



WESTWOOD RECORDS ANNUAL TOWN MEETING MAY 7 & 8, 2012

Pursuant to a warrant dated April 9, 2012, signed by Selectmen, Patrick J. Ahearn, Nancy C. Hyde and Philip N. Shapiro, the inhabitants of Westwood qualified to vote in Elections and Town affairs, convened in the Westwood High School Auditorium on Monday, May 7, 2012 at 7:30 p.m. with an adjournment on Tuesday, May 8, 2012, for the Annual Town Meeting.

Moderator, Anthony J. Antonellis who declared the presence of a quorum with Three Hundred and twenty one (321) registered voters in attendance, called the meeting to order at 7:41 p.m. The return on warrant was read, after which all stood for the pledge of Allegiance to the Flag. The next order of business was the swearing of those Town Officials who were elected to office on Tuesday, April 24, 2012, by Town Clerk, Dorothy A. Powers. The Town then voted unanimously on the Selectmen's move to dispense the reading of the articles and full warrant, and to adjourn the meeting until 7:30 pm on Tuesday, May 8, 2012 if business was not completed by 10:45 pm.

One Resolution was read and presented to Louis A. Rizoli, Jr. by Selectman, Philip Shapiro for his service to the town.

WHEREAS, Louis A. Rizoli has served on Town boards and committee as an Associate Member of the Zoning Board of Appeals from 1978 until 1979 and as a full time member from 1980 until 1982, and

WHEREAS, after serving on the Zoning Board of Appeals, was appointed to the Housing Partnership as one of the founding members and in 1988, he assisted in the passage of a Home Rule Petition to form the Housing Authority to which he was subsequently elected and served as Chairman until 1998, and

WHEREAS, in that role as Chairman, he assisted in the consideration and permitting of both the Cedar Hill and Chase Estates developments, two affordable housing developments, and assisted the Authority in the purchase of the first affordable rental housing building located on Grafton Avenue, and

WHEREAS, In 1998, Louis was appointed to and subsequently elected to the Board of Assessors and remained on the board for fourteen years where he served as Chairman, and

WHEREAS, he participated in the reorganization of the Assessor's Office and transition to virtualization of all field cards for properties in Westwood, allowing residents to search an online database and compare home values, spent a lot of his free time working with the Assessor's staff in training and on the conversion to the online system, reducing the operational costs of the staff, and

WHEREAS, he served on the University Avenue Steering Committee in 2005 and worked with the committee on property assessments in the University Avenue Park, and

BE IT THEREFORE RESOLVED, that the Town of Westwood, by vote of those present at the 2012 Annual Town Meeting, officially recognize and express its gratitude to Louis A. Rizoli for his dedicated service to the Town, and

BE IT FURTHER RESOLVED that this Resolution be placed in the official records of the Town and a copy be given to Louis A. Rizoli.

The John J. Cronin Public Service Award was then presented to Louis Rizoli who was chosen as the 10th recipient, for his exemplary service, dedication and commitment to the Town of Westwood by Patrick Ahearn, Chairman of the Board of Selectmen as follows:

Each year, the John J. Cronin Public Service Award committee awards this high honor to an individual who has served the Town of Westwood. John J. Cronin, Town Treasurer, for many years selflessly gave of his time and expertise for the betterment of the community both as an elected official and in numerous volunteer activities. To recognize this same spirit of community involvement as illustrated by John Cronin's life, it is with great pleasure that we have chosen Louis Rizoli as the tenth recipient of the John J.

Cronin Public Service Award. Louis Rizoli has displayed devoted service, dedication and commitment to the Town of Westwood. Through his service on numerous Town boards and organizations, Louis has made valuable contributions to the Westwood community and the Commonwealth.

Lou and his wife Connie, a member of the town’s Disability Commission, have lived in Westwood for over thirty years. They have two daughters, Becky and Lisa who attended Westwood Public Schools and are the proud grandparents of Rachel and Daniel. Lou began his legal career as an Assistant Attorney General for the Commonwealth of Massachusetts and served as Vice President and Associate General Counsel for the Bank of New England. In 1985 Lou was named as Chief Legal Counsel for the Massachusetts House of Representatives. He was the longest serving Chief Legal Counsel serving in that position for twenty-four years under five speakers until he retired in 2009. Lou currently serves as Of Counsel to the Boston Law Firm of Smith, Segel, and Ruddock.

Louis is a true leader; he has served on several boards and committees in Westwood since the late 1970’s. Louis began on the Zoning Board of Appeals as an Associate Member in 1978 until 1979 when he became a full member in 1980. Louis remained on the Board of Appeals until 1982.

In 1987, Louis was appointed to the newly created Housing Partnership as one of the founding members. In 1988, he assisted in the passage of a Home Rule Petition to form the Housing Authority to which he was subsequently elected and served as Chairman until 1998. During that time, Louis assisted in the consideration and permitting of both the Cedar Hill and Chase Estates developments, two affordable housing developments. Louis, in his role as Chairman of the Housing Authority, assisted the Authority in the purchase of the first affordable rental housing building located on Grafton Avenue.

In 1998, Louis was appointed to and subsequently elected to the Board of Assessors and remained on the board for fourteen years where he served as Chairman. During that time, he is proud to have reorganized the Assessor’s Office and virtualized all field cards for properties in Westwood that allowed residents to search an online database and compare home values. Louis spent a lot of his free time providing training to the Assessor’s staff and working on the conversion to the online system. His dedication to the Town reduced the operational costs of the staff.

In his private life Louis has taught CCD at both St. Timothy’s Church in Norwood from 1982 to 1990 and St. Margaret Mary’s church from 1991 until 1998. Louis was the President of the Clapboardtree Nursery School from 1984 until 1988. For the past fifteen years, Louis has been an adjunct professor of Public Policy Law at Suffolk University Law School. He currently sits on the Board of Trustees and Bank Audit Committee of Dedham Savings Bank. For the last 20 years, Louis has been volunteering as a Lector at the Paulist Center in Boston. Louis is truly a leader and honorable public servant and we are fortunate to have him in the Westwood community.

An overview of the meeting was then given by Patrick Ahearn, Chairman of the board of Selectmen, followed by a financial presentation made by Pamela Dukeman, Finance Director.

