

Law Offices of
PETER A. ZAHKA, II, P.C.

**12 School Street
Dedham Square
Dedham, MA 02026**

December 12, 2017

Westwood Planning Board
50 Carby Street
Westwood, MA 02090

Re: Applicant: Petruzzello Properties, LLC (and Town of Westwood)
 Property: 266-278 Washington Street, 291 Washington Street,
 9 School Street, 277A Washington Street, 288 Washington Street,
 288 Washington Street and East Street Parcel
 Project: Mixed-Use Development & CVS (FMUOD Special Permit)

Dear Honorable Board:

Please be advised that this office represents Petruzzello Properties, LLC, relative to the re-development of the above captioned real estate at 301-323 Washington Street, Westwood, MA. On behalf of my client, I hereby submit ten (10) application packets containing the following:

1. *Westwood Planning Board Application for Hearing* with Project Narrative
2. *Request for Certified List of Abutters*
3. *Fiscal Impact Memorandum*, dated December 11, 2017, prepared by Fougere Planning & Development, Inc.
4. *Traffic Memorandum*, dated December 11, 2017, prepared Bayside Engineering
5. Plan sets (three (3) 24" x 36" and seven (7) 11" x 17") entitled *Islington Village Site Plans, Washington, East and School Streets, Westwood, Massachusetts*, dated December 12, 2017, prepared by GCG Associates, Inc., consisting of the following:
 - a. *Title Sheet*
 - b. *Notes & Legend*
 - c. *Property Key Plan*
 - d. *Existing Conditions Site Plan – School Street Side*
 - e. *Existing Conditions Site Plan – East Street Side*
 - f. *Proposed Site Plan – School Street Side*
 - g. *Proposed Site Plan – East Street Side*
 - h. *Landscape & Lighting Plan – School Street Side*
 - i. *Landscape & Lighting Plan – East Street Side*
 - j. *Detail Sheets I, II, III, IV V, & VI*

6. Architectural renderings/drawings by McKay Architects consisting of the following:
 - a. *Proposed Mixed Use Building*
 - i. *Rendering*, dated December 12, 2017
 - ii. *Garage Plan*, dated December 12, 2017
 - iii. *Second Floor Plan*, dated December 12, 2017
 - iv. *Third Floor Plan*, dated December 12, 2017
 - v. *Front Elevation*, dated December 11, 2017
 - vi. *Rear Elevation*, dated December 11, 2017
 - vii. *East Street Elevation*, dated December 11, 2017
 - b. *Render – New CVS*, dated December 11, 2017
 - c. *Proposed Renovation to 266-278 Washington Street*
 - i. *Rendering*, dated December 12, 2017
 - ii. *Floor Plans*, dated December 11, 2017
 - iii. *Front Elevation*, dated December 11, 2017
 - iv. *Left and Right Side Elevations*, dated December 11, 2017
 - v. *Rear Elevation*, dated December 11, 2017

7. Checks

- a. *Filing Fee*: \$3,689.30
- b. *Peer Review Consultant Fee - BETA*: \$29,900.00
- c. *Peer Review Consultant Fee – RKG*: \$14,282.50

In addition, enclosed are three (3) copies of the *Application for Stormwater Management - Land Disturbance Application* with related plans, reports, and plans

Also enclosed is a computer disc containing copies of this letter and the above referenced reports, plans, and drawings.

Kindly file the same on behalf and advise this office of the date and time of the hearing. Thank you for your attention to this matter.

Very truly yours,

Peter A. Zahka, II

PAZ/cs

Enc.

cc: Westwood Town Clerk

WESTWOOD PLANNING BOARD APPLICATION FOR HEARING

PB File # _____

Westwood, MA December 12, 2017

1. Requested Approval(s): *See attached Project Narrative. FMUOD6 Special Permit (§9.5), Environmental Impact & Design Review (§7.3); Earth Material Movement (§7.1); Special Permits for uses (including but not limited to uses permitted by special permit in FMUOD (§9.5.8.1), a mixed use building/multi-family dwelling with 13,000 sf commercial on first floor and 18 residential units on upper floors (§9.5.8.8), retail (CVS pharmacy) in excess of 10,000 sf); Special Permits and/or waivers from minimum number of parking spaces, parking lot design, maximum building height, minimum residential district buffer/landscaping, minimum setbacks, minimum number of affordable units, and submission of model*

2. Brief Narrative of Proposal: *See attached Project Narrative. Proposed redevelopment of properties in Islington Center at intersections of Washington Street, School Street, and East Street including (a) demolition of existing church/community center at 288 Washington Street and relocation of Wentworth Hall at 280 Washington Street, and construction of a 55,000 sf mixed use building with 13,000 sf of commercial floor area on first floor, 18 2-bedroom condominiums on upper floors, and a 16,000 sf under building garage, (b) renovation of existing building at 266-278 Washington Street including conversion of 4,000 sf of basement storage space for use by day care center, (c) demolition of buildings at 291 Washington Street, 9 School Street, 277A Washington Street and relocation of municipal parking lot at 277-283 Washington Street and construction of a new CVS with a floor area of 13,074 sf and a 1,712 sf mezzanine, renovate and relocate former Blue Hart Tavern, replace municipal parking lot with same number of spaces, and placement of relocated Wentworth Hall, and (d) parking lots and related infrastructure related to the above.*

3. Address/Location of Property Subject to Hearing: *266-278 Washington Street, 291 Washington Street, 9 School Street, 277A Washington Street, 288 Washington Street, 280 Washington Street, 277-283 Washington Street, and East Street Parcel.*

4. Assessor's Map and Parcel Number(s): *Map 23, Lots 161, 162, 163, 165, 187, 188, 189, 190*

5. Size of Parcel: *3.5 ± acres total. See attached chart.*

6. Name of Applicant: *Petruzziello Properties, LLC, (and Town of Westwood)*

7. Applicant's Mailing Address: *21 Eastbrook Road, Dedham, MA 02026*

8. Applicant's Telephone: _____

9. Applicant's E-Mail Address: _____

10. Applicant is: Owner Tenant Licensee Prospective Purchaser Other

11. Name of Property Owner(s): *Petruzziello Properties, LLC, Town of Westwood, & Cohen Realty Limited Partnership*

12. Property Owner's Mailing Address: *See attached chart.*

13. Deed Recorded in: *See attached chart*

a. County Registry of Deeds, Book _____ Page _____

b. Registry District of the Land Court, Certificate Number _____
Page _____ Book _____

14. Has any Application ever been filed with the Planning Board regarding this Property?

Yes, When?

