

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

Trevor W. Laubenstein, Chairman
David L. Atkins, Jr., Vice Chairman
Steven H. Olanoff, Secretary
Brian D. Gorman
Michael L. McCusker



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

2018 MAR 22 A 10:01

PLANNING BOARD

TOWN CLERK
TOWN OF WESTWOOD

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, by a vote of five (5) in favor and none (0) opposed, voted to **grant** the application of Pulte Homes of New England, as voted on February 27, 2018, and filed in the Office of the Town Clerk on December 1, 2017, requesting Planning Board Special Permit pursuant to Section 9.7.4.5.4 of the Westwood Zoning Bylaw, for the construction of two new 50 unit multi-family residential buildings, parking, and related site improvements within Development Area B as shown on the Modified Master Development Plan.

LAND AFFECTED: Approximately 2.745 acres of land, located within the University Avenue Mixed Use District, Development Area B as shown on Modified Master Development Plan (a portion of Assessor's Map 33, Lot 056) shown as "New Lot L" on a plan entitled "ANR Subdivision Plan Lot K and Lot L of Land Owned by University Station Phase 2, LLC, University Avenue, Westwood, Massachusetts" dated February 1, 2018, prepared by WSP USA Inc.

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.

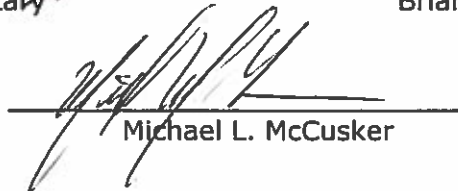
WESTWOOD PLANNING BOARD


Trevor W. Laubenstein, Chairman


David L. Atkins, Jr., Vice Chairman


Steven H. Olanoff, Secretary


Brian D. Gorman


Michael L. McCusker

**DECISION OF THE WESTWOOD PLANNING BOARD ON
SPECIAL PERMIT**

APPLICANT: Pulte Homes of New England, LLC
115 Flanders Road, Suite 200
Westborough, MA 01581

PROPERTY OWNER: University Station Phase 2 LLC
c/o New England Development
75 Park Plaza
Boston, MA 02116

PROPERTY LOCUS: Approximately 2.745 acres of land, located within the University Avenue Mixed Use District, Development Area B as shown on Modified Master Development Plan (a portion of Assessor's Map 33, Lot 056) shown as "New Lot L" on a plan entitled "ANR Subdivision Plan Lot K and Lot L of Land Owned by University Station Phase 2, LLC, University Avenue, Westwood, Massachusetts" dated February 1, 2018, prepared by WSP USA Inc.

BACKGROUND AND PROJECT SUMMARY

The Applicant proposes to construct 100 condominiums within two buildings in a ~2.7 acre area (the "Project") within Development Area B of the University Station development, as shown on the Modified Master Development Plan prepared by Tetra Tech dated November 22, 2016, approved by the Planning Board on April 11, 2017. The project includes two four-story residential buildings each containing 50 residential units. Each building has 23 one-bedroom units, 27 two bedroom units, and parking for 50 vehicles in ground level parking garage under each building. An additional 77 surface parking spaces are provided for the condominium project, as well as eight (8) parking spaces designated for use by the abutting Bridges by Epoch facility. The Project also includes a landscaped courtyard area, lighting, infrastructure and associated site improvements.

The properties are located in the University Avenue Mixed Use Overlay District (UAMUD) and the Water Resources Protection Overlay District (WRPOD) zoning. The proposed residential uses are subject to Special Permit pursuant to Section 9.7.4.5.4 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 December 1, 2017, an application requesting a Special Permit was filed by or on behalf of Pulte Homes of New England, LLC, pursuant to Section 9.7.4.5.4 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 December 22, 2017 and December 29, 2017. Notice of the public hearing was posted in the Westwood Town Hall commencing on December 12, 2017, and continuing through the opening of the public hearing on January 9, 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 December 14, 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, Historical Commission, Department of Public Works, Fire Chief, Police Chief, Town Engineer, Historical Commission, Dedham Westwood Water District, and Pedestrian and Bicycle Safety Committee on December 5, 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 January 9, 2018, in the Cafeteria at the Downey School, 250 Downey Street, Westwood, Massachusetts. The Planning Board continued the hearing to January 30, 2018, and again to February 27, 2018, in the same location.
5. Westwood Planning Board Members Trevor W. Laubenstein, Steven H. Olanoff, David L. Atkins, Michael L. McCusker, and Brian D. Gorman deliberated on the Application at a duly authorized meeting on February 27, 2018.