ARTICLE 1

The Finance and Warrant Commission recommended and the Town voted unanimously to appropriate by transfer from available funds the sum of One Hundred Fifty-Six Thousand Five Hundred Dollars (\$156,500) to supplement the following fiscal year 2012 appropriations, or take any other action thereon:

Transfer			
From Account	Amount	To Account	Amount
Comprehensive Insurance	\$85,000	Police Salary	\$50,000
Blue Hills	\$34,000	Fire Salary	\$100,000
Workers Comp Insurance	\$25,000	COA Salary	\$6,500
Public Safety Medical Expense	\$12,500		
Total	\$156,500	Total	\$156,500

ARTICLE 2

The Finance and Warrant Commission recommended and the Town voted unanimously to appropriate by transfer from available funds the sum of One Hundred Thirty-Six Thousand Six Hundred Dollars (\$136,600) to supplement the following fiscal year 2012 appropriations, or take any other action thereon:

Transfer			
From Account	Amount	To Account	Amount
Ambulance Receipts	\$30,000	Fire Salary	\$30,000
Ambulance Receipts	\$35,000	Ambulance Services	\$35,000
Ambulance Receipts	\$12,000	Ambulance Services	\$12,000
Cemetery Lot Sales	\$15,000	Cemetery Rules & Regulations Update	\$15,000
FY12 Additional State Aid	\$44,600	Selectmen Salary	\$4,000
		Finance Commission Salary	\$5,400
		Assessors Salary	\$1,200
		Personnel Salary	\$13,000
		Board of Health Salary	\$16,000
		Youth & Family Services Salary	\$5,000
Total	\$136,600	Total	\$136,600

ARTICLE 3

There being no unpaid bills of the previous year, no action was taken on this article.

ARTICLE 4

The Finance and Warrant Commission recommended and the Town voted unanimously to raise and appropriate and/or transfer from available funds the sum of Seven Hundred and Forty Four Thousand Dollars (\$744,000) to the Stabilization Fund established in accordance with General Laws Chapter 40, Section 5B, or take any other action thereon.

Purpose	Amount	Funding Source
Stabilization Fund	\$344,000	Free Cash
	<u>\$400,000</u>	FY12 Health Insurance Budget
Total	\$744,000	

ARTICLE 5

The Finance and Warrant Commission recommended and the Town voted by a Majority to raise and appropriate and/or transfer from available funds the sum of Five Hundred Thousand Dollars for the High School litigation, or take any other action thereon.

Purpose	Amount	Funding Source
High School Litigation	\$500,000	\$210,000 – Town Wide Emergency Contingency Fund 2011 ATM, Article 13 \$290,000 - Free Cash

ARTICLE 6

The Finance and Warrant Commission recommended and the Town voted unanimously to raise and appropriate and/or transfer from available funds and/or borrow for the operation of the municipal departments and public school system for the fiscal year July 1, 2012, through June 30, 2013, as set forth in Appendix D of the Finance Commission's Report to the 2012 Annual Town Meeting, or take any other action thereon.

ARTICLE 7

The Finance and Warrant Commission recommended and the Town voted unanimously to raise and appropriate and/or transfer from available funds the sum of Four Hundred Seventeen Thousand Dollars (\$417,000) for the purchase, lease or lease/purchase of the following capital equipment and improvements:

<u>Equipment/Project</u>	<u>Requesting Department</u>	<u>Cost</u>	<u>Funding Source</u>
Replacement of police vehicles	Police	\$135,000	\$61,500 Taxation/ \$73,500 Free Cash
Municipal building maintenance/energy upgrades/	Fire	\$100,000	Free Cash

Fire station	Selectmen	\$65,000	Free Cash
Municipal building facilities study	IT	\$50,000	Free Cash
Information Technology Dept. – end user technology	IT	\$49,000	Free Cash
IT office renovations	IT	\$49,000	Free Cash
Fire turnout gear	Fire	\$18,000	Free Cash
Total		\$417,000	

each listed capital equipment or project must be authorized by majority vote of the Board of Selectmen prior to any purchase and/or implementation of project and/or expenditure of funds; and to direct the Board of Selectmen to trade as part of the purchase price or to sell or dispose of any equipment no longer necessary, and to authorize the Board of Selectmen to apply for and accept any State or Federal grant or assistance, or both, that may be available for any of the above purchases, or take any other action thereon.

ARTICLE 8

The Finance and Warrant Commission recommended and the Town voted unanimously to raise and appropriate and/or transfer from available funds the sum of Four Hundred Six Thousand Dollars (\$406,000) for the purchase, lease or lease/purchase of the following capital equipment and improvements:

<u>Equipment/Project</u>	<u>Requesting Department</u>	<u>Cost</u>	<u>Funding Source</u>
Technology	School	\$100,000	\$61,500 Taxation/ \$38,500 Free Cash
Repairs and maintenance	School	\$274,000	Free Cash
Copiers	School	\$32,000	Free Cash
Total		\$406,000	

each listed capital equipment or project must be authorized by majority vote of the Board of Selectmen prior to any purchase and/or implementation of project and/or expenditure of funds; and to direct the Board of Selectmen to trade as part of the purchase price or to sell or dispose of any equipment no longer necessary, and to authorize the Board of Selectmen to apply for and accept any State or Federal grant or assistance, or both, that may be available for any of the above purchases, or take any other action thereon.

ARTICLE 9

The Finance and Warrant Commission recommended and the Town voted unanimously to raise and appropriate and/or transfer from available funds the sum of Four Hundred Fifteen Thousand Dollars (\$415,000) for the purchase, lease or lease/purchase of the following capital equipment, projects, and/or improvements:

<u>Equipment/Project</u>	<u>Requesting Department</u>	<u>Cost</u>	<u>Funding Source</u>
Sedan	Sewer	\$35,000	Sewer User Fees
Pump Station Generator Replacement	Sewer	\$80,000	Sewer User Fees
Infiltration and Inflow Reduction Design/Bid	Sewer	\$300,000	\$37,452 Sewer User Fees/\$262,548 Sewer Retained Earnings
Total		\$415,000	

each listed capital equipment or project must be authorized by majority vote of the Board of Selectmen prior to any purchase and/or implementation of project and/or expenditure of funds; and to direct the Board of Selectmen to trade as part of the purchase price or to sell or dispose of any equipment no longer necessary, and to authorize the Board of Selectmen to apply for and accept any State or Federal grant or assistance, or both, that may be available for any of the above purchases, or take any other action thereon.

ARTICLE 10

The Finance and Warrant Commission recommended and the Town voted unanimously to raise and appropriate and/or transfer from available funds the sum of Fifty Thousand Dollars (\$50,000) for the Stabilization Fund established in accordance with General Laws Chapter 40, Section 5B, or take any other action thereon.