No

15. Has the Lot been surveyed by a Registered Land Surveyor?

Yes, When?

October 2017

No

The Applicant hereby requests a public hearing before the Westwood Planning Board and consents to pay for the cost of all legal advertisements required by the Zoning Bylaw and/or Planning Board Rules and Regulations, which will be billed directly to the Applicant by the newspaper at a later date. The Applicant also consents to pay for all costs required pursuant to applicable sections of the Westwood Zoning Bylaw and/or Planning Board Rules and Regulations, unless expressly waived by the Planning Board, including all project review fees, inspection fees, and costs associated transcription, in addition to all other fees, expenses and costs in connection with the Planning Board's review and evaluation of this Application.

Signed:



Applicant (or Agent) Signature

Giorgio Petruzziello, Member/Manager of Petruzziello Properties, LLC

Printed Name of Applicant

Signed:



Property Owner(s) of Record Signature(s)

Giorgio Petruzziello, Member/Manager of Petruzziello Properties, LLC¹

Printed Name(s) of Property Owner(s) of Record

Date: December 12, 2017

Payments Received: Application Fee: \$ _____

Project Review Fees: \$ _____
(if applicable)

Inspection Fees: \$ _____
(if applicable)

Other Fees: \$ _____
(if applicable)

¹ Petruzziello Properties, LLC, has a duly executed Purchase & Sale Agreement with Cohen Realty Limited Partnership for the property at 277A Washington Street. Said Agreement provides authority to submit an application for said Property.

Assess. Parcel	Address	Owner	Mailing Address	Assess. Parcel Area	Deed
School Street Side					
23-161	9 School Street	Petruzzello Properties LLC	21 Eastbrook Rd. Dedham, MA 02026	26,367 SF (0.61 AC)	33427/352(2015)
23-162	291-295 Washington Street	Petruzzello Properties LLC	22 Eastbrook Rd. Dedham, MA 02026	6,743 SF (0.14 AC)	32795/230
23-163	277-283 Washington Street	Town of Westwood	580 High St. Westwood, MA 02090	29,947 SF (0.69 AC)	11159/660
23-165	277A Washington Street	Cohen Realty Limited Partnership	639 Washington St. Dedham, MA 02026	22,525 SF (0.52 AC)	15633/289
East Street Side					
23-187	266-278 Washington Street	Petruzzello Properties LLC	25 Eastbrook Rd. Dedham, MA 02026	31,363 SF (0.72 AC)	32795/230
23-188	280 Washington Street	Town of Westwood	580 High St. Westwood, MA 02090	19,298 SF (0.44 AC)	557/492
23-189	288 Washington Street	Town of Westwood	581 High St. Westwood, MA 02090	12,308 SF (0.28 AC)	21418/237
23-190	East Street (Taking Parcel)	Town of Westwood	582 High St. Westwood, MA 02090	4,400 SF (0.1 AC)	(Taking Parcel)

State Highway Layout No. 415 of 1899

State Highway Alteration Layout No. 2211 of 1924

State Highway Alteration Layout No. 2312 of 1925

State Highway Alteration Layout No. 7345 of 1997, taking

East Street Relocation Plan, May 22, 1973 (Bk. 238/ Pg. 723)

SPECIAL PERMIT APPLICATION
FLEXIBLE MULTIPLE USE OVERLAY DISTRICT

APPLICANT:

Petruzziello Properties, LLC and Town of Westwood

PROPERTY:

**266-278 Washington Street, 291 Washington Street, 9 School Street,
277A Washington Street, 288 Washington Street,
280 Washington Street, 277-283 Washington Street
and East Street Parcel**

PROJECT NARRATIVE

I. INTRODUCTION/GENERAL OVERVIEW OF PROJECT

Petruzziello Properties, LLC¹, (hereinafter referred to as the “Applicant”) proposes to redevelop the real estate known and numbered as 266-278 Washington Street, 291 Washington Street, 9 School Street, 277A Washington Street, 288 Washington Street, 280 Washington Street, 277-283 Washington Street, and East Street Parcel Westwood (Islington), MA (hereinafter referred to collectively as the “Subject Property”). Four (4) of the aforesaid parcels are under the ownership and/or control of Petruzziello and four (4) of the aforesaid parcels are currently under the ownership and control of the Town of Westwood and are further described as follows:

*Petruzziello Parcels*²:

1. *266-278 Washington Street*: This parcel, shown on Westwood Assessors’ Map 23, Lot 187, contains approximately 31,363 square feet of land with approximately 162 feet of frontage on Washington Street. This parcel is currently occupied by an approximate 16,380 gsf (8,750 nsf) two-story commercial building. Current occupants in said building include CVS and a dry cleaner. This

¹ Inasmuch as this Project involves a number of parcels currently owned by the Town of Westwood, the Town of Westwood is formally a co-applicant.

² For purposes of these descriptions the Westwood Assessors data for gross area and living area have been utilized for gross square feet and net square feet, respectively.

parcel is located in the Local Business B (LBB) Zoning District as well as the Flexible Multiple Use Overlay District (FMUOD) 6.