PROJECT FINDINGS:

1. Pursuant to Section 9.7.4.5.4 of the Zoning Bylaw, the Board finds the adverse effects of the proposed residential development will not outweigh its beneficial impacts to the Town or the neighborhood, in view of the particular characteristics of the Site and of the proposal in relation to the Site, and makes the following specific findings:
 - 1) The residential use is physically and functionally integrated with surrounding uses and provides appropriate access to public transportation infrastructure.
 - 2) The residential use is one component of a larger, coherent plan for a project component in which it shares public spaces, amenities, and pedestrian circulation.
 - 3) The residential use is part of, supports, or complements a predominantly nonresidential project component as described in the Modified Master Development Plan (MDP) and currently anticipated for future construction.

- 4) The dwelling units diversify the housing choices within the UAMUD project area and the community.
 - 5) With the inclusion of the residential component, the overall UAMUD project still results in net fiscal benefits to the Town, and the proponent has adequately mitigated any adverse fiscal impacts of the proposed residential use.
 - 6) The residential use adequately accommodates and addresses traffic flow and safety, is adequately serviced by utilities and other public services, and does not pose unacceptable and unmitigated impacts on the environment.
 - 7) The residential use meets the affordable housing requirements of Section 9.7.4.5.3 of the Zoning Bylaw.
2. The Planning Board finds that the proposed lighting plan is adequate and sufficient to provide reasonable nighttime safety and security.
 3. The Planning Board finds that the proposed loading/delivery area and the 177 parking spaces (77 surface spaces and 100 garage spaces; 50 in each building) is adequate.
 4. The proposed residential project does not pose new material adverse impacts or materially exacerbate existing adverse impacts to any adjacent property or nonresidential uses, and nonresidential uses permitted in such area not noxious to multi-family use, and the public good would be served by the grant of this special permit for such multi-family use.
 5. The subject properties consist of approximately 2.7 acres located within Development Area B in the University Station Development and is shown as a portion of Map 33, Lot 056 on the Westwood Board of Assessors' Map, and is shown as "New Lot L" on a plan entitled "ANR SUBDIVISION PLAN LOT K AND LOT L OF LAND OWNED BY UNIVERSITY STATION PHASE 2, LLC, UNIVERSITY AVENUE, WESTWOOD, MASSACHUSETTS" dated February 1, 2018, prepared by WSP USA, Inc. (hereinafter "Project Site" or "Property").
 6. Presently, the Project Site is undeveloped.
 7. More than sixty percent (60%) of the initial 350 dwelling units constructed within the UAMUD have been occupied.
 8. The Applicant proposes construction of two four-story residential buildings each with 50 condominium units and covered parking on the ground level for 50 vehicles, landscaping, drainage, 77 surface parking spaces, and associated site improvements.
 9. The Project Site is located within the University Avenue Mixed Use Overlay District (UAMUD) and the Water Resources Protection Overlay District (WRPOD) zoning districts. The proposed residential uses are authorized by grant of a special permit in accordance with Section 9.7.4.5.4 of the Westwood Zoning Bylaw, subject to Project

Development Review (PDR), pursuant to Section 9.7.12.2.2 of the Westwood Zoning Bylaw.

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 9.7 of the Westwood Zoning Bylaw.

DECISION:

On a motion made by David Atkins, seconded by Steven Olanoff, the Planning Board voted 5-0 to **approve** the application for a Special Permit pursuant to Zoning Bylaw Section 9.7.4.5.4 submitted by Pulte Homes of New England based on the project specific findings described above and subject to the following conditions.