Purpose	Amount	Funding Source
Stabilization Fund	\$50,000	Taxation

ARTICLE 11

The Finance and Warrant Commission recommended and the Town voted unanimously to accept General Laws Chapter 32B, Section 20 or take any other action related thereon.

ARTICLE 12

The Finance and Warrant Commission recommended and the Town voted unanimously to raise and appropriate and/or transfer from available funds the sum of Four Hundred and Thirty Five Thousand Dollars to the OPEB Liability Trust Fund established in accordance with General Laws Chapter 32B, Section 20 or take any other action thereon

Purpose	Amount	Funding Source
OPEB Liability Trust Fund	\$435,000	Taxation

ARTICLE 13

The Finance and Warrant Commission recommended and the Town voted unanimously to appropriate Two Million Four Hundred Thousand Dollars (\$2,400,000), or any other amount, to pay costs of (i) making various roadway repairs throughout the Town, (ii) traffic studies relating to traffic mitigation and signal improvements, and (iii) various surface drainage and storm water improvements, including payment of all costs incidental and related thereto, and to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, or take any other action thereon.

ARTICLE 14

The Finance and Warrant Commission recommended and the Town voted unanimously to appropriate Two Million Dollars (\$2,000,000), or any other amount, to pay costs of purchasing various items of capital equipment for the use of the Department of Public Works, including the payment of all costs incidental and related thereto, and to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, or to take any other action thereon.

ARTICLE 15

The Finance and Warrant Commission recommended and the Town voted unanimously to appropriate Nine Hundred and Thirty Five Thousand Dollars (\$935,000), or any other amount, to pay costs of making school roof repairs to the Deerfield School, including the payment of all costs incidental and related thereto, and to determine whether this amount shall be raised by taxation, transfer from available funds, borrow or otherwise, or take any other action thereon.

ARTICLE 16

The Finance and Warrant Commission recommended and the Town voted unanimously to transfer from available funds the sum of Thirty Thousand Dollars (\$30,000) to be used to conduct a study that will identify critical water quality and watershed protection issues and how to address and pay for the protection of our water to prevent the damaging impacts to our Town's and the region's water sources, or take any other action related thereon.

Purpose	Amount	Funding Source
Stormwater Compliance Regulations	\$30,000	Free Cash

ARTICLE 17

The Finance and Warrant Commission recommended and the Town voted unanimously to authorize the Board of Selectmen to apply for and accept state funds to be received as reimbursement for road improvements and deposit said funds into the Town's road improvement account to be used as reimbursement for expenditures made or to continue the Town's road improvement program of crack sealing, secondary resurfacing and major reconstruction; to authorize the Board of Selectmen to enter into contracts for the expenditure of any funds allotted or to be allotted by the Commonwealth for the improvement of Chapter 90 and other public roads within the Town of Westwood and to authorize the Board of Selectmen to make any necessary takings of land and/or easements to accomplish said program, or take any other action thereon.

ARTICLE 18

The Finance and Warrant Commission recommended and the Town voted unanimously, pursuant to Chapter 44, Section 53E ½ of the Massachusetts General Laws, to establish a revolving fund in order to utilize revenue from the sale of surplus vehicles and equipment

to fund the purchase of vehicles and equipment at auction and to authorize municipals department heads, with the approval of the Board of Selectmen and direction of the Town Administrator, to expend money from said revolving fund for the purchase of vehicles and equipment at auction up to a preset limit voted by subsequent Town Meeting, or take any other action thereon.

ARTICLE 19

The Finance and Warrant Commission recommended Indefinite Postponement and the Town voted 93 YES to 147 NO, defeating the Finance Commissions recommendation for Indefinite Postponement. The Town than voted by a majority vote in favor to enact Chapter 251 of the Code of the Town of Westwood by adopting 780 CMR 115.AA the “Stretch Energy Code” for the purpose of regulating the design and construction of buildings for the effective uses of energy, including future additions, amendments or modifications, thereon, a copy of which is on file with the Town Clerk, or take any other action relative thereon. A motion from the floor to reconsider was then lost.

ARTICLE 20

The Finance and Warrant Commission recommended and the town voted by a majority to petition Massachusetts General Court to enact the following special act:

AN ACT TO EXEMPT THE POSITION OF DEPUTY POLICE CHIEF OF THE TOWN OF WESTWOOD FROM THE PROVISIONS OF CIVIL SERVICE LAW

Section 1. The position of Deputy Police Chief in the Town of Westwood shall be exempt from the provisions of Chapter 31 of the General Laws

Section 2. The provisions of Section 1 of this act, shall not impair the Civil Service status of any present incumbent Deputy Police Chief of said department holding such status on the effective date of this act.

Section 3. The act shall take effect upon its passage.
or take any other action thereon.

ARTICLE 21

The Finance and Warrant Commission recommended and the town voted unanimously to approve certain amendments to the Westwood Zoning Bylaw, Section 9.5 [Flexible Multiple Use Overlay District (FMUOD)], Subsection 9.5.6 [Phased Development], Subsection 9.5.7 [Applicability], and Subsection 9.5.13 [Percentage of Residential Units], as set forth below:

1) Amend Section 9.5.6 [Phased Development] to read as follows:

9.5.6 **Phased Developments.** Development under this Section may be approved in one or more phases authorized under a single FMUOD Special Permit. The FMUOD Special Permit for a project approved for development in two or more phases shall include an approximate development timeline and anticipated construction schedule in conformance with the Rules and Regulations. An FMUOD Special Permit for a phased development shall be granted by the Planning Board based on the Planning Board’s approval of final plans for one or more early phases of the development, along with the Planning Board’s approval of preliminary plans for future phases of the development. In such instance, the FMUOD Special Permit shall be amended by Planning Board approval of final plans for each subsequent phase of development as such plans become available. Once final plans for any phase of development are approved under a FMUOD Special Permit or any amendment to that FMUOD Special Permit, such plans shall be deemed to be in compliance with the provisions of this Bylaw, and the Planning Board shall not require amendment of said approved final plans. Upon the issuance of a FMUOD special permit approval under this Bylaw for any individual phase, such phase shall be deemed to be in compliance with the provisions of this Bylaw, notwithstanding the status of any other phase and/or any noncompliance of such other phase with the phasing plan, or phasing requirements set forth herein or otherwise.

2) Amend Section 9.5.7 [Applicability] to read as follows:

9.5.7 **Applicability.** Except as otherwise provided herein, the provisions of this Section shall apply to any parcel or set of parcels within FMUOD 1, FMUOD 2, FMUOD 3, FMUOD 4 or FMUOD 5, whether held in common or separate ownership.

