

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

David L. Atkins, Jr., Chair
Brian D. Gorman, Vice Chair
Christopher A. Pfaff, Secretary
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PLANNING BOARD

**LEAVE TO WITHDRAW
DECISION OF THE PLANNING BOARD
ENVIRONMENTAL IMPACT AND DESIGN REVIEW
420 PROVIDENCE HWY, TESLA**

APPLICANT: Tesla, Inc.
8370 Wilshire Blvd. #330
Beverly Hills, CA 90211

PROPERTY OWNER: Rte. One Management LD Trust, LLC
1039 East Street
Dedham, MA 02026

PROPERTY LOCUS: 420 Providence Highway
Westwood, MA 02090
Assessor's Map 24, Lot 83

2018 NOV -2 P 12:47
TOWN CLERK
TOWN OF WESTWOOD

BACKGROUND AND PROJECT SUMMARY

The Applicant, Tesla, Inc., sought exterior facade improvements to the existing car dealership located at 420 Providence Highway. The property is located in the Highway Business (HB) zoning district. The proposed motor vehicle sales and rental is permitted upon issuance of a special permit from the Zoning Board of Appeals in the HB zone, pursuant to Section 4.1.5.8 [Motor Vehicle Sales, Rental, and Other Open Air Sales] of the Zoning Bylaw. The exterior alterations are subject to 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 May 14, 2018, an application was filed by or on behalf of Tesla Inc. by Matt Ramos of Permit Advisors, 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"). The Completed EIDR Application was submitted to the Office of the Town Clerk on June 6, 2018.

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 May 25, 2018 and June 1, 2018. Notice of the public hearing was posted in the Westwood Town Hall commencing on May 17, 2018, and continuing through the opening of the public hearing on June 12, 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 May 21, 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 May 22, 2018.
4. On March 21, 2018, the Zoning Board of Appeals granted approval for a Special Permit, pursuant to Section 4.1.5.8 for Motor Vehicle Sales, Rental and other Open Air Sales.
5. After notice and publication was provided pursuant to M.G.L. Chapter 40A, Section 9 and 11, On June 12, 2018, the Planning Board voted to open and immediately continue without discussion the public hearing at the request of the Applicant to August 7, 2018 in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts. On August 7, 2018, the Applicant submitted a request to withdraw the Application stating the Applicant was not ready to go forward at this time. The Planning Board voted to close the hearing that same evening on August 7, 2018.
6. On June 5, 2018, the Applicant submitted a request to postpone the hearing originally scheduled for June 12, 2018 to allow time to incorporate additional renovations into the application submission.
7. On June 12, 2018, the Planning Board voted to continue the hearing to 7:00 pm on August 7, 2018 in the Champagne Meeting Room at 50 Carby Street. The hearing was continued without discussion and without taking testimony.
8. On July 23, 2018, the Applicant submitted a request to formally withdraw the EIDR Application submitted to the Planning Board stating they were not ready to move forward at this time.
9. 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 August 7, 2018.

DECISION:

On August 7, 2018, 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 approves the Applicant's request for a **leave to withdraw** without prejudice of the Environmental Impact and Design Review submitted to the Planning Board on May 14, 2018.

RECORD OF VOTE

The following members of the Planning Board voted on August 7, 2018 to grant the request to withdraw the EIDR application as submitted by Tesla, Inc.: 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
November 2, 2018

2018 NOV - 2 P 12: 48
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