CONDITIONS OF APPROVAL:

1. The site plan entitled "Site Development Plans proposed for Pulte Homes Westwood Place at University Station", prepared by Bohler Engineering last revised on February 5, 2018, and the architectural package last revised February 9, 2018 are considered the approved project plans except as modified by this decision.
2. The Applicant shall pursue completion of the project with reasonable diligence and continuity. The Applicant shall reasonably adhere to the Proposed Building Sequencing Plan ("Sequencing Plan") submitted to the Board dated February 9, 2018 (and hereby incorporated as Exhibit A), to stagger the construction of the buildings within a three (3) month time frame beginning with the construction of Building #1 followed by the construction of Building #2. If construction of the foundation, framing or exterior envelopment of Building #2 is delayed by three (3) months from the schedule shown on the Sequencing Plan, the Applicant shall promptly return to the Planning Board for approval of a Landscape Screening Plan that will, in the Planning Board's sole discretion, provide a substantially impervious dense vegetative screening of the Building #2 site. The Applicant shall immediately meet with the Town Planner to discuss the scope of the Landscape Screening Plan, which shall include the planting of a sufficient number and appropriate type of plantings to effectively screen the Building #2 site to a height of at least fourteen feet (14'). The Applicant shall, within twenty-one (21) days of said meeting with the Town Planner, submit the Landscape Screening Plan to the Planning Board for its review and approval. The Applicant shall, at the same time, provide surety in an amount sufficient to cover all costs for the purchase and installation of materials shown on the Landscape Screening Plan. Such surety shall be in the form of a passbook account, tripartite agreement, bond, or other security instrument acceptable to the Planning Board in the board's sole discretion, and shall be released by the Planning

Board upon substantial completion of the exterior of Building #2. If construction of the foundation, framing or exterior envelopment of Building #2 is delayed by less than three (3) months and substantial completion of the exterior of Building #2 has not been achieved upon completion of Building #1, no Certificate of Occupancy for any unit in Building #1 shall be issued until a Landscape Screening Plan is approved by the Planning Board and surety is established as set forth above.

3. The approved landscaping and plantings surrounding Building #1 shall be completed prior to the issuance of the first Certificate of Occupancy for Building #1, unless weather conditions prevent timely completion of landscaping, in which case the Applicant shall provide surety for landscaping completion, in a form acceptable to the Planning Board in the board's sole discretion. The remaining plantings surrounding Building #2 and all other project landscaping shall be completed prior to the issuance of the first Certificate of Occupancy for Building #2, unless weather conditions prevent timely completion of landscaping, in which case the Applicant shall provide surety for landscaping completion, in a form acceptable to the Planning Board in the board's sole discretion. Any plantings that do not survive shall be replaced in-kind within one growing season and shall be replaced as required by the Town Planner for so long as the development approved hereunder remains in existence and in effect.
4. An ANR (Approval Not Required) plan creating the Applicant's lot shall be submitted for endorsement to the Planning Board and shall be recorded prior to issuance of the first building permit for the project.
5. The bicycle racks shall be installed and maintained in compliance with the Planning Board's Bicycle Parking Standards and shall be located a minimum of two (2) feet from any other obstructions such as walls, landscaping, signage or other street furniture. The bicycle rack specification style shall be submitted to the Town Planner for review and approval prior to installation.
6. A final Operations and Maintenance Plan ("O&M Plan") shall be submitted for review and approval by the Town Planner, Fire Chief, the Town Engineer, and BETA Group prior to issuance of the Certificate of Occupancy for the first building opening to residents. The O&M Plan shall include the pet waste cleanup equipment details and information and educational material for available to residents. Compliance with the approved O&M Plan is a condition of this Special Permit.
7. All Affordable Housing units shall be permanently encumbered and maintained as Affordable Housing units in perpetuity consistent with Westwood Zoning Bylaw Section 9.7.4.5.4. The Applicant shall cooperate with the Town in connection with any documentation or other materials that the Town must submit to the Department of Housing and Community Development in order for the Affordable Housing units to be listed on the Department of Housing and Community Development (DHCD) Subsidized Housing Inventory (SHI). No Certificate of Occupancy shall be issued for

a unit in either building until the affordable units in said building have been approved in writing by DHCD for listing on the SHI.