3) Amend 9.5.13 [Percentage of Residential Units] to read as follows:

9.5.13 **Percentage of Residential Units.** Pre-existing and new housing units, where permitted, shall occupy no more than one-third (1/3) of the total gross floor area of any project authorized under a FMUOD Special Permit. The Planning Board shall have the authority to approve, in its sole discretion, phased construction of the residential components of a project, independent of the phased construction of the non-residential components of the same project, as long as the total gross floor area of the residential components of all phases does not exceed one-third (1/3) of the total gross floor area of the project authorized under the FMUOD Special Permit, and as long as no portion of the total land area approved for non-residential components is developed for residential use.

ARTICLE 22

The Finance and Warrant Commission recommended and the town voted unanimously to approve certain amendments to the Westwood Zoning Bylaw, Section 8.3 [Open Space Residential Development (OSRD)], Subsection 8.3.9.2 [Yield Calculation] and Subsection 8.3.11 [Common Open Space Requirements], as set forth below:

1) Amend Section 8.3.9.2 [Yield Calculation] to read as follows:

8.3.9.2 **Yield Calculation.** The maximum base number of dwelling units to which an OSRD is entitled shall be determined by the Planning Board following the submission of a Yield Calculation, as set forth below. The Yield Calculation shall be submitted as part of the EIDR application, but may be submitted on a preliminary basis to the Planning Board, as part of an informal pre-application meeting, as provided for in Section 8.3.5.1 herein.

The Yield Calculation is determined by the following steps:

- Step One:** Subtract from the total original area of the development tract 100% of all wetlands.
- Step Two:** Reduce that result by 10%, as an infrastructure factor
- Step Three:** Divide that result by the minimum lot size required in the underlying district.
- Step Four:** For results less than 2, eliminate any fractional part, and for results greater than 2, round up to the next whole number for fractions of .5 or greater, and down for fractions less than .5.
- Step Five:** The result shall then be adjusted by the addition of the following number of units, to attain general parity with that of a conventional subdivision:

Yield	Added Units
1 to 3 units	0
4 to 8 units	1
9 to 13 units	2
14 to 18 units	3
Over 18 units	4

Yield: The result is the maximum base number of dwelling units allowed, provided that all other conditions required in Section 8.3 are met.

2) Amend Section 8.3.11 [Common Open Space Requirements] by adding a new Subsection 8.3.11.2 to read as follows, and renumber subsequent sections as appropriate:

8.3.11.2 **Limitations on Composition of Open Space.** In no case shall more than seventy-five (75) percent of the land area used to satisfy the minimum open space requirement consist of wetlands or other non-buildable land area.

ARTICLE 23

The Finance and Warrant Commission recommended and the town voted unanimously to approve certain amendments to the Westwood Zoning Bylaw, Section 8.4 [Senior Residential Development (SRD)], Subsection 8.4.2 [Conditions] as set forth below:

1) Amend Section 8.4.2 [Conditions], Subsection 8.4.2.5 to read as follows:

8.4.2.5 All dwelling units shall be designed to accommodate suitable means of access and egress for people with disabilities in conformance with 521 CMR Section 9. Additionally, in cases where supplemental wheelchair ramps and/or lifts are necessary to achieve suitable means of access and egress, architectural plans for individual dwelling units shall demonstrate the location and means of incorporating such ramps and/or lifts. Such ramps and/or lifts shall be installed by the owner of any dwelling unit if required by a resident of said dwelling unit.

2) Add a new Section 8.4.2.6 to read as follows:

8.4.2.6 In any project authorized under a SRD Special Permit which will result in the development of more than ten (10) new residential units, a minimum of fifteen percent (15%) of total housing units shall be “affordable” as defined in the Rules and Regulations, unless the Planning Board determines a proposed alternative to be at least equivalent in serving the Town’s housing needs. The affordable dwelling units authorized under the provisions of this Bylaw shall be Local Initiative Program (LIP) dwelling units in compliance with the requirements for the same as specified by the Department of Community Affairs, Massachusetts Department of Housing and Community Development (DHCD), or successor, or affordable units developed under additional programs adopted by the Commonwealth of Massachusetts or its agencies. All said units shall count toward Westwood’s requirements under Massachusetts General Law Chapter 40B, Sections 20-23, as amended.

ARTICLE 24

The Finance and Warrant Commission recommended and the town voted unanimously to approve certain amendments to the Westwood Zoning Bylaw Section 4.1 [Principal Uses], and related amendments to Section 6.1.5 [Parking Requirements for Commercial Uses] as set forth below:

1) Add a new Section 4.1.5.35 to read as follows, with “Y” in columns under districts HB, I, IO, and ARO, with “BA” under districts LBA and LBB, and with “N” in all other columns:

4.1.5.35 Educational Use, Non-Exempt

2) Add a new Section 4.1.5.36 to read as follows, with “BA” in columns under districts HB and I, and with “N” in all other columns:

4.1.5.36 Contractor’s Yard

3) Add a new note 2 to Section 4.1.5.2 to read as follows, and renumber notes as appropriate:

² Non-exempt farm stands on municipal properties are permitted and exempt from BA special permit requirements.

4) Amend Section 6.1.5 [Parking Requirements for Commercial Uses] by adding new Sections 6.1.5.35 and 6.1.5.36 to read as follows, and renumber subsequent sections as appropriate:

6.1.5.35 Educational Use, Non-Exempt	Sufficient parking spaces to accommodate under all normal conditions the vehicles of occupants, employees, members, customers, clients or visitors of the premises, as determined by the Planning Board. Such space shall be deemed inadequate if the off-street parking area is often substantially full and there is frequent parking of such vehicles in access drives or on streets near the premises in question.
6.1.5.36 Contractor’s Yard	One (1) parking space per two (2) employees

ARTICLE 25

The Finance Commission recommended Indefinite Postponement and the town voted by a majority to approve certain amendments to the Westwood Zoning Bylaw Section 4.4 [Notes for Table of Accessory Uses], Subsection 4.4.1 [Home Occupations] and Subsection 4.4.2 [Accessory Apartments], and related amendments to Section 6.1.3 [Parking Requirements for Residential Uses] as set forth below:

- 1) Correct numbering of subsections under Section 4.4.1, and add a new Subsection 4.4.1.6 so that Section 4.4.1 [Home Occupations] reads as follows:

