

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

Christopher A. Paff, Chairman
Trevor W. Laubenstein, Vice Chairman
Steven H. Olanoff, Secretary
David L. Atkins
Michael L. McCusker



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PLANNING BOARD

**LEAVE TO WITHDRAW
GAY STREET ESTATES DEFINITIVE SUBDIVISION – 565 GAY STREET
FINDINGS AND DECISION**

565 GAY STREET (Assessor's Map 16, Lot 435)

The Westwood Planning Board on November 30, 2016 received the application for a Definitive Subdivision for property located at 565 Gay Street, also shown on the Assessor's Maps as Map 16, Lot 435, Westwood, MA 02090 on the application from Susan Geraghty Trustee of Estate II Realty Trust. The public hearing on the Definitive Subdivision application commenced on January 17, 2017 and was continued to February 28, 2017, April 11, 2017, and April 24, 2017. The hearing was closed on April 24, 2017.

FINDINGS

1. On November 30, 2016, an application was filed by or on behalf of Susan Geraghty/Estate II Realty Trust, for a Definitive Subdivision pursuant to the Westwood Planning Board's Rules and Regulations Governing the Subdivision of Land and the Westwood Zoning Bylaw filed with the Westwood Planning Board and the Westwood Town Clerk.
2. Susan Geraghty/Estate II Realty Trust, is the applicant for land situated at 565 Gay Street in Westwood for property owned by Estate II Realty Trust as described in deed recorded at the Norfolk Country Registry of Deeds Book 22883, Page 438. The owner's address is P.O. Box 797, Westwood, MA 02090.
3. Pursuant to M.G.L. Chapter 40A 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 30, 2016 and again on January 6, 2017. Notice of the public hearing was posted in the Westwood Town Hall commencing on December 21, 2016, and continuing through the opening of the public hearing on January 17, 2017. 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 21, 2017.
4. After notice and publication was provided pursuant to M.G.L. Chapter 40A, the public hearing on the Application was opened by the Planning Board on January 17, 2017 and continued to February 28, 2017, April 11, 2017 and April 24, 2017 in the Champagne Meeting Room at 50 Carby Street, Westwood, MA 02090. The Planning Board closed the public hearing at its meeting on April 24, 2017 meeting.
5. Westwood Planning Board members Steven H. Olanoff, Christopher A. Paff, Trevor W. Laubenstein and Michael L. McCusker were present for all of the public hearing sessions where testimony was taken. The Board deliberated on the Application at a duly authorized

meeting on April 24, 2017.

6. Said land is situated in a district classified under the Westwood Zoning Bylaw as the SRE (Single-Residence E) zoning district.
7. Applicant sought to construct a ~260 ft. long road for a two lot single-family residential subdivision at 565 Gay Street, Westwood, MA.
8. The Applicant's Attorney Edward (Ned) J. Richardson, requested a Leave to Withdraw Without Prejudice in a letter to the Planning Board dated April 19, 2017.

DECISION

At a meeting of the Planning Board on Monday, April 24, 2017, and on a motion made by Steven H. Olanoff, and seconded by Trevor W. Laubenstein, the Board voted to grant the applicant's request for **Leave to Withdraw Without Prejudice** relative to the Definitive Subdivision proposed for 565 Gay Street.

RECORD OF VOTE

The following members of the Planning Board voted to grant the applicant's request for the Leave to Withdraw Without Prejudice: Trevor W. Laubenstein, Steven H. Olanoff, and Christopher A. Pfaff.

The following members of the Planning Board voted in opposition to the Leave to Withdraw Without Prejudice: None.

The following members of the Planning Board abstained from the vote: David L. Atkins, Jr.



Abigail McCabe, Town Planner

DATED: May 9, 2017

TOWN CLERK
TOWN OF WESTWOOD

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