

# Town of Westwood

Commonwealth of Massachusetts

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## PLANNING BOARD TOWN CLERK TOWN OF WESTWOOD

### DECISION OF THE PLANNING BOARD LIMITED ENVIRONMENTAL IMPACT AND DESIGN REVIEW

**APPLICANT:** Eric Arnold, Executive Director  
Hale Reservation, Inc.  
80 Carby Street  
Westwood, MA 02090

**PROPERTY OWNER:** Hale Reservation, Inc.  
80 Carby Street  
Westwood, MA 02090

**PROPERTY LOCUS:** 80 Carby Street  
Westwood, MA 02090  
Assessor's Map 04, Lot 001

### BACKGROUND AND PROJECT SUMMARY

The Applicant proposes new construction of a single family, cape-style house at Hale Reservation. The purpose of this new construction is to provide greater security and educational program supervision by adding a residence for a full-time staff member at Hale. The cape-style house will be set back from Carby Street, accessed through a dirt driveway off the Cucchiarra parking area.

The property is located in the SRC (Single Residence C) zoning district. The addition of more than one house on the property is the trigger for and Environmental Impact and Design Review. The educational use is a protected use under M.G.L. Chapter 40A, Section 3 and thus subject to a Limited EIDR pursuant to Section 7.3 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 February 10, 2017, an application was filed by or on behalf of the Hale Reservation, Inc., pursuant to Section 7.3 [Environmental Impact and Design Review] of the Westwood Zoning Bylaw with the Westwood Planning Board and the Westwood Town Clerk (hereinafter "Application").

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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 February 24, 2017 and March 3, 2017. Notice of the public hearing was posted in the Westwood Town Hall commencing on February 17, 2017, and continuing through the opening of the public hearing on March 21, 2017 (Public hearing was published and scheduled for 3/14/17 but due to a snowstorm was canceled and rescheduled to 3/21/17). 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 February 21, 2017.
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, Town Engineer, Historic Commission, and Pedestrian and Bicycle Safety Committee on February 13, 2017.
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 March 21, 2017, in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts, and closed the same evening.
5. Westwood Planning Board Members Christopher A. Pfaff, Trevor W. Laubenstein, Steven H. Olanoff, David L. Atkins, Jr. and Michael L. McCusker deliberated on the Application at a duly authorized meeting on March 21, 2017.

#### **PROJECT FINDINGS:**

1. The subject property consists of approximately 112.07 acres located at 80 Carby Street and is shown as Map 04, Lot 001 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. Presently, the project site is treed, open land with a proposal for new construction of a single family, cape-style three bedroom house, approximately 1,900 square feet.
3. The Applicant proposes new construction of a single family, cape-style three bedroom house, approximately 1,900 square feet. The purpose of this new construction is to provide greater security and educational program supervision by adding a residence for a full-time staff member and his family.
4. The Project Site is located within the SRC (Single Residence C) zoning district. The educational use is permitted by-right in the SRC zone under M.G.L. Chapter 40A, Section 3 and Section 4.1.4.4 of the Westwood Zoning Bylaw, subject to a Limited Environmental Impact Design Review (EIDR), pursuant to Section 7.3 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 7.3.8 of the Westwood Zoning Bylaw.

#### **WAIVERS:**

The Planning Board considered requests for the specific waivers listed below, and determined that such waivers will result in a substantially improved project; that such project will otherwise meet the performance and design standards set forth in this Section; and that such waivers will pose no substantial

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detriment to any adjacent property or proximate neighborhood, and will not nullify or substantially derogate from the intent or purpose of the Westwood Zoning Bylaw. The following waivers are found to not be applicable to the proposed project and are hereby granted by the Planning Board:

1. Waiver of EIDR application filing fee. The Board finds the application filing fee is not necessary because the Applicant is a not for profit organization and this is a Limited EIDR for the construction of a single-family house on a large lot.
2. Waiver of the requirement for an exterior lighting plan required by Section 7.3.7.2 of the Westwood Zoning Bylaw. The Board found this requirement was not necessary since the proposal is for a single-family house and subject to a Limited EIDR only.
3. Waiver of the requirement for the submission of a traffic study required by Section 7.3.7.3 of the Westwood Zoning Bylaw. The Board found that this requirement was not necessary for the proposal for a single-family house.
4. Waiver of the requirement for the submission of a presentation model in Section 7.3.7.7 of the Westwood Zoning Bylaw. The Board found this requirement was not necessary for this application.

#### **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* Limited 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 filed in the office of the Town Clerk on February 10, 2017 and on the plan entitled "Topographic Plan of Land, Hale Reservation ", prepared by CAQ Engineering Associates, Inc., last revised on December 19, 2016, 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 Applicant is responsible for completing the sewer upgrades and improvements for the future expansion as agreed upon with the Department of Public Works and shown on the submitted plans and described in the memo from Carlos Quintal of CAQ Engineering Associates, Inc. dated March 10, 2017 and shall be completed by August 31, 2018.
3. The water line and well shall be shown on the final plans submitted as part of the building permit application.
4. 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.

5. 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.
6. 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.
7. This EIDR Approval shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within two (2) years following the grant thereof. The Planning Board may extend such approval, for good cause, upon the written request of the Applicant. In the case of the EIDR Approval, the term "substantial use thereof or construction thereunder" shall mean the commencement and substantial progress of approved vertical construction activity.

A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.

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### 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 February 10, 2017. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application prepared by Eric Arnold, Executive Director, Hale Reservation, Inc., dated February 9, 2017, and received by the Town Clerk and Planning Department on February 10, 2017.
2. EIDR Narrative prepared by Eric Arnold, Hale Reservation, Inc., dated February 10, 2017 (3 pages).
3. Plan entitled "Topographic Plan of Land, Hale Reservation", prepared by CAQ Engineering Associates, Inc., dated December 19, 2016.
4. Plan entitled "Hale Reservation - Westwood - Carby Street Sewer", prepared by CAQ Engineering Associates, Inc., dated November 8, 2016.
5. Plan entitled "Hale Reservation - Westwood - Carby Street Sewer Profile", prepared by CAQ Engineering Associates, Inc., dated February 13, 2017.
6. Memorandum from Linda Shea, Health Director, to Abigail McCabe, Town Planner, Re: Planning Board Review - 80 Carby Street - Limited EIDR: Hale Reservation, dated February 23, 2017.
7. Email from Karon Catrone, Conservation Agent to Abigail McCabe, Re: Limited EIDR, 80 Carby Street, dated February 13, 2017.
8. Letter from CAQ Engineering Associates, Inc. to Phil Paradis, Re: 80 Carby Street - Limited EIDR - Hale Reservation - Westwood Sewer Extension Permit, dated March 10, 2017.

### RECORD OF VOTE

The following members of the Planning Board voted on March 21, 2017 to grant Limited EIDR Approval for the abovementioned Project: Christopher A. Pfaff, Trevor W. Laubenstein, Steven H. Olanoff, David L. Atkins, Jr. and Michael L. McCusker.

The following members of the Planning Board voted in opposition to Limited EIDR Approval for the abovementioned Project: None.



Abigail McCabe, Town Planner

March 31, 2017