4.4.1 **Home Occupations.** Home Occupations may be permitted subject to the conditions below:

- 4.4.1.1 Not more than two (2) persons other than the residents of the premises shall be regularly employed thereon in connection with such use.
- 4.4.1.2 No stock in trade shall be regularly maintained except for products of the occupation itself, or for goods or materials customarily used incidental to its performance.
- 4.4.1.3 Such use shall not produce noise or other effects observable at the lot lines in amounts exceeding those normal to residential property.
- 4.4.1.4 No external change shall be made which alters the residential appearance of the buildings or structures on the premises.
- 4.4.1.5 There shall be no exterior display or other outward evidence that the premises are being used for any purpose other than residential (except for a sign as herein permitted).
- 4.4.1.6 Notwithstanding the provisions of Section 4.3.3.2, off-street parking shall be provided for both the principal use and the accessory home occupation in accordance with the requirements of Section 6.1.3. In cases where five (5) or more spaces are provided, such spaces shall be screened from view pursuant to Section 6.3.6. Parking of more than five (5) motor vehicles, or more than one (1) commercial vehicle with a gross vehicle weight of less than 26,000 pounds, or garage for more than three (3) motor vehicles, shall be allowed only upon the issuance of a special permit by the Zoning Board of Appeals.

- 2) Amend Subsection 4.4.2 [Accessory Apartments] so that Subsection 4.4.2.7 reads as follows:

4.4.2.7 Notwithstanding the provisions of Section 4.3.3.2, off-street parking shall be provided for both the principal use and the accessory apartment in accordance with the requirements of Section 6.1.3. In cases where five (5) or more spaces are provided, such spaces shall be screened from view pursuant to Section 6.3.6. Parking of more than five (5) motor vehicles, or more than one (1) commercial vehicle with a gross vehicle weight of less than 26,000 pounds, or garage for more than three (3) motor vehicles, shall be allowed only upon the issuance of a special permit by the Zoning Board of Appeals.

- 3) Amend Section 6.1.3 [Parking Requirements for Residential Uses] by adding new Subsections 6.1.3.4 and 6.1.3.5 to read as follows, and renumber subsequent sections as appropriate:

6.1.3.4 Home Occupation per Section 4.4.1	One (1) off-street parking space for each three hundred thirty-three (333) square feet of floor area or fraction thereof devoted to the home occupation, plus one (1) space per two (2) employees
6.1.3.5 Accessory Apartment per Section 4.4.2	One (1) parking space

ARTICLE 26

The Finance and Warrant Commission recommended and the town voted by a 2/3 vote in favor declared by the moderator, to approve certain amendments to the Westwood Zoning Bylaw, Section 5.5 [Special Dimensional Regulations], as set forth below:

- 1) Add a new Section 5.5.2 [Lot Shape Requirement for Residential Districts] to read as follows, and renumber sections as appropriate:

5.5.2 Lot Shape Requirement for Residential Districts. Lots in residential districts shall provide satisfactory sites for buildings in relation to their natural topography, and shall to the extent feasible, be generally rectangular in shape. Lots shall not contain irregular shapes or elongations solely to provide necessary square footage. Any new lot created by a subdivision plan shall have a Shape Factor of fifty (50) or less, where the Shape Factor shall be calculated using the following formula: $SF = P^2/A$ where P = the perimeter of the lot and A = the area of the lot. The Planning Board may waive the requirements of this section when, in its determination, the strict application of such requirements would result in peculiar or exceptional difficulties, and the waiver of such requirements would pose no substantial detriment to any adjacent property or proximate neighborhood, and would not nullify or substantially derogate from the intent or purpose of this Section.

ARTICLE 27

The Finance and Warrant Commission recommended and the town voted unanimously to approve certain amendments to the Westwood Zoning Bylaw, Section 6.2 [Signs], as set forth below:

- 1) Replace the existing Section 6.2 [Signs] with a new Section 6.2 [Signs] to read as follows:

6.2 SIGNS

6.2.1 Purpose. The purpose of this Section is as follows:

- 6.2.1.1 to promote the public safety and convenience of streets, highways, sidewalks and other pedestrian spaces, and public and private property within public view through the location, sizing, and aesthetics of signage;
- 6.2.1.2 to reduce distractions, hazards and obstructions from signage that will have an adverse impact on vehicular and pedestrian safety;
- 6.2.1.3 to discourage excessive visual competition in signage;
- 6.2.1.4 to ensure that signage will adequately aid communication and orientation, identify uses and activities, and express local history and character; and
- 6.2.1.5 to preserve or enhance town character by requiring new and replacement signage which is compatible with the surroundings, appropriate to the type of activity to which it pertains, expressive of the identity of individual proprietors or of the community as a whole, and appropriately sized in its context.

6.2.2 Definitions. For the purposes of this section, the following terms shall be defined as indicated below. Although set forth here for convenience, the terms shall have the same effect as if set forth in Section 2.0 of this Bylaw.

- 6.2.2.1 **Awning Sign** A sign consisting of letters or graphics painted on, incorporated into, or affixed to any fixed or retractable device, of any material, which extends over or otherwise covers a sidewalk, courtyard, walkway, eating area, driveway or similar area or space.
- 6.2.2.2 **Banner** A sign, frequently constructed of fabric or other flexible material and frequently displayed on a pole or staff which can be freestanding or attached to a building or structure, and temporary in nature.
- 6.2.2.3 **Billboard** An off- premises sign which is either a freestanding sign larger than one hundred (100) square feet, or a wall sign covering more than fifteen percent (15%) of the area to which it is affixed.