2. *291 Washington Street:* This parcel, shown on Westwood Assessors' Map 23, Lot 162, contains approximately 6,296 square feet of land with approximately 70 feet of frontage on Washington Street and approximately 75 feet of frontage on School Street. This parcel is currently occupied by an approximate 6,200 gsf (4,013 nsf) 2-story commercial building. Current (or most recent) occupants in said building include a coffee shop and barber shop. This parcel is located in the Local Business B (LBB) Zoning District as well as the Flexible Multiple Use Overlay District (FMUOD) 6.
3. *9 School Street:* This parcel, shown on Westwood Assessors' Map 23, Lot 161, contains approximately 26,367 square feet of land with approximately 110 feet of frontage on School Street (and approximately 12 feet of frontage on Washington Street). This parcel is currently occupied by an approximate 1,705 gsf (1,505 nsf) 1-story commercial building. The most recent occupant in said building was a tailor shop. Also located on this parcel is the 2,200 gsf (1,864 nsf) 2-story former Blue Hart Tavern (which is being temporarily stored at this location). Prior to its relocation and storage, the Blue Hart was used as a first floor office with an apartment on the upper floor. This parcel is located in the Single Residence A (SRA) Zoning District.
4. *277A Washington Street:* This parcel, shown on Westwood Assessors' Map 23, Lot 165, contains approximately 22,525 square feet of land with no frontage. This parcel is currently occupied by an approximate 4,470 gsf (2,175 nsf) 2-story residential dwelling. Petruzzello has entered into and executed a Purchase & Sale Agreement to purchase this parcel. This parcel is located in the Single Residence A (SRA) Zoning District.

Town of Westwood Parcels³:

1. *288 Washington Street:* This parcel, shown on Westwood Assessors' Map 23, Lot 189, contains approximately 12,308 square feet of land with approximately 82 feet of frontage on Washington Street and approximately 134 feet of frontage on East Street. This parcel is currently occupied by an approximate 15,747 gsf (11,031 nsf) 2-story former church building. Current occupants of said building include the Town of Westwood Community Center and the MMO Day Care. This parcel is located in the Local Business B (LBB) Zoning District as well as the Flexible Multiple Use Overlay District (FMUOD) 6.

³ For purposes of these the Westwood Assessors data for gross area and living area have been utilized for gross square feet and net square feet, respectively. Reference is also made to "Request for Proposal for the Redevelopment of Islington Center" (RFP # ECON-16-R-003) issued by the Islington Task Force.

2. *280 Washington Street:* This parcel, shown on Westwood Assessors' Map 23, Lot 188, contains approximately 19,298 square feet of land with approximately 108 feet of frontage on Washington Street. This parcel is currently occupied by an approximate 4,383 gsf (1,962 nsf) 1-story building (known as Wentworth Hall) utilized as a Town of Westwood Public Library. This parcel is located in the Local Business B (LBB) Zoning District as well as the Flexible Multiple Use Overlay District (FMUOD) 6.

3. *East Street Parcel:* This parcel, is a portion of the lot shown on Westwood Assessors' Map 23, Lot 190, and contains approximately 3,200 with approximately 80 feet of frontage on East Street. This parcel is currently vacant. This parcel is located in the Local Business B (LBB) Zoning District as well as the Flexible Multiple Use Overlay District (FMUOD) 6.

4. *277-283 Washington Street:* This parcel, shown on Westwood Assessors' Map 23, Lot 163, contains approximately 29,947 square feet of land with approximately 220 feet of frontage on Washington Street. This parcel is currently utilized as the Town of Westwood municipal parking with approximately 30 useable parking spaces. This parcel is located in the Local Business B (LBB) Zoning District as well as the Flexible Multiple Use Overlay District (FMUOD) 6.

The Project (described below) is in response to the “Request for Proposal for the Redevelopment of Islington Center” (RFP # ECON-16-R-003) issued by the Islington Task Force in May 2016. Applicant submitted a formal response on June 21, 2016. The proposal was further refined and modified through numerous hearings held by the Islington Task Force and Board of Selectmen. (For example, based upon citizen input at said hearings as well as discussions with various Town officials, the Project has been changed to include eighteen (18) condominium units (as opposed to twenty-eight (28) apartments) and the proposed CVS drive-through has been eliminated).

Specifically, Applicant proposes:

East Street Side

1. Applicant will acquire 280 Washington Street (Library/Wentworth Hall), 288 Washington Street (church/Community Center), and approximately 3,200 sf⁴ of the East Street Parcel, from the Town of Westwood.

2. The church/Community Center building will be demolished, and the library/Wentworth Hall building will be relocated by the Town to the School Street side of Washington Street on the lot which will be the municipal parking lot (as described further below).

⁴ The actual dimensions of this area will be determined by an accurate survey of the property.

3. On the corner of Washington Street and East Street, Applicant will construct a new 55,000 square foot mixed use building. This building will contain approximately 13,000 square feet of first floor commercial space and eighteen (18) two-bedroom condominium units on two upper floors. (Initially, twenty-eight (28) apartments were proposed. Based upon citizen and Town official input this has been changed to the aforesaid eighteen (18) condominiums.) Included in said 55,000 square feet is a 16,000 square foot under-building parking area containing thirty-six (36) parking spaces for the condominium units.
4. Applicant will renovate the existing 16,380 gsf/8,750 nsf commercial building at 266-278 Washington Street for continued use as a commercial building. This renovation will include renovating and converting 4,000 square feet of the basement (currently used as storage by CVS) for occupancy by the MMO Day Care.
5. The above referenced mixed use building and the building at 266-278 Washington Street will be located on a single lot (to be owned by Petruzziello) with an area of approximately 69,120 square feet of land and with approximately 368 feet of frontage on Washington Street and 174 feet of frontage on East Street. There will be a total of 94 parking spaces on this lot (inclusive of 36 parking spaces under the mixed use building). In addition, six (6) new parking spaces will be added to Washington Street (to augment the existing six (6) parking spaces).

School Street Side

6. Applicant will acquire 277-283 Washington Street (municipal parking lot).
7. Applicant will demolish the existing buildings at 291 Washington Street, 9 School Street, and 277A Washington Street.
8. On the corner of Washington Street and School Street, Applicant will construct a new 13,074 gsf CVS building. This building will also include a 1,712 gsf mezzanine that will be used for storage. (Initially a drive through facility was proposed for the CVS. Based upon citizen and Town official input the drive-through was eliminated).
9. Applicant will renovate and relocate the Blue Hart Tavern on Petruzziello owned property to the north of the new municipal parking lot.
10. The aforesaid new CVS building and the Blue Hart Tavern will be located on a single lot with a lot area of 57,107 square feet of land and with 297 feet of frontage on Washington Street and 194 feet of frontage on School Street. There will be a total of 47 parking spaces in this lot. In addition, seven (7) new parking spaces will be added to Washington Street. (Currently, there are no parking spaces on this portion of Washington Street.)