8. A final signage package with lighting, material, color, sign backing details, and dimensional details that comply with Section 9.7.10 of the Zoning Bylaw shall be submitted to the Town Planner for review and approval prior to submission of a sign permit application to the building department. Building addresses shall be clearly visible from the roadways and on all site signage. No temporary "For Sale" sign shall be displayed on the property unless approved in writing by the Town Planner, for a period of no longer than one (1) year with up to two (2) six-month renewal terms.
9. The Applicant shall provide Rapid Entry Lock Boxes containing the required keys at the main entrances and garage entrances of both buildings to allow for emergency access by the Westwood Fire Department in case of an emergency. The specific location and type of the lock boxes and key controls shall be approved by the Fire Chief prior to the issuance of a Certificate of Occupancy of the first residential building opening.
10. The site shall be cleaned daily during construction to eliminate any debris going onto other properties.
11. The Applicant shall use a waste hauler, licensed by the Westwood Board of Health to dispose of the construction debris and trash disposal.
12. During construction, the Applicant shall provide a portable toilet, licensed by the Westwood Board of Health.
13. Prior to issuance of a Certificate of Occupancy for each building, the Proponent shall provide three (3) full-size certified copies of an "As Built" Site Development Plan. Certification shall be by a Registered Professional Engineer and/or Land Surveyor, and shall indicate that all driveways, parking areas, sidewalks, storm drains, sewer mains, water mains and their appurtenances have been constructed in material compliance with said Project Plans and are accurately located as shown thereon. The "As Built" plan shall also be delivered to the Board in an electronic format approved by the Information Systems Director (AutoCad and PDF) for compatibility with the Town of Westwood GIS database.
14. If the Project, or any Condition imposed in this Decision, requires a 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 fully compliant 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.

15. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.
16. Any material modification, deletion or amendment to the Special Permit Approval shall be done in accordance with the requirements of M.G.L. Chapter 40A § 9 and Westwood Zoning Bylaw Section 9.7. Any modification, deletion or amendment to the Special Permit which a majority of the Planning Board determines is a minor modification can be approved by the Board at a regular meeting without the need to follow the notice and hearing requirements of Chapter 40A or the Westwood Zoning Bylaw.

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 December 1, 2017. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application prepared by Pulte Homes of New England, LLC for Project Development Review and Special Permit dated December 1, 2017, received by the Town Clerk and Planning Department on December 1, 2017.
2. Modified Master Development Plan, prepared by Tetra Tech, dated November 22, 2016, approved by Westwood Planning Board April 11, 2017.
3. Memorandum from Linda R. Shea, Health Director to Abigail McCabe, Town Planner, dated December 6, 2017.
4. Memorandum from Karon Skinner Catrone, Conservation Agent to Abigail McCabe, re: 120-130 University Avenue, dated December 5, 2017.
5. Proposed Street Addresses for Pulte Homes, Hawthorne at University Station, revised December 22, 2017.
6. Memorandum from Merrick Turner, BETA Group to Westwood Planning Board, Re: Hawthorne at University Station Project Development Review, dated December 21, 2018.
7. Pedestrian Circulation Plan, University Station, Westwood, MA, prepared by Shadley Associates, dated December 18, 2017.
8. Electronic Mail from Eileen Commane, Executive Director of Dedham Westwood Water District, sent to Abigail McCabe, Subject: Pulte Condos, Sent: January 9, 2018.
9. Perspective Views from Parking Lot, Common Driveway, dated January 29, 2018.
10. Perspective View form Bridges Driveway, prepared by HFA Creative Solutions, dated December 18, 2017.