- 6.2.2.4 Changeable Sign A sign whose wording, design, or appearance changes periodically, or whose illumination is not kept constant in intensity at all times or which exhibits changes in light, color, direction or animation.
- 6.2.2.5 Construction Sign An on-premises sign at a site under construction or to be developed to identify the contractor, architect, landscape architect and/or engineer's name, address and other pertinent information.
- 6.2.2.6 Development Identification Sign A sign or group of signs clustered together as a single compositional unit which identifies a development, and may also identify individual business establishments within that development.
- 6.2.2.7 Directional Sign A sign providing pedestrian and/or vehicular traffic instruction, and/or restrictions on the use of parking or travel areas. "No Parking", "One Way", "No Outlet", and "Do Not Enter" are examples of directional signs.
- 6.2.2.8 Directory Sign A listing and/or graphic representation of individual business establishments and other uses within a development or portion of a development.
- 6.2.2.9 Facade The exterior surface of a building wall facing a street or containing a public entrance, which corresponds to the height and width of the interior space owned or leased by the occupant of the building.
- 6.2.2.10 Flag A sign, frequently constructed of fabric or other flexible material and frequently displayed on a pole or staff which can be freestanding or attached to a building or structure, and temporary in nature. Official flags of governmental jurisdictions properly displayed and decorative flags on residences shall not be considered as signs for the purposes of this Section.
- 6.2.2.11 Freestanding Sign A sign structurally separate from a building or structure that is attached to or part of a self-supporting structure.
- 6.2.2.12 Historic Designation Sign A sign listing only the date of origin, historic name, original owner, or official historic designation of a historic building or structure.
- 6.2.2.13 Illuminated Sign A sign illuminated by electricity, or other artificial light including reflective or phosphorescent light and shall include the location of the source of illumination.
- 6.2.2.14 Internally Illuminated Sign A sign which utilizes translucent panels, canvas or other fabric, letters, devices or other similar components to create an image by allowing light to pass through.
- 6.2.2.15 Landmark Sign An older sign of artistic or historic merit, uniqueness or extraordinary significance to the Town as identified by the local Historical Commission.
- 6.2.2.16 Marquee Sign A sign painted on, or attached to, a sheltering structure of permanent construction projecting from and totally supported by the wall and/or the roof of a building.
- 6.2.2.17 Moveable Sign A sign capable of being readily moved or relocated, including portable signs mounted on a chassis and wheels or supported by legs, sandwich signs and A-frame signs.
- 6.2.2.18 Municipal Sign A sign installed by the Town.
- 6.2.2.19 Off-Premises Sign A sign that advertises, calls attention to or identifies an occupant of a premises, or the business transacted on a premises or advertises the property itself or any part thereof for sale or lease which is located elsewhere than the premises where the sign is maintained.
- 6.2.2.20 On-Premises Sign A sign that advertises, calls attention to or identifies an occupant of a premises on which the sign is maintained, or the business transacted on a premises or advertises the property itself or any part thereof as for sale or lease.

- 6.2.2.21 Open House Sign A temporary sign announcing an open house during which an agent or owner will show property for sale or lease.
- 6.2.2.22 Projecting Sign A sign consisting of letters or graphics which is attached to or suspended from a building or structure such that any part of said sign extends more than six (6) inches from the wall surface of that building or structure.
- 6.2.2.23 Real Estate Sign A temporary sign advertising property being sold or leased.
- 6.2.2.24 Roof Sign A sign erected, constructed and maintained wholly upon, connected to or over the roof, gutter line, top of wall coping or parapet of any building or structure.
- 6.2.2.25 Sign Any temporary or permanent lettering, word, numeral, billboard, pictorial representation, display, emblem, trademark, device, banner, pennant, insignia or other figure of similar character, located outdoors or visible outdoors, attached to, painted on, or in any other manner represented on a building or other structure, and which is used to announce, direct, attract, advertise or promote.
- 6.2.2.26 Special Events Sign A temporary sign that advertises a charitable, nonprofit or civic event.
- 6.2.2.27 Temporary Sign A sign that is used temporarily and is not permanently mounted. Posters, construction signs, seasonal business signs, real estate signs, yard sale signs, special event signs, banner signs, and open house signs are all considered to be temporary signs. Hand-held signs are excluded.
- 6.2.2.28 Video Media Display Any video display which is used to announce, direct, attract, advertise, or promote. Video media display shall not include displays used solely for the purpose of operating a device to conduct business on the premises, such as video display portions of ATM machines, gasoline dispensers, or vending machines.
- 6.2.2.29 Wall Sign A sign consisting of letters or graphics painted on, incorporated into, or affixed parallel to the wall of a building or structure and which extends not more than six (6) inches from the wall surface of that building or structure.
- 6.2.2.30 Way Finding Sign A sign providing instructions for circulation throughout a development, including direction to individual business establishments and parking areas related to said business establishments. “Retail Center Parking”, “Shuttle Bus Stop Ahead”, “Exit to Providence Highway”, “Additional Parking in Rear” are examples of way finding signs.
- 6.2.2.31 Window Sign A sign consisting of letters or graphics painted on, incorporated into, or affixed to either side of the glass surface of a window or door, or any interior sign designed to be visible from the exterior of a building or structure.
- 6.2.3 **Sign Permits.** No sign, including a temporary sign, shall be erected, displayed, altered or enlarged until a permit for such action has been issued by the Building Commissioner. Applications may be filed by the owner of the land, building or structure, or any person who has the authority to erect a sign on the premises. All applications shall include a scale drawing specifying dimensions, materials, illumination, letter sizes, color, support systems and location with all relevant measurements. The Building Commissioner shall act within thirty (30) days of receipt of such application and required fee. Sign permits shall be issued only if the Building Commissioner determines that the sign is in compliance with all provisions of this Section and the State Building Code. Notwithstanding the above, special event signs, historic designation signs, open house signs, real estate signs, and yard sale signs shall not require a sign permit.
- 6.2.4 **Signs Allowed in Residential Districts.** The following signs may be erected or maintained in Residential Districts provided such signs are in compliance with all conditions set forth in this Section: Wall signs and freestanding signs.
- 6.2.4.1 The maximum number of signs shall not exceed one sign for each lawful dwelling unit on the premises, indicating the name of the owner or occupant and/or the address of the building, plus one (1) additional sign pertaining to a permitted accessory use, plus one (1) additional historic sign.

