

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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2018 OCT - 2 P 7 32
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TOWN OF WESTWOOD

PLANNING BOARD

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

APPLICANT: Westwood School Department
PROPERTY Town of Westwood
OWNER: 580 High Street
Westwood, MA 02090

PROPERTY LOCUS: Westwood High School
200 Nahatan Street
Assessor's Map 21, Lot 048

BACKGROUND AND PROJECT SUMMARY

The Applicant proposes to install six (6) downcast LED light fixtures on 50 ft. tall light poles at the Westwood High School tennis courts at 200 Nahatan Street, Westwood, MA. The lights will be powered by the existing electricity at the school garage and will be user-activated. The site is located in the Single Residence E (SRE) zoning district and the Wireless Communications Overlay District (WCOD).

The proposed use is an exempt use pursuant to M.G.L. Chapter 40A, Section 3 and is thus permitted in the SRE zone. The proposal for the lights is subject to Limited Environmental Impact and Design Review (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 August 7, 2018, an application was filed by or on behalf of the Town of Westwood School Department, 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 August 17, 2018 and August 24, 2018. Notice of the public hearing was posted in the Westwood Town Hall commencing on August 10, 2018 and continuing through the opening of the public hearing on September 5, 2018. 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 11, 2018.
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, and Pedestrian and Bicycle Safety Committee on August 13, 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 September 5, 2018, in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts, and was continued to September 25, 2018 in the same location. The Planning Board closed the public hearing on September 25, 2018.
5. Westwood Planning Board Members David L. Atkins, Brian D. Gorman, Christopher A. Pfaff, Deborah J. Conant, and Michael L. McCusker deliberated on the Application at a duly authorized meeting on September 25, 2018.

PROJECT FINDINGS:

1. The subject property consists of approximately 36.46 acres located at 200 Nahatan Street and is shown as Map 21, Lot 048 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. Presently, the project site contains the Westwood High School, which includes six tennis courts three side by side without lighting, a multipurpose field, a basketball court, ballfields, track and football field, and related parking.
3. The Applicant proposes to install six (6) downcast LED light fixtures on the outside perimeter of the courts by Light-Structure System TLC-LED-1150 on 50 ft. tall light poles at the Westwood High School tennis courts.
4. Section 6.4.3 [Applicability for Exterior Lighting] exempts lights that are installed by government agencies from the height and lighting zoning requirements of Section 6.4.
5. The Project Site is located within the SRE (Single Residence E) and WCOD (Wireless Communications Overlay District) zoning district. The proposed municipal light use is an exempt use pursuant to M.G.L. Chapter 40A, Section 3 and is thus permitted in the SRE zone. The proposal for the municipal lights is subject to Limited Environmental

TOWN CLERK
TOWN OF WESTWOOD

2018 OCT -2 P 7 33

Impact and Design Review (EIDR), pursuant to Section 7.3 of the Westwood Zoning Bylaw.

6. The Planning Board members visited the abutting property at 141 Thatcher Road after dark the evening of September 19, 2018 to view the existing conditions and impact of existing playing field lights.
7. The Applicant's proposal for the 50 foot tall downcast light fixture minimizes glare and light intrusion outside of the courts by directing the light towards the courts at an angle that reduces the impact to nearby abutting properties.
8. The Applicant has demonstrated that the 50 foot light pole and the submitted fixture provide the least amount of light spillage and less impact to the surrounding area while achieving the desired recreational and competitive class III play lighting level at an even light distribution desired by the community and the recreation commission.
9. The Board finds that the request does not pose a negative impact on surrounding properties. The nearest residential property is 200 feet away with a landscape buffer between the proposed lights and the residence.
10. 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 hereby granted by the Planning Board:

1. Waiver of the Planning Board's Environmental Impact and Design Review regulations section 4.0 requiring a project filing fee. The Board waives this requirement for the Town as the Applicant.
2. Waiver of the requirement to provide the detailed proposed site plan showing all plantings, land features, topography, etc. required in Section 7.3.7.1 of the Westwood Zoning Bylaw. The Board finds this is not necessary for this proposal and a current site plan was submitted with this application.
3. Waiver of the requirement to provide a Traffic Study required by Section 7.3 of the Zoning Bylaw. The Board finds this requirement is not necessary for this project.

4. Waiver of submission of a presentation model required by 7.3.7.7 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** 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 Planning Board Office on August 7, 2018 and the office of the Town Clerk on August 20, 2018, 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 lights shall be on only when in use or activated and shall never be on after 10:00 pm.
3. The stormwater systems and utilities be protected during construction.
4. No portion of the light pole or fixture shall be higher than 50 ft. above grade.
5. 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.
6. 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.
7. 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 front of the Planning Office and the Office of the Town Clerk. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application prepared by the Town of Westwood, received by the Town Clerk on August 20, 2018 and Planning Department on August 7, 2018.
2. Lighting Project Package, prepared by Musco Lighting for Westwood HS Tennis, dated January 31, 2017.
3. Memorandum from Philip F. Paradis and Jillian Bokoff, BETA Group, dated August 30, 2018.
4. Plan entitled "Partial Site Layout Plan Sheet L3.02" prepared by Kaestle Boos Associates, Inc.
5. Material submitted by Tom Resha, electronic mail from May 19, 2017, Recreation Commission Minutes from May 15, 2017, and September 5, 2018 letter from Jim Reilly of RELCO, submitted on September 5, 2018.
6. Electronic Mail from Mike Jaillet to Tom Resha, RE: Confirmation on 40' high lights, sent August 9, 2018.
7. September 5, 2018 presentation slides.
8. Lighting package prepared by MUSCO Lighting for 50 ft. light poles and 40 ft. light poles.
9. Narrative response to questions from Recreation Director Nicole Banks to Westwood Planning Board.
10. Electronic Mail from Tom Resha to Abigail McCabe, Re: Site Visit with Planning Board, sent September 19, 2018.

RECORD OF VOTE

The following members of the Planning Board voted on September 25, 2018 to grant EIDR Approval for the abovementioned Project: David L. Atkins, Brian D. Gorman, Christopher A. Pfaff, Deborah J. Conant, and Michael L. McCusker.

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


Abigail McCabe, Town Planner

October 2, 2018