

Karon Catrone

From: Nora Loughnane
Sent: Wednesday, November 18, 2020 4:01 PM
To: Karon Catrone
Cc: Abigail McCabe
Subject: FW: 44 mill st

Karon,

Here is some additional discussion on the 44 Mill Street property from 2016.

Nora

Nora Loughnane
Director of Community & Economic Development
Town of Westwood
50 Carby Street
Westwood, MA 02090
781-251-2595

From: Nora Loughnane
Sent: Friday, February 26, 2016 1:20 PM
To: 'warelands@verizon.net'
Cc: Abby McCabe; Tom McCusker (tmccusker@townhall.westwood.ma.us)
Subject: RE: 44 mill st

Ed,

These documents seem to be the same ones you submitted for the board's consideration on 2/11. The board reviewed them and made its decision. I have nothing to add.

Nora

From: warelands@verizon.net [<mailto:warelands@verizon.net>]
Sent: Friday, February 26, 2016 6:30 AM
To: Nora Loughnane
Subject: Re: 44 mill st

hello Nora, attached are the covenant recorded between Mr. Hearne and the Town of Westwood for a Definitive plan, and the lot release by the Planning Board. The plan that the Planning Board approved on April 30, 1969 was a definitive plan, and the release issued by The planning board on October 26, 1972 released the 2 lots from covenant. Maybe I'm missing something, but I think the Board applied the wrong standard in rendering its decision. Could you please review documents. Thanks

From: [Nora Loughnane](#)
Sent: Thursday, February 25, 2016 10:04 AM
To: warelands@verizon.net
Cc: [Tom McCusker](#)
Subject: RE: 44 mill st

Ed,

Your presumption is incorrect. The Planning Board applied the appropriate standards for review of ANR plans as specified in Chapter 41, Section 81 and related case law.

In order for the board to endorse an ANR Plan, the board must first determine that all lots shown on such plan have sufficient frontage on an existing way and actual physical access from that way to the buildable portion of each lot. The board reviewed the 1969 plan but saw no credible evidence that said plan had ever been effectuated. The board saw no credible evidence to support your assertion that a previous Planning Board had waived construction standards and allowed the driveway serving 44 Mill Street to serve as the subdivision road shown on the 1969 plan. As such, the board determined that no vital access currently exists to the lots which would be created by your proposed ANR plan if the board granted endorsement of that plan.

The Planning Board found that your proposed ANR Plan showed a subdivision, and therefore appropriately voted to require approval pursuant to the Subdivision Control Law.

Nora

From: warelands@verizon.net [<mailto:warelands@verizon.net>]
Sent: Thursday, February 25, 2016 6:13 AM
To: Nora Loughnane
Subject: 44 mill st

Hello Nora, late night for everybody. I think you applied a requirement for an chapter 41 sec 81, exception (c) "a way in existence when the subdivision control law became effective in the city or town in which the land lies, having, in the opinion of the planning board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon", to a Chapter 41 sec 81l exception (b) which only requires, " **a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law** ". What are your thoughts thanks

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