- 6.2.4.2 The maximum area of each sign shall not exceed one (1) square foot, except municipal signs.
- 6.2.4.3 The sign surface shall be wood or synthetic material made to resemble wood. The supporting framework shall be wood or granite, or synthetic material made to resemble wood or granite.
- 6.2.4.4 Notwithstanding the above limitations on number and area of signs, municipal directional signs and parking restriction signs, of any size, shall be permitted, and all other directional signs and parking restriction signs shall be permitted as approved by the Building Commissioner.
- 6.2.5 **Signs Allowed in Local Business A (LBA) and Local Business B (LBB) Districts.** The following signs may be erected or maintained in Local Business A and Local Business B Districts, provided such signs are in compliance with all conditions set forth in this Section: Awning signs, directory signs, freestanding signs, marquee signs, projecting signs, wall signs and window signs.
- 6.2.5.1 The maximum number of signs shall not exceed the number of commercial establishments located on the premises, plus one (1) additional sign, plus one (1) additional historic sign.
- 6.2.5.2 The maximum area of one (1) sign associated with a commercial establishment shall not exceed seventy-five (75) square feet, and the maximum area of all other signs associated with that same commercial establishment shall not exceed twenty (20) square feet each.
- 6.2.5.3 The total square footage of all signs associated with any commercial establishment shall not exceed ten percent (10%) of the facade attributed to that commercial establishment.
- 6.2.5.4 The sign surface of any sign other than an awning sign shall be wood or synthetic material made to resemble wood. The supporting framework of any sign other than an awning sign shall be wood or granite, or synthetic material made to resemble wood or granite.
- 6.2.5.5 Notwithstanding the above limitations on number and area of signs, municipal directional signs and parking restriction signs, of any size, shall be permitted, and all other directional signs and parking restriction signs shall be permitted as approved by the Building Commissioner.
- 6.2.6 **Signs Allowed in Highway Business (HB), Industrial (I), Industrial Office (IO), and Administrative-Research-Office (ARO) Districts.** The following signs may be erected or maintained in Highway Business, Industrial, Industrial Office, and Administrative-Research-Office Districts, provided such signs are in compliance with all conditions set forth in this Section: Awning signs, development identification signs, directory signs, freestanding signs, marquee signs, projecting signs, wall signs, wayfinding signs, and window signs.
- 6.2.6.1 The maximum number of signs shall not exceed the number of commercial establishments located on the premises, plus one (1) additional sign.
- 6.2.6.2 The maximum area of one (1) sign associated with a commercial establishment shall not exceed one hundred (100) square feet, and the maximum area of all other signs associated with that same commercial establishment shall not exceed thirty (30) square feet each.
- 6.2.6.3 The total square footage of all signs associated with any commercial establishment shall not exceed fifteen percent (15%) of the facade attributed to that commercial establishment.
- 6.2.6.4 The sign surface and supporting framework shall be of a material in compliance with the applicable provisions of the Massachusetts State Building Code.
- 6.2.6.5 Notwithstanding the above limitations on number and area of signs, municipal directional signs and parking restriction signs, of any size, shall be permitted, and all other directional signs and parking restriction signs shall be permitted as approved by the Building Commissioner.
- 6.2.7 **Prohibited Signs.** The following signs shall be prohibited in all districts except as specified herein:

- 6.2.7.1 Billboards, roof signs, moveable signs, changeable signs, off-premises signs, including off-premises commercial directional signs; except that changeable municipal signs, shall be permitted in all districts.
- 6.2.7.2 Flags, buntings, balloons, streamers, pennants, banners, strings of lights, ribbons, spinners and other similar devices; except that temporary exhibition associated with the commemoration of national holidays, shall be permitted.
- 6.2.7.3 Signs advertising any defunct commercial establishment or organization, except landmark signs which may be preserved and maintained even if they no longer pertain to the present use of the premises.
- 6.2.7.4 Sign, other than traffic, regulatory or directional signs, which use the words “stop”, “caution”, or “danger”, or incorporate red, amber or green lights resembling traffic signals, or resemble universal “stop” or “yield” signs in shape and color.
- 6.2.7.5 Signs or sign structures projecting or extending over a public way, including a sidewalk.
- 6.2.8 **Dimensional Requirements.**
- 6.2.8.1 **Sign Area Requirements.** Maximum sign area requirements shall be as set forth in Sections 6.2.3 through 6.2.5. Sign area measurements shall be based upon the entire area of the sign, with a single continuous perimeter enclosing the extreme limits of the actual sign surface. For a sign painted on or applied to a building or structure, the area shall be considered to include all lettering, wording and accompanying designs or symbols together with any background of a different color than the natural color or finish material of the building or structure. For a sign consisting of individual letters or symbols attached to or painted on a surface, building wall or window, the area shall be considered to be that of the smallest rectangle, circle, oval or other simple straight-lined shape which encompasses all of the letters and symbols. The area of supporting framework, such as the brackets and posts, shall not be included in the area if such framework is incidental to the display. When a sign has two (2) or more faces, the area of all faces shall be included in determining the area, except where two (2) faces are placed back to back and are at no point more than two (2) feet from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.
- 6.2.8.2 **Sign Height Requirements.** No part of any sign, or light fixture illuminating said sign, shall be at a height greater than the maximum height permitted pursuant to Section 5.2 of this bylaw for the building or structure to which the sign pertains. No part of any sign, or light fixture illuminating said sign, shall be higher than the highest point of any building or structure on the same premises. In the case of a sign located on a lot where there is no other structure, no part of said sign, or light fixture illuminating said sign, shall exceed a height of ten (10) feet above ground.
- 6.2.8.3 **Sign Setback Requirements.** Signs exceeding one (1) square foot in area shall be set back at least fifteen (15) feet from the edge of roadway pavement, except for temporary signs which shall be set back at least ten (10) feet from the edge of roadway pavement, but in no case shall signs be placed within the public right-of-way without written permission from the Board of Selectmen. All signs shall meet side and rear setback requirements for accessory structures as set forth in Section 5.2 of this bylaw.
- 6.2.9 **Illumination and Movement.** Sign illumination and movement shall be prohibited except as specified herein.
- 6.2.9.1 **Illumination in Residential, Local Business and Administrative-Research-Office Districts.** Illumination of any sign within a Residential District, Local Business District, or Administrative-Research-Office District shall only be external illumination by properly shielded light fixtures, or by edge-lighting, or by halo lighting. Internal illumination shall not be permitted. In all cases illumination shall only be by steady white light. Notwithstanding the above, awning signs shall not be internally illuminated.