11. PetruzzIELLO will replace the municipal parking lot with a new municipal parking lot with the same number (30) of parking spaces. This will be on a lot owned by the Town of Westwood. The library/Wentworth Hall will be relocated (by the Town) onto the Washington Street side of this Town owned lot. This lot will have an area of 17,619 square feet of land and 108 feet of frontage on Washington Street.
12. PetruzzIELLO will convey to the Town vacant “open space” to the west of the project area. This lot will have an area of 10,082 square feet of land.

In addition to the above, PetruzzIELLO shall pay to the Town of Westwood the sum of One Million Seven Hundred Twenty-Five Thousand (\$1,725,000.00) Dollars.

II. ZONING ANALYSIS/SPECIAL PERMITS/WAIVERS

A. Required Zoning By-Law and Map Amendments

As described further below, the Project assumes certain amendments⁵ to the Westwood Zoning By-Law and Westwood Zoning Map. These amendments include but are not necessary limited to: (1) Amending Footnote 5 of Section 4.1.2 (Table of Uses) of the Westwood Zoning By-Law to read “Except for a retail grocery store *and a retail establishment selling prescription and non-prescription drugs and medications and other household and personal products* may exceed 10,000 square feet” [amendment language in italics], (2) Amending the “Minimum Number of Required Parking Spaces” column of Section 6.1.5 (Commercial Uses) under Section 6.1.2 (Table of Parking Requirements) of the Westwood Zoning By-Law to read: “One (1) space for each two hundred fifty (250) square feet of floor area or fraction thereof devoted to selling, storage, service and all other activities related to such use, exclusive of cellar and basement *and mezzanine* areas used only for storage or services incidental to the operation or maintenance of the premises” [amendment language in italics]; (3) Amending Section 9.5.8.7 (Additional Use Permitted by FMUOD Special Permit in FMUOD6) by adding: “*Retail establishment in excess of 10,000 square feet selling prescription and nonprescription drugs and medications and other household, personal and consumer products*” [amendment language in italics]; (4) Amendment of Section 9.5.14 (Affordability Component) of the Westwood Zoning By-Law by adding: “*Notwithstanding anything herein to the contrary, in the FMUOD6 if said dwelling units are to be individually sold (i.e., not leased or rented), the minimum number of affordable units shall be provided at the rate of 1 affordable unit per 20 total dwelling units*” [amendment language in italics]; (5) Amendment to the FMUOD6 column of Section 9.5.9.3 (FMUOD – Alternative Dimensions - Maximum Building Height) of the Westwood Zoning By by adding:

⁵ The language of the amendments described above are suggested. Applicant will work with the Westwood officials on the exact language of any such amendments. It is further noted that some of these amendments may not be required if the Westwood Planning Board grants waivers to certain requirements.

“Building Height shall be measured from Washington Street” [amendment language in italics]; and (6) Amending the Westwood Zoning Map to include the following parcels in the LBB and FMUOD6 Zoning Districts: 9 School Street (Westwood Assessors Map 23, Lot 161), 227A Washington Street (Westwood Assessors Map 23, Lot 165), 277-283 Washington Street (Westwood Assessors Map 23, Lot 163), and the East Street Parcel (Westwood Assessors Map 23, Lot 163). In addition, the Project assumes that the sale/purchase/disposition of the various parcels between the Applicant and the Town will be approved by Westwood Town Meeting.

The Project is being proposed and developed under an FMOUD Special Permit in accordance with Section 9.5 of the Westwood Zoning By-Law. Applicant requests (and the Westwood Planning Board is the proper authority for the granting of) an FMUOD Special Permit, a Special Permit for Earth Material Movement under Section 7.1, Environmental Impact and Design Review under Section 7.3, the Special Permits for the mixed use building, multi-family residential dwelling, and other proposed uses for this Project, and the other special permits and/or waivers as described further herein:

B. Uses

Pursuant to the Table of Principal Uses of the Westwood Zoning By-Law, the following uses are allowed as of right in the LLB Zoning District (not intended as an exhaustive listing):

1. Retail sales and services, less than 10,000 sf⁶
2. Restaurant without entertainment, less than 10,000 sf
3. Coffee shop
4. Ice cream Parlor
5. Pet care facility
6. Professional service establishment
7. Business service establishment
8. Office of doctor or dentist
9. Bank or financial institution
10. Personal service establishment

In addition, the following uses are allowed by special permit in the LLB Zoning District (not intended as an exhaustive listing):

1. Restaurant with entertainment
2. Commercial recreation indoor
3. Printing/copy/publishing establishment

⁶ As stated above, the Project requires an amendment to the Westwood Zoning By-Law to allow the proposed CVS in excess of 10,000 sf.

Pursuant to Section 9.5.8.1 of the Westwood Zoning By-Law, the following uses are allowed by FMUOD Special Permit in any FMUOD (not intended as an exhaustive listing):

1. Bank or financial institution
2. Business Service Establishment
3. Coffee shop
4. Commercial recreation, indoor
5. Ice cream shop
6. Office of a doctor or dentist
7. Personal services establishment
8. Printing/copy/publishing establishment
9. Professional service establishment
10. Restaurant with or without entertainment, less than 10,000 sf
11. Retail sales and service establishment, less than 10,000 sf⁷
12. Municipal use.

In addition, pursuant to Section 9.5.8.7 of the Westwood Zoning By-Law the following uses are permitted by FMUOD Special Permit in FMUOD 6:

1. Multi-family dwelling⁸.

C. Dimensional Requirements

Section 9.5.9 of the Westwood Zoning By-Law provides that “there shall be no minimum lot frontage, lot width, or setback requirements and no maximum impervious surface or lot coverage requirements for a project developed under a FMUOD Special Permit. Rather, specific project dimension shall be determined by the Planning Board. In addition, said Section 9.5.9 provides a table of alternative dimensions that may be used for a project developed under a FMUOD Special Permit.

With respect to the dimensions for this Project, Applicant submits the following table (with waiver requests as noted):

	REQUIRED LBB ⁹	REQUIRED FMUOD6	EXISTING	PROPOSED TOTAL	PROPOSED PETRUZZIELLO
MINIMUM PROJECT AREA	N/A	43,560 SF	153,928 SF	153,928 SF	126,227 SF
MINIMUM LOT AREA	4,000 SF	4,000 SF	6,337 SF	10,082 SF	57,107 SF

⁷ See footnote 2 above. This may be accomplished by amending Section 9.5.8.1.11 or Section 9.5.8.7 of the Westwood Zoning By-Law.

⁸ As stated above, the Project requires an amendment to the Westwood Zoning By-Law for the proposed CVS in excess of 10,000 sf.

⁹ Provided for comparison purposes only.

MINIMUM LOT FRONTAGE	40 FEET	NONE - TBD BY PLANNING BOARD	110 FEET	108 FEET	174 FEET
MINIMUM LOT WIDTH	40 FEET	NONE - TBD BY PLANNING BOARD	110 FEET	108 FEET	174 FEET
MINIMUM FRONT SETBACK	0	NONE - TBD BY PLANNING BOARD	0 FEET	1 FOOT	1 FOOT
MINIMUM SIDE YARD SETBACK	15 FEET	NONE - TBD BY PLANNING BOARD	0 FEET	15 FEET	15.5 FEET
MINIMUM REAR YARD SETBACK	15 FEET	NONE - TBD BY PLANNING BOARD	7.8 FEET	16 FEET	16 FEET
SPACE BETWEEN BUILDINGS	15 FEET	NONE - TBD BY PLANNING BOARD	9.2 FEET	13.2 FEET	13.2 FEET
MAXIMUM BUILDING COVERAGE	25%	NONE - TBD BY PLANNING BOARD	16.1%	24.4%	28.5%
MAXIMUM IMPERVIOUS SURFACE	80%	NONE - TBD BY PLANNING BOARD	63.9%	72.4%	79.1%
MAXIMUM FLOOR AREA RATIO	N/A	1.0	.34 ¹⁰	.55	.65
MAXIMUM BUILDING HEIGHT ¹¹	36 FEET	36 FEET	38 FEET ¹² 44 FEET ¹³	35 FEET ¹⁴ 41 FEET ¹⁵	35 FEET 41 FEET
MINIMUM LANDSCAPE BUFFER ¹⁶	5 FEET/20 FEET TO RESIDENTIAL	5 FEET 20 FEET TO RESIDENTIAL	0 FEET	0 FEET	0 FEET
MAX PERCENT RESIDENTIAL FLOOR AREA	N/A	50%	N/A	29% ¹⁷	30% ¹⁸
AFFORDABLE HOUSING PERCENT ¹⁹	N/A	15%	N/A	1	1
MIN PUBLIC AMENITY	N/A	OTHER	N/A	Provided ²⁰	Provided

¹⁰ This is for the total project area. Existing for Town owned property is .31 and Petruzzello owned property is .36.

¹¹ Applicant is requesting an amendment to the Zoning By-Law to allow building height to be measured from Washington Street only. In the alternative the Planning Board may grant a waiver to the height requirement.

¹² Measurement of existing church building from Washington Street.

¹³ Measurement of existing church building from the rear of the property.

¹⁴ Measurement of mixed use building from Washington Street.

¹⁵ Measurement of mixed use building from the rear of the property.

¹⁶ Waiver required/requested (discussed further below). This is an existing condition.

¹⁷ 24,500 gsf of residential ÷ 85,050 gsf of total buildings = .29

¹⁸ 24,500 gsf of residential ÷ 81,850 gsf of total buildings = .30

¹⁹ Requirement is 3. Applicant is requesting an amendment to the Zoning By-Law (unless Planning Board can grant a waiver).

²⁰ Includes "open space" to be conveyed to Town, relocation of clock, seating areas, etc.

As shown above, the Project satisfies all the dimensional requirements²¹ for the FMUOD6 except for the Minimum Landscape Buffer and Building Height. Applicant is requesting a special permit and/or waiver from such requirements (discussed further below).

D. Parking

Typically, the minimum parking requirements are set forth in Section 6 and the Table of Parking Requirements of the Westwood Zoning By-Law. As discussed below, however, the Planning Board may determine the required number of parking spaces.

For comparison purposes, the current requirement (per the Westwood Zoning By-Law) and supply are provided below. Pursuant to said Table of Parking Requirements, the parking required for the current/existing building and uses is 118 parking spaces as shown on the following table:

CURRENT PARKING REQUIREMENT

266-278 WASHINGTON ST	9,850 sf ²²	40 spaces
291 WASHINGTON ST		
1 st Floor	1,850 sf ²³	8 spaces
Upper Floors	2,163 sf ²⁴	7 spaces
9 SCHOOL ST	1,505 sf ²⁵	7 spaces
277A WASHINGTON ST	1 unit ²⁶	2 spaces
LIBRARY	1,962 sf ²⁷	9 spaces
COMMUNITY CTR	11,031 ²⁸	45 spaces
TOTAL		118 spaces

²¹ Assuming adoption of the requested amendments to the Zoning By-Law or waivers.

²² Parking Requirement for Retail/Banks/Personal & General Service Establishment: 1 parking space per 250 sf of floor area. CVS storage in basement not included (dry cleaner basement use (1,100 sf) included.

²³ Parking Requirement for Retail/Banks/Personal & General Service Establishment: 1 parking space per 250 sf of floor area.

²⁴ Parking Requirement for Professional or Business Service Establishment: 1 parking space per 333 sf of floor area.

²⁵ Parking Requirement for Retail/Banks/Personal & General Service Establishment: 1 parking space per 250 sf of floor area.

²⁶ Parking Requirement for Single Family Dwelling: 2 parking spaces per dwelling unit.

²⁷ Parking Requirement for Municipal Facilities: As determined by Planning Board. Per the ITE, the average parking supply for a library (LUC 590) is 3.5 spaces per 1,000 sf. Therefore, a 1,962 nsf library would yield 7 parking spaces.

²⁸ Parking Requirement for Municipal Facilities: As determined by Planning Board. Per the ITE, the average parking supply for a Recreational Community Center (LUC 495) is 3.1 spaces per 1,000 sf. Therefore, an 11,031 sf community center would yield 31 parking spaces. However, the space is also utilized by the MMO Day Care. Per the ITE, the average parking supply for a day care (LUC 565) is 3.5 spaces per 1,000 sf. Therefore, a 4,000 sf day care would yield 14 spaces. This totals 45 parking spaces.

As shown on the following table, there are currently 98 “on-site” parking spaces available to service the existing buildings and uses:

CURRENT “ON-SITE” PARKING SUPPLY

Petruzziello Properties	
268-278 Washington Street (CVS/Drycleaner)	26 spaces
291 Washington Street (Café Diva/Barber)	8 spaces
9 School Street (Tailor)	3 spaces
277A Washington Street	2 spaces
Petruzziello Total	39 spaces
Town of Westwood Properties	
Library	29 spaces
Community Center	0 spaces
East Street Parcel	0 spaces
Municipal Parking Lot	30 spaces
Town Total	59 spaces
CURRENT “ON-SITE PARKING SUPPLY 98 spaces	

In addition to the 98 “on-site” parking spaces, there are currently six (6) “on-street” parking spaces located on the East Street side of Washington Street (there are currently no “on-street” parking spaces located on the School Street side of Washington Street). Accordingly, there are currently 104 “available” parking spaces to service the project area. Therefore, per the Westwood Zoning By-Law there is a currently a deficit of 14 parking spaces (118 -104 = 14 parking spaces).

As discussed in more detail below, as part of the FMUOD Special Permit the Westwood Planning Board may determine the number of parking spaces required for the Project. For comparison purposes, the current requirement (per the Westwood Zoning By-Law) and proposed supply are provided below. Pursuant to said Table of Parking Requirements, the parking required for the proposed uses and buildings (i.e., for the Project) is 208 parking spaces as shown on the following table:

PROJECT PARKING REQUIREMENT

MIXED USE BUILDING		
1 st Floor Commercial	13,000 sf ²⁹	52 spaces
2 nd & 3 rd Floor Residential	18 units ³⁰	36 spaces
266-278 WASHINGTON ST		
1 st floor commercial	9,8550 sf ³¹	40 spaces
Basement/Lower Level	MMO Day Care ³²	14 spaces
NEW CVS		
1 st Floor	13,074 sf ³³	53 spaces
Mezzanine	1,712 sf ³⁴	0 spaces
BLUE HART TAVERN		
1 st Floor Commercial	932 sf ³⁵	4 spaces
2 nd Floor Residential	1 unit ³⁶	2 spaces
LIBRARY³⁷		7 spaces
TOTAL		208 spaces

As proposed there will be a total of 190 parking spaces “available” for the Project. As previously described, this includes 141 “on-site” parking spaces on Petruzzello’s lots (i.e. 94 parking spaces on the East Street side, 47 Parking spaces on the School Street side), 30 parking spaces in the new municipal parking lot, 12 parking spaces on the East Street side of Washington Street, and 7 parking spaces on the School Street side of Washington Street. Therefore, per the Westwood Zoning By-Law there is a will be a deficit of 18 parking spaces (208 -190 = 18 parking spaces).

²⁹ Parking Requirement for Retail/Banks/Personal & General Service Establishment: 1 parking space per 250 sf of floor area. If Professional or Business Service Establishment, Parking Requirement is 1 parking space per 333 sf of floor area (40 spaces).

³⁰ Parking Requirement for Single Family Dwelling: 2 parking spaces per dwelling unit.

³¹ Parking Requirement for Retail/Banks/Personal & General Service Establishment: 1 parking space per 250 sf of floor area. If Professional or Business Service Establishment, Parking Requirement is 1 parking space per 333 sf of floor area (27 spaces).

³² Parking Requirement for Child Care Facility: 1 parking space per employee plus 2 parking spaces per classroom. Per the ITE, the average parking supply for a day care (LUC 565) is 3.5 spaces per 1,000 sf. Therefore, a 4,000 sf day care would yield 14 spaces.

³³ Parking Requirement for Retail: 1 parking space per 250 sf of floor area.

³⁴ Mezzanine is utilized for storage only. Requesting a zoning by-law amendment to exclude storage in mezzanine (similar to existing exclusion for cellar and basement storage).

³⁵ Parking Requirement for Retail/Banks/Personal & General Service Establishment: 1 parking space per 250 sf of floor area. If Professional or Business Service Establishment, Parking Requirement is 1 parking space per 333 sf of floor area (3 spaces).

³⁶ Parking Requirement for Single Family Dwelling: 2 parking spaces per dwelling unit.

³⁷ Parking Requirement for Municipal Facilities: As determined by Planning Board. Per the ITE, the average parking supply for a library (LUC 590) is 3.5 spaces per 1,000 sf. Therefore, a 1,962 nsf library would yield 7 parking spaces.

Notwithstanding the above, Section 9.5.10.1 of the Westwood Zoning By-Law provides in pertinent part that a project in the FMUOD:

may provide fewer parking spaces than otherwise required under Section 6.1.2, Table of Parking Requirements, where in the determination of the Planning Board, proposed parking spaces are found to be sufficient to meet the needs of the development. In making such determination, the Planning Board may consider complementary uses and activities having different peak demands, transportation demand management (TDM) measures, and such other means as may be applicable.

In addition, Section 6.1.9 authorizes the Planning Board to grant a special permit to reduce the required number of parking spaces, provided certain enumerated findings are made. Furthermore, Section 6.1.13 of the Westwood Zoning By-Law allows for the use of “off-site municipally owned parking spaces” to meet the minimum parking requirements, provided that certain criteria are satisfied including that such spaces are within four hundred (400) feet walking distance of the building to be served and that the Board of Selectmen or its designee documents to the Building Commissioner that there is in fact sufficient capacity in the lot to accommodate the excess parking requirement. All the buildings in this Project are within 400 feet of the Municipal Parking Lot on Washington Street. If the Planning Board determines the need for the same, the Applicant could request additional spaces at the Municipal Parking Lot for other businesses at the Project.

Applicant submits that the proposed 190 parking spaces “available” are sufficient to meet the demands of the development for the following reasons:

1. The Project is a mixed-use development where the residential uses and commercial uses “share” the parking spaces provided. Essentially, the parking spaces are available for the residential uses during low demand for the same by the commercial tenants. Likewise, the parking spaces are available for the commercial tenants during low demand for the same for the residential use. In this project long-term parking for the residential uses is provided under the mixed use building. Furthermore, it is anticipated that the various commercial uses will have peak demands at different times.
2. To be conservative, the parking analysis above is based upon retail/personal and general service establishment of 1 parking space per 250 square feet. Other potential uses have lower parking requirements (i.e., business and professional offices require 1 parking space per 333 square feet).
3. To be conservative, the parking analysis is based upon full gross areas without any deduction for areas dedicated to non-commercial floor area, storage, and the like.

E. Residential Units/Affordable Units

Section 9.5.13 of the Westwood Zoning By-Law provides that pre-existing and new housing units shall occupy not more than fifty (50%) percent of the total gross floor area of a project within FMUOD 6. Said Section 9.5.13 further provides that the maximum number and type of residential units shall be determined by the Planning Board following the Planning Board's acceptance of a fiscal impact report demonstrating that the residential units will have no significant negative impact on the town. As shown on the table above, the percentage of residential units in the Project is 29% of the total gross floor area of the Project (and 30% of total gross floor area of Petruzziello buildings only). As proposed, except for the Blue Hart Tavern, all of these units are two-bedroom condominium units. Submitted with the Application is a *Fiscal Impact Memorandum* prepared by Fougere Planning & Development, Inc. As set forth in said *Fiscal Impact Memorandum* the Project is anticipated to have a strong positive fiscal profile and will have an estimated annual fiscal benefit of about \$505,000 per year after accounting for a potential of three (3) school aged children.

Section 9.5.14 of the Westwood Zoning By-Law requires that 15% of total housing units be "affordable" unless the Planning Board determines a proposed alternative to be at least equivalent to serving the Town's housing needs. Pursuant to this provision, three (3) (i.e., $18 \times .15 = 2.7$ units) of the condominium units would need to be "affordable". Initially, Applicant was proposing twenty (28) one-bedroom apartments (i.e., rentals) and could comply with this requirement. Based upon citizen and Town official input, however, the residential component has been changed to eighteen (18) two-bedroom condominiums. Assuming an average "market" sales price of \$500,000.00 per unit, it is anticipated that the "affordable" sales price will be in the range of \$200,000 - \$205,000. This is below the cost of construction and committing three (3) units as affordable would make the project uneconomic. Accordingly, it is proposed that one (1) unit be "affordable".

F. WAIVER REQUESTS

Pursuant to Section 9.5.12 of the Westwood Zoning By-Law, the Planning Board is authorized to grant waivers to the requirements set forth in Sections 9.5.9 through 9.5.11, and/or the dimensional, parking, and sign requirements contained elsewhere in the Zoning By-Law, "if, in its determination, such waivers will result in a substantially improved project, . . . such project will otherwise meet the performance and design standards . . . [and] such waiver 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 this Section." As indicated above, Applicant requests a waiver from minimum landscape buffer, the building height (or in the alternative a zoning amendment), the number of parking spaces (although for an FMUOD Special Permit the Planning Board may determine the required number of parking spaces), and the number of affordable units (or in the alternative a zoning amendment). In addition, Applicant is requesting a waiver (and/or special permit if required) of the applicable provisions of

Section 6 of the Westwood Zoning By-Law to allow the Project parking lot design to be as shown on the plans submitted with the Application. Applicant also requests a waiver of the Section 7.3.7.7 requirement for submission of a model.

With respect with some of the requested waivers, the following are noted:

1. **Minimum Landscape Buffer:** This waiver is for existing conditions (primarily on the East Street side of the Project). In most cases, Applicant has improved existing conditions. Applicant has not created any new non-conformities with this requirement.
2. **Building Height:** As noted, the proposed mixed-use building will duplicate (to the extent possible) the “look” of the existing church building which (due to significant grade change) has a height of 44 feet measured from the rear of the property and 41 feet measured from Washington Street. The proposed mixed use building will have a height of 41 feet measured from the rear of the property and 35 feet measured from Washington Street. Therefore, the proposed building will be lower than the existing building. In addition, as measured from Washington Street the new building will comply with the Zoning By-Law Requirement.

III. FMUOD PERFORMANCE AND DESIGN STANDARDS

Applicant addresses the various performance and design standards as follows (all references are to the Westwood Zoning By-Law):

9.5.15.1 Performance Standards

9.5.15.1.1 Environmental Impact Standards.

9.5.15.1.1.1 Air Quality:

No emissions are classified as a source of air pollution and no use or activity requires an air quality permit from MA DEP.

9.5.15.1.1.2 Noise:

Except for short-term construction related activity, no use or activity on the Subject Property is anticipated to exceed the levels set forth in Section 9.5.15.1.1.2 of the Westwood Zoning By-Law. Without limiting the generality of the foregoing, the HVAC system will be designed to comply with the pure tone levels from ANSI/ASA S3.21-2004 (R2009) as amended from time to time.

9.5.15.1.1.3 Vibration:

Except for short-term construction related activity, there will be no significant vibrations created by this Project.

9.5.15.1.1.4 Electrical Disturbances:

There are no electrical disturbances that will be emanating from the building.

9.5.15.1.1.5 Cultural, Historical and Archeological Resources:

Applicant is unaware of any buildings on the Subject Property which are on the Massachusetts Register of Historic Places. In addition, the Subject Property is not located within a designated Historic District. Notwithstanding the same, Applicant recognizes the potential historic significance of the Blue Hart Tavern. This hip-roofed Colonial building was formerly the Blue Hart Tavern operated by Jeremiah Dean in 1741 and retains many of its original architectural features. Applicant has been “storing” the Blue Hart Tavern at 9 School Street. As part of this Project, Applicant will be renovating and restoring the same. The Blue Hart Tavern will be occupied by commercial uses on the first floor and a residential dwelling unit on the second floor. These uses are consistent with the uses of the Blue Hart Tavern prior to its “storage” at 9 School Street. In addition, Applicant is aware of the historical significant of Westwood Hall. The building will be relocated.

9.5.15.1.1.6 Natural Resources and Habitat:

The majority of the Subject Property is currently a fully developed site consisting of buildings surrounded by a paved parking lot and a municipal parking lot. Accordingly, there are no sensitive natural resources and/or habitat present. In addition, the Project has been designed (by the acquisition of 277A Washington Street) to retain a buffer to the residential uses on School Street.

9.5.15.1.1.7 Construction Solid Waste Management:

Applicant will contract with Waste Management or another waste management company to provide and service yard dumpsters on the construction site. The same will be serviced during construction hours and removed/replaced as required.

9.5.15.1.1.8 Visual Mitigation and Screening of Infrastructural Elements:

Prior to the commencement of construction, the construction area will be enclosed with a construction fence with screening/netting which will provide a visual screening from the on-site activities. Upon completion of the Project a six foot high fence will screen the on-site dumpsters. All mechanical equipment is located on the roof of the existing and proposed building. The HVAC units for the new building are approximately 36” square cubes which will be in the center of the roof and not visible from the street.

9.5.15.1.2 Water Quality:

Not applicable. The development is not in a Water Resource Overlay Protection District.

9.5.15.1.3 Compatibility of Uses and Activities:

All the proposed uses are allowed as of right in the LLB Zoning District and as part of the FMUOD special permit³⁸. The Project included a mixed-use building with commercial uses on the first floor and residential two-bedroom condominium units on the two upper floors. Such mixed use allows for “shared” parking and use of the Subject Property since

³⁸ As amended as described above.

the demand for parking spaces by the residents are primarily at times when the commercial businesses are closed and not using said spaces.

9.5.15.2 Design Standards.

9.5.15.2.1 Building Design

9.5.15.2.1.1 Context:

Based upon the comments at the Islington Task Force hearings (including citizen input) the mixed use building will attempt to replicate the appearance of the existing church building. The new building will have first floor commercial space with a separate residential lobby with an elevator providing access to the 2 upper floors with a total of eighteen (18) two-bedroom residential condominium units. The condominium units will range in size from 1,100 sf to 1,300 sf. In addition, the existing commercial building at 266- 278 Washington Street will be renovated to blend with the new mixed use building. Applicant has also worked with CVS to design a building which has more of a “village” look comparable to other buildings in Islington. The new buildings relate to the existing landscaping and to the scale and architecture of existing buildings. Applicant has also considered the new fire station and other surrounding buildings in developing the architectural design for the Subject Property.

9.5.15.2.1.2 Architectural Design:

As noted above, the design of the new buildings and the renovation of the existing retail building have been designed to replicate the existing church and surrounding buildings. The new buildings will have extensive first floor glazing for commercial space to provide a light “base” to the building. The upper floors are detailed with horizontal siding and wide built out corner boards with extended rakes on the roof.

9.5.15.2.1.3 Visual Relief:

See discussion above.

9.5.15.2.1.4 Energy Efficiency:

The new building will be constructed in accordance with the Stretch Energy Code. This Code enforces that the new construction will be energy efficient and have the same characteristics of an Energy Star building.

9.5.15.2.2 Street Design:

The existing trees will be maintained to the extent possible and/or replaced with appropriate sized trees and new sidewalks and access walkways will be provided.

9.5.15.2.3 Circulation, Traffic Impact & Public Street Access:

The parking lot/parking areas have been designed to provide a safe and efficient system of circulation. Sidewalks and access walkways have been provided.

9.5.15.2.4 Open Space and Common Landscaped Areas

9.5.15.2.4.1 Attractive Utilization of Existing Open Space:

The current site is fully developed without any true open space. To the extent practicable existing trees have been preserved and/or are being replaced with appropriate size trees. As shown on the plans submitted with the Application, the Project will introduce new landscaping including a public amenity area discussed below.

9.5.15.2.4.2 Site Disturbance:

The current site is fully developed. The Project involves minimal soil removal and not significant grade changes.

9.5.15.2.4.3 Public Amenity Areas:

The Project includes a number of public amenity areas including but not limited to the “open space” lot to be conveyed to the Town and relocation of the clock (on the East Street side of the proposal). In addition, the Project is designed to allow the public to enjoy both visual and physical access to this project area.

9.5.15.2.5 Stormwater Management.

9.5.15.2.5.1 General:

The Project has been designed to include a Stormwater Management System which will meet the Massachusetts Department of Environmental Protection Stormwater Management Handbook. The design includes peak flow rate attenuation and water quality treatment measures. The peak flow attenuation design will maintain the peak rates of discharge from the site so there will not be additional demands on the public storm drainage system and will not adversely impact neighboring or nearby properties. The Project has been designed with a new collection and conveyance system on site which will provide for appropriate collection of surface stormwater and limit the potential for erosion. The Project design is documented in the Stormwater Management Report submitted as part of the application package.

9.5.15.2.5.2 Erosion and Sedimentation Controls:

All appropriate controls for mitigating any erosion and sedimentation impacts of the Project shall be employed.

9.5.15.2.5.3 Alternative Design:

The current site is fully developed and as such LID is not practical.

9.5.15.2.6 Off-Street Parking

9.5.15.2.6.1 Parking Types and Design:

All parking is surface parking with some spaces being located under the proposed building.

9.5.15.2.6.2 Surface Lots:

All parking is surface parking with some spaces being located under the proposed building.

9.5.15.2.6.3 Parking Structures:

Not applicable. The Project does not include or involve any parking structures. However, as note above there is parking under the mixed use building.

9.5.15.2.6.4 Pedestrian Facilities:

Appropriate sidewalk/pedestrian ways have been incorporated to the design to connect the various buildings and parking areas

9.5.15.2.6.5 Loading Areas:

There are no loading areas needed for the Project.

9.5.15.2.7 Exterior Lighting

9.5.15.2.7.1 General

Exterior lighting specifications and requirements are in compliance with Section 6.4 of the Westwood Zoning By-Law.

9.5.15.2.7.2 Design Standards

As shown on the lighting plan submitted with the Application, the Project lighting has been designed to avoid light trespass and glare on abutting properties.

9.5.15.2.8 Public Utilities, Water and Sewer Systems

All Project buildings shall be connected to the public water supply and sewage collection shall be by the public sewage collection system.

9.5.15.2.9 Communications Facilities

Not applicable. The Project does not involve or include any towers, antennas, or poles.