last revised on January 12, 2016.
3. Memorandum from Town Engineer, Jeffrey Bina, to Town Planner, Abigail McCabe, RE: Earth Material Movement Special Permit, 485 Canton Street, dated January 5, 2016.

RECORD OF VOTE

The following members of the Planning Board voted on January 12, 2016 to grant Special Permit Approval for the abovementioned Project: Christopher A. Pfaff, Steven H. Olanoff, Bruce H. Montgomery, John J. Wiggin, Trevor W. Laubenstein.

The following members of the Planning Board voted in opposition to the Special Permit for the abovementioned Project: None.



Abigail McCabe
Town Planner
January 13, 2016