- 6.2.9.2 **Illumination in Highway Business, Industrial, and Industrial Office Districts.** Illumination of any sign within a Highway Business, Industrial, or Industrial Office District shall be external illumination by properly shielded light fixtures, or by edge-lighting, or by halo lighting, or internal illumination of only the lettering, wording or insignia portions of a sign. In all cases illumination shall only be by steady white light. Notwithstanding the above, awning signs shall not be internally illuminated.
- 6.2.9.3 **Prohibited Means of Illumination.** Illumination of signs by neon or external florescent lighting shall be prohibited in all districts. Changeable signs, variable lit signs, and variable message signs shall be prohibited in all districts, except that signs or portions of signs displaying time, date and/or temperature shall be permitted provided that such signs meet all other provisions of this section. Variable message municipal signs, used to provide public information, traffic or safety messages, shall be permitted in all districts.
- 6.2.9.4 **Prohibited Means of Sign Movement.** Movement of a sign body or any segment thereof, by rotation, revolution, up and down movement, or any other type of action involving a change of position of a sign body or segment thereof, whether caused by mechanical or other means, shall be prohibited in all districts.
- 6.2.9.5 **Video Media Display.** Video media display shall be permitted in Local Business and Highway Business Districts, only as follows:
- 6.2.9.5.1 No video media display shall be positioned so as to be visible from any public way, including any sidewalk, whether such display is located on the interior or exterior of a building or structure.
- 6.2.9.5.2 No more than four (4) video media displays shall be permitted on any property at one time.
- 6.2.9.5.3 No single video media display shall exceed one and one-half (1-1/2) square feet in area.
- 6.2.10 **Temporary Signs.** Temporary signs shall be prohibited except as specified herein.
- 6.2.10.1 **General Provisions for Temporary Signs.**
- 6.2.10.1.1 Temporary signs may only be installed with the permission of the property owner. Temporary signs to be placed on Town property require the prior written permission of the Town Administrator.
- 6.2.10.1.2 Temporary signs must be removed within the period of time specified herein.
- 6.2.10.1.3 Temporary signs shall not be attached to utility poles, fences, walls, trees or other vegetation, nor shall they be installed upon a sidewalk or public way.
- 6.2.10.1.4 No temporary signs shall exceed twenty (20) square feet in area, unless otherwise provided herein.
- 6.2.10.1.5 There shall no more than two (2) temporary signs installed on any premise at any one time.
- 6.2.10.1.6 No temporary sign shall be installed such that the highest point of said sign is more than three (3) feet above ground level, unless otherwise provided herein.
- 6.2.10.1.7 Temporary signs shall not be illuminated.
- 6.2.10.2 **Temporary Real Estate Signs.** A maximum of two (2) temporary real estate signs shall be permitted, where such signs may be maintained on a property listed for sale or lease during the period of such listing, and shall be removed by the owner or agent within thirty (30) days of

conveyance. Such signs shall advertise only the property on which the signs are located. Where permitted, temporary real estate signs shall be limited to the following maximum area requirements:

6.2.10.2.1 In Industrial and Industrial Office Districts such signs shall not exceed thirty-two (32) square feet; and shall not be installed such that the highest point of said sign is more than eight (8) feet above ground level.

6.2.10.2.2 In Highway Business and ARO Districts such signs shall not exceed twenty-four (24) square feet; and shall not be installed such that the highest point of said sign is more than six (6) feet above ground level.

6.2.10.2.3 In Local Business Districts such signs shall not exceed twelve (12) square feet; and shall not be installed such that the highest point of said sign is more than four (4) feet above ground level.

6.2.10.2.4 In Residential Districts such signs shall not exceed six (6) square feet and shall not be installed such that the highest point of said sign is more than three (3) feet above ground level.

6.2.10.3 **Temporary Construction Signs.** A maximum of two (2) temporary construction signs shall be permitted in non-residential districts only, where such signs may be maintained on a building or property undergoing construction during the period of construction, and for not more than thirty (30) days following the completion of said construction, but in no case longer than six (6) months, unless such period is extended in writing for good cause by the Building Commissioner. Where permitted, temporary construction signs shall be limited to the following maximum area requirements:

6.2.10.3.1 In Industrial and Industrial Office Districts such signs shall not exceed thirty-two (32) square feet; and shall not be installed such that the highest point of said sign is more than eight (8) feet above ground level.

6.2.10.3.2 In Highway Business and ARO Districts such signs shall not exceed twenty-four (24) square feet; and shall not be installed such that the highest point of said sign is more than six (6) feet above ground level.

6.2.10.3.3 In Local Business Districts such signs shall not exceed twelve (12) square feet; and shall not be installed such that the highest point of said sign is more than four (4) feet above ground level.

6.2.10.4 **Temporary Political Signs.** Temporary political signs shall be permitted in all Districts.

6.2.10.5 **Temporary Banners.** Temporary banners announcing charitable, nonprofit, or civic events, shall be permitted for a period of time not to exceed thirty (30) consecutive days prior to the event. All temporary banners shall be removed within ten (10) days after such event. Such banners may be erected across public ways with the prior written permission of the Town Administrator upon such terms and conditions as it shall determine, including size, location and design.

6.2.10.6 **Temporary Special Event Signs.** Temporary special events signs, including off-premises temporary special event signs, shall be permitted for a period of time not to exceed fourteen (14) consecutive days prior to the advertised event. All temporary signs shall be removed within two (2) days after such event.

6.2.10.7 **Open House Signs.** Open house signs, not exceeding six (6) square feet in area, shall be permitted only on the property which is for sale or lease, and/or at nearby intersections to guide potential buyers to that location, and shall only be permitted during the hours of the open house.

- 6.2.10.8 **Yard Sale Signs.** Yard sale signs, not exceeding six (6) square feet in area, shall be permitted only on the property engaged in the yard sale, and/or at nearby intersections to guide potential buyers to that location, and shall be removed within twenty-four (24) hours after the yard sale.
- 6.2.11 **Nonconforming Signs.**
- 6.2.11.1 Nonconforming signs and sign structures may continue to be maintained but shall not be reconstructed, remodeled, relocated, reworded or redesigned unless it is brought into conformity with all provisions of this Zoning Bylaw.
- 6.2.11.2 Nothing in this Section shall be deemed to prevent the repair and maintenance of a nonconforming sign including general maintenance, repainting and replacement of inoperative or deteriorated parts of the sign face. Supporting structures for nonconforming signs may be replaced, providing that such replacement brings the structure into more conformity as to height, setback and other requirements.
- 6.2.11.3 A nonconforming sign or sign structure which is destroyed or damaged by a casualty may be restored within six (6) months after such destruction or damage only after it is shown that the damage did not exceed fifty percent (50%) of the appraised value of the sign. If such sign or sign structure is destroyed or damaged to an extent exceeding fifty percent (50%), it shall be removed and shall not be reconstructed or replaced unless such action brings the sign and sign structure into conformity with all provisions of this Zoning Bylaw.
- 6.2.11.4 A nonconforming sign or sign structure shall be removed within thirty (30) days if the building or structure containing the use to which the sign is accessory is demolished or destroyed to an extent exceeding fifty percent (50%) of the appraised value of the building.
- 6.2.12 **Sign Materials and Maintenance.** Signs shall be manufactured using industry standard materials that are consistent with a high quality project. Structurally necessary brackets, posts or other supports may be visible if compatible with the appearance of the sign they support. Conduit, tubing, raceways, conