

Town of Westwood
Commonwealth of Massachusetts

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David L. Atkins, Jr., Vice Chairman
Steven H. Olanoff, Secretary
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PLANNING BOARD

2017 OCT 10 P 1:57

**DECISION OF THE PLANNING BOARD
ENVIRONMENTAL IMPACT AND DESIGN REVIEW (EIDR)**

TOWN CLERK
TOWN OF WESTWOOD

APPLICANT: NSTAR Electric d/b/a Eversource Energy
247 Station Drive (fka One NStar Way)
Westwood, MA 02090

PROPERTY OWNER: NSTAR Electric d/b/a Eversource Energy
107 Selden St.
Berlin, CT 06037

PROPERTY LOCUS: 247 Station Drive (fka One NStar Way)
Westwood, MA 02090
Assessor's Map 37, Lot 008

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BACKGROUND AND PROJECT SUMMARY

The Applicant proposes to construct solar canopies within the existing parking areas at 247 Station Drive. There will be eighteen (18) canopy structures totaling an annual output of approximately 2.5 million kWh. The installation of the solar canopies proposes the removal of 71 trees from within the parking island to accommodate the proposed canopies over the existing parking spaces. The project also proposes removing some of the existing light poles and adding new light fixtures on the canopies and landscaping to be planted on the earthen berm in the landscaped areas on the north and west sides of the parking lot.

The property is located in the Industrial (I) zoning district. The installation of solar canopies and tree removal is subject to an Environmental Impact and Design Review (EIDR), pursuant to Section 7.3 of the Zoning Bylaw. Ground Mounted & Other Solar is an allowed accessory use upon issuance of a Special Permit from the Board of Appeals.

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 hearings, 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 August 16, 2017, an application was filed by or on behalf of the NStar Electric d/b/a Eversource Energy, 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").
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 September 1, 2017 and September 8, 2017. Notice of the public hearing was posted in the Westwood Town Hall commencing on August 24, 2017, and continuing through the opening of the public hearing on September 19, 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 August 24, 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, Historical Commission, Zoning & Housing Agent, and Pedestrian and Bicycle Safety Committee on August 24, 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 September 19, 2017, and was continued to October 3, 2017, in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts. The public hearing was closed on October 3, 2017.
5. Westwood Planning Board Members David L. Atkins, Jr., Steven H. Olanoff, Michael L. McCusker, Trevor W. Laubenstein, and Brian D. Gorman deliberated on the Application at a duly authorized meeting on October 3, 2017.

PROJECT FINDINGS:

1. The subject property consists of approximately 27.3 acres located at 247 Station Drive and is shown as Map 37 Lot 008 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. Presently, the project site contains a multi-story office building with ~351,669 square feet and surface parking.
3. The Applicant proposes the installation of eighteen solar canopy structures within the existing parking areas. Site disturbance includes foundation excavation for the canopy support columns, removal of 71 trees within the parking island, removal of some of the existing light poles, installation of new light fixtures on and beneath the solar canopies, and landscape improvements by installing 72 trees and 28 shrubs to be planted in the landscape buffer areas on the north and west side of the parking lot to screen the residential properties at 247 Station Drive, Westwood, MA 02090.
4. The Project Site is located within the Industrial (I) zoning district. The ground mounted solar accessory use is permitted upon issuance of a Special Permit from the Zoning Board of Appeals, pursuant to Section 4.3.2.7 [Ground Mounted & Other Solar] in the Westwood Zoning Bylaw and subject to an Environmental Impact Design Review (EIDR), pursuant to Section 7.3 of the

Westwood Zoning Bylaw. On September 27, 2017, the Zoning Board of Appeals voted to issue a Special Permit with conditions for this project.

5. On October 3, 2017, the Planning Board deliberated and approved the Applicant's request for the site lighting to remain on all night. The Board finds that the lighting request is appropriate because the lights serve as safety and security lighting for employees operating the facility's 24 hour call center all days of the week. Therefore, the Applicant's facility does not have a traditional close of business time and lighting is not required to be turned off an hour after the close of business as required by Section 6.4.12 [Hours] of the Zoning Bylaw.
6. On October 3, 2017, the Planning Board deliberated and finds that the proposed light fixtures attached to the solar canopies and the canopy's supports are not considered wall mounted fixtures are therefore not subject to the fifteen (15) foot height limitation as required in Section 6.4.6 [Wall Mounted Fixtures] of the Zoning Bylaw.
7. The project maintains the current adequacy of ingress/egress to the property with no adverse impact to parking, loading, or to pedestrian safety and convenience. The carport canopy structures will also provide a measure of shelter for employee and visitor parking from inclement weather.
8. 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 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. The Board finds that the site lighting at the facility is considered security lighting and waived the requirements of Section 6.4.12 [Hours] of the Westwood Zoning Bylaw to permit the lighting to remain on all night for the project because Eversource operates a 24-hour call center at this location, which requires sufficient lighting for worker safety and security.
2. The Board waived the strict requirements of Section 7.3.7.3 of the Westwood Zoning Bylaw requiring the submission of a traffic study finding that this was not applicable to the proposed solar canopy project.
3. The Board waived the strict requirements of Section 7.3.7.7 of the Zoning Bylaw requiring the submission of a presentation model finding that this was not applicable to the proposed project.

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* 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 August 16, 2017, and on the plan entitled “Eversource – Massachusetts Photovoltaic Program – Round II”, 247 Station Drive”, prepared by Weston & Sampson Engineers, Inc., last revised on September 1, 2017, Planting Plan Sheets L1.00 and L2.00 revised through October 2, 2017, and the Lighting Plans revised through September 28, 2017, are hereby approved, 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 as revised through the last revision date of October 2, 2017 in all respects and the Applicant shall pursue completion of the Project with reasonable diligence and continuity.
2. All plantings shall be installed prior to completion of the solar canopies and maintained as necessary to provide a year-round impervious screen of the canopies and the canopy’s support structures such that they are not visible from the ground level of the abutting residential properties on Canton Street, Hemlock Drive and Partridge Drive.
3. The Applicant shall use best efforts to complete plantings in the fall 2017 planting season. However, if not feasible due to construction and weather, the landscaping shall be completed prior to the final close out of the Building Department’s permit and shall be planted no later than May 31, 2018.
4. The Applicant/Owner is responsible for lifetime replacement of all plantings. Any dead or dying trees or plant materials shall be replaced in kind annually.
5. The existing unused light bases in the landscape buffer areas shall be removed prior to completion of the solar canopies.
6. No additional structures, other than what is proposed with this application, are approved to be within the 200 ft. building setback from the residential district boundary.
7. The Applicant shall provide one (1) original and three (3) certified copies of an “As Built” Site Development Plan. Certification shall be by a Registered Professional Engineer and/or Land Surveyor, as required the appurtenances have been constructed in accordance with said Project Plans and are accurately located as shown thereon. The “As Built” plan shall be delivered to the Board in a format approved by the Information Systems Director for compatibility with the Town of Westwood GIS database.
8. 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.

9. 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.
10. 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.
11. 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.
12. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.
13. Any alterations, modifications, deletions or amendments to the EIDR Approval shall be done in accordance with the requirements of M.G.L. Chapter 40A § 9.

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 August 16, 2017. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. EIDR Application prepared by NStar Electric d/b/a Eversource Energy, dated August 15, 2017, and received by the Town Clerk and Planning Department on August 16, 2017.
2. Project Summary and Narrative, prepared by Weston & Sampson, Inc. dated August 15, 2017, (3 pages) and Impact Statement including waiver requests, photo simulations and lighting specifications prepared by Weston & Sampson, Inc. dated September 1, 2017 (27 pages); Supplemental Submittal, prepared by Weston & Sampson, Inc. dated September 28, 2017 (2 pages).
3. Plan set entitled "Eversource – Massachusetts Photovoltaic Program – Round II", 247 Station Drive", prepared by Weston & Sampson Engineers, Inc., 5 Centennial Drive, Peabody, MA, dated September 1, 2017, consisting of 69 sheets.
4. Plan entitled "Solar Canopy – Conti Solar Westwood OVERVIEW Comparison to Existing Lighting Layout, Version D", prepared by RAB Lighting, Northvale, NJ, dated September 28, 2017 (14 pages).
5. Updates EIDR Impact Statement Narrative, prepared by Stephen Wiehe of Weston & Sampson, to Abigail McCabe, Re: Environmental Impact and Design Review (EIDR) Narrative, Eversource Energy Solar Canopy Project, 247 Station Drive, Westwood, MA 02090, dated September 1, 2017.

6. Plan entitled "Site Preparation and Demolition Plan", L1.0, prepared by Weston & Sampson Engineers, Inc., 5 Centennial Drive, Peabody, MA, dated September 27, 2017; "Planting Plan" L2.0, prepared by Weston & Sampson Engineers, Inc., 5 Centennial Drive, Peabody, MA, dated September 28, 2017.
7. Request for Waivers, dated September 1, 2017.
8. Photo simulations entitled "Photo Simulation of Westwood Solar Canopy Project", prepared by Weston & Sampson, consisting of 11 sheets.
9. Email from Conservation Agent, Karon Skinner Catrone, to Abigail McCabe, Re: Environmental Impact and Design Review – 247 Station Drive, dated August 24, 2017.
10. Email from Deputy Fire Chief, Michael Reardon to Abigail McCabe, Re: Environmental Impact and Design Review, 247 Station Drive, dated August 24, 2017.
11. PowerPoint Presentation at Planning Board meeting on September 19, 2017, RE: "Eversource Solar Canopy Project" 247 Station Drive.
12. Notice of Decision of the Planning Board, for Boston Edison Company for Assessor's Map 27, Lots 8, 24, and 25, dated January 18, 2000.
13. Turning Plan Movements, received September 19, 2017 for Fire Department Review, sheets C-9, C-10, C-11, C012, dated September 1, 2017.
14. Revised Narrative/Supplemental from Stephen Paul Wiehe, Weston & Sampson Engineers, Inc., to Abigail McCabe, Re: Supplemental Submittal Eversource Energy Solar Canopy Project, 241 Station Drive, Westwood, MA 02090, dated September 28, 2017 and revised October 2, 2017.
15. Revised lighting plans prepared by RAB Lighting and Weston & Sampson, dated September 28, 2017, consisting of 12 sheets.
16. Revised Planting Plan Sheet L2.00 prepared by Weston & Sampson, dated September 28, 2017 and revised October 2, 2017.
17. Site Preparation and Demolition Plan Sheet L1.00, prepared by Weston & Sampson, dated October 2, 2017.
18. Electronic Mail from Steven Rafsky to Abigail McCabe, Subject: Eversource Solar Panels, Sent: October 2, 2017 including attachment (nstar1.pdf).
19. Confirmation of Evidential Review, M.G.C. c.39, Section 23D, certified by Trevor W. Laubenstein, dated October 3, 2017.

RECORD OF VOTE

The following members of the Planning Board voted on October 3, 2017 to grant EIDR Approval for the abovementioned Project: David L. Atkins, Steven H. Olanoff, Michael L. McCusker and Brian D. Gorman.

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


 Abigail McCabe, Town Planner

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