

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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



Abigail McCabe, Town Planner
amccabe@townhall.westwood.ma.us
(781) 251-2581

Janice Barba, Planning & Land Use
Specialist
jbarba@townhall.westwood.ma.us
(781)-320-1366

PLANNING BOARD

NOTICE OF DECISION

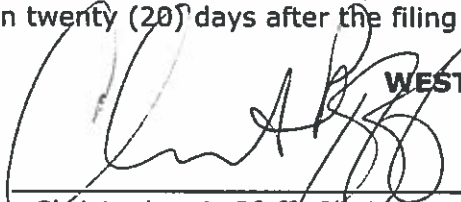
In compliance with Chapter 40A of the General Laws of the Commonwealth of Massachusetts, you are hereby notified that the Westwood Planning Board has voted in favor to **grant** the application from Christie Dennis, as voted on February 7, 2017 and filed in the Office of the Town Clerk on January 10, 2017, requesting Planning Board Special Permit pursuant to Section 7.1 [Earth Material Movement] of the Westwood Zoning Bylaw, to import and move more than 200 cubic yards of earth material in a residential district at 11 Stonemeadow Drive, Westwood, MA 02090 to regrade an undeveloped lot including 2,800 cu. Yds. of earth excavation and 11,100 cu. Yds. of fill for a net import of 8,300 cu. Yds. of fill associated with the construction of a single-family dwelling.

LAND AFFECTED: 14 Stonemeadow Drive (Assessors' Map 5, Lot 126)


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 Secretary



Trevor W. Laubenstein, Secretary
Vice Chairman



Dave Atkins



Michael L. McCusker

Dated: 2/7/17

**DECISION OF THE PLANNING BOARD
SPECIAL PERMIT**

APPLICANT: Christie Dennis
ADDRESS: 369 Congress Street, 7th Floor
Boston, MA 02210

PROPERTY OWNER: Muftah Bugazia / Three Stonemeadow LLC
25 Braintree Hill Office Park, Suite 409
Braintree, MA 02184

PROPERTY LOCUS: 11 Stonemeadow Drive
Westwood, MA 02090
Assessor's Map 05, Lot 126

BACKGROUND AND PROJECT SUMMARY

The Applicant proposes to bring in a net total of 8,300 cubic yards of fill to regrade the undeveloped lot located at 11 Stonemeadow Drive for work associated with the construction of a single-family residence. The property is located in the SRC (Single Residence C) zoning district. The proposed earth material movement for import 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 January 10, 2017, an application was filed by or on behalf of Christie Dennis, pursuant to Section 7.1 [Earth Material Movement] 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 January 20, 2017 and January 27, 2017. Notice of the public hearing was posted in the Westwood Town Hall commencing on February 7, 2017, and continuing through the opening of the public hearing on February 7, 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 January 12, 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, Historical Commission, Pedestrian and Bicycle Safety Committee, Department of Public Works, Fire Chief, Police Chief and Town Engineer, on January 12, 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 February 7, 2017, in the meeting room at the Carby Municipal Building at 50 Carby Street, Westwood, Massachusetts, 02090. The Planning Board closed the public hearing on February 7, 2017.
5. Westwood Planning Board Members Trevor W. Laubenstein, Steven H. Olanoff, David L. Atkins, Michael L. McCusker, and Christopher A. Pfaff deliberated on the Application at a duly authorized meeting on February 7, 2017.

PROJECT FINDINGS:

1. The subject property consists of approximately 4.66 acres located at 11 Stonemeadow Drive and is shown as Map 05, Lot 126 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. Presently, the project site is undeveloped and the construction of a single-family residence and four bay garage is proposed with grading work that will bring in a net total of 8,300 cubic yards of earth.
3. The Applicant proposes to regrade the undeveloped lot including 2,800 cubic yards of earth/rock excavation and 11,100 cubic yards of fill for a net import of 8,300 cubic yards.
4. The Project Site is located within the SRC (Single-Family Residence) zoning district. The proposed single-family 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 7.1.3 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 7.1 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 in the application therefor filed in the office of the Town Clerk on January 10, 2017, 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 Stonemeadow Drive shall be protected from damage from loading and unloading of material and/or equipment related to the proposed construction.

3. The two crushed stone entrances 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 and shall be cleaned daily or as needed.
4. 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.
5. All trucks carrying earth material to or from 11 Stonemeadow Drive shall be required to access Stonemeadow Drive from the east from Summer Street via Longmeadow Drive only. All trucks shall be prohibited from travelling on the emergency connector between Stonemeadow Drive and Far Reach Road.
6. Prior to construction, the Applicant shall coordinate with the Department of Public Works, Fire Department and Police Department as to any necessary permits required for the proposed project.
7. 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.
8. 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.
9. 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 January 10, 2017. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application prepared by Christie Dennis dated January 6, 2017, received by the Town Clerk and Planning Department on January 10, 2017.
2. Cut and Fill Analysis prepared by Beals and Thomas, Inc. Calculation Summary, dated January 5, 2017 (4 pages).
3. Plan entitled "Bugazia Residence, Lot #3 Stonemeadow Drive, Westwood, MA 02090", prepared by Innovative Collaborations, Inc, dated October 26, 2016 consisting of three sheets.
4. Site Plan entitled "Lot 3 Stonemeadow Drive, Westwood, Massachusetts, In Progress", prepared for Three Stonemeadow LLC, prepared by Beals & Thomas, dated 12/9/2016, sheets 1.0 and 2.0.

5. Plot Plan entitled "Plot Plan, Bugazia Lot, Lot 3 Stonemeadow Drive, Westwood, MA", prepared by Beals and Thomas, Inc., dated December 12, 2016.
6. Plan entitled "Lot Coverage Plan, Bugazia Lot, Lot 3 Stonemeadow Drive, Westwood, MA" prepared by Beals and Thomas, Inc., dated December 13, 2016.
7. Memorandum from Philip F. Paradis, Jr. , PE, to Todd Korchin, DPW Director, subject: 11 Stonemeadow Drive Earth Material Movement Permit, dated January 27, 2017.

RECORD OF VOTE

The following members of the Planning Board voted on February 7, 2017 to grant Special Permit Approval for the abovementioned Project: Christopher A. Pfaff, Steven H. Olanoff, David L. Atkins, Michael McCusker, 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
February 15, 2017

2017 FEB 15 A 11: 26
TOWN CLERK
TOWN OF WESTWOOD