11. Truck Turning Templates, prepared by Tetra Tech, dated December 18, 2017 and revised January 5, 2018 and January 8, 2018.
12. Memorandum to Abigail McCabe, from RKG Associates, Inc. Subject: Peer Review Commentary University Station condominiums, dated January 29, 2018.
13. Response to comments from Nathaniel E. Mahonen of Bohler Engineering, to Westwood Planning Board, Re: Hawthorne at University Station Application for Project Development Review and Special Permit Response to Comments, dated January 22, 2018.
14. Memorandum from Housing Partnership, Sarah Bouchard, Housing and Zoning Agent, to Abby McCabe, Town Planner, Re: Comment to Planning Board Application for University Station Phase II, dated January 25, 2018.
15. Front Elevation for Hawthorne at University Station for Pulte Group Pulte Homes of New England, dated January 29, 2018, received on January 30, 2018.
16. Continuance Agreement signed by Mark Mastroianni, Applicant, to Westwood Planning Board, dated January 31, 2018, submitted to Westwood Town Clerk February 1, 2018.
17. Site Development Plans for Proposed Pulte Homes entitled "Westwood Place at University Station", prepared by Bohler Engineering, dated November 27, 2017, and last revised on February 5, 2018 consisting of seventeen (17) sheets.
18. Architectural plans entitled "Westwood Place at University Station" for Pulte Group Pulte Homes of New England, dated February 9, 2018 and January 25, 2018.
19. Response to comments from Nathaniel E. Mahonen of Bohler Engineering, to Westwood Planning Board, Re: Westwood Place at University Station Application for Project Development Review and Special Permit Response to Comments, dated February 12, 2018.
20. Westwood Place At University Station Proposed Building Sequencing Plan, February 9, 2018 Exhibit A.
21. Memorandum from Merrick Turner, BETA Group to Planning Board, Re: Westwood Place at University Station Project Development Review, dated February 7, 2017, revised February 20, 2018.
22. Memorandum from John Deckers, Fire Chief to Abigail McCabe, Subject: Hawthorne at Univ. station, Fire Department Approval, dated January 27, 2018.
23. Electronic Mail from Fire Chief John Deckers to Abigail McCabe, Subject: RE: Revised Pulte Condo, Plans, sent February 21, 2018.
24. Plan entitled "ANR Subdivision Plan Lot K and Lot L of Land Owned by University Station Phase 2, LLC, University Avenue, Westwood, Massachusetts" dated February 1, 2018, prepared by WSP USA Inc.

RECORD OF VOTE

The following members of the Planning Board voted on February 27, 2018 to **grant** Special Permit Approval for the abovementioned project as amended by the conditions: Brian D. Gorman, Steven H. Olanoff, David L. Atkins, Michael L. McCusker, Trevor W. Laubenstein.

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



Abigail McCabe
Town Planner
March 22, 2018

TOWN CLERK
TOWN OF WESTWOOD

2018 MAR 22 A 10:02

**WESTWOOD PLACE AT UNIVERSITY STATION
PROPOSED BUILDING SEQUENCING PLAN**

FEBRUARY 9, 2018

BUILDING 1 (#130 University Avenue)

1. Obtain Foundation Permit: May 2018
2. Foundation
 1. Excavate: June 2018
 2. Footing and Foundation: July/August 2018
 3. Slab: September 2018
3. Obtain Building Permit: July 2018
4. Frame: October 2018 – December 2018
5. Building Exterior Envelopment: January 2019 - March 2019
6. Finish Interior Work: April 2019 - June 2019
7. Occupancy
 1. 4th Floor – June 2019
 2. 3rd Floor – June 2019
 3. 2nd Floor – July 2019
 4. 1st Floor – July 2019

BUILDING 2 (#120 University Avenue)

8. Obtain Foundation Permit: September 2018
9. Foundation
 - a. Excavate: September 2018
 - b. Footing and Foundation: Oct./Nov. 2018
 - c. Slab: December 2018
10. Obtain Building Permit: November 2018

11. Frame: January 2019 - March 2019

12. Building Exterior Envelopment: April 2019 – June 2019

13. Finish Interior Work: July 2019 - November 2019

14. Occupancy

d. 4th Floor – November 2019

e. 3rd Floor – November 2019

f. 2nd Floor – December 2019

g. 1st Floor – December 2019

15. Complete Linear Park (By Others): Late Fall 2019 if weather allows or Spring 2020

NOTES:

1. This Plan is subject to change due to weather and unforeseen conditions.
2. Although not guarantees, important goals of this Plan include:
 - i. Starting Building #2 foundation in 2018
 - ii. Substantial completion of Building #2 exterior prior to completion of Building #1.
 - iii. Completing Building #2 by late fall 2019 to allow the linear park to be completed during late fall 2019
3. Any deviations greater than 3 months shall require an update to be submitted to the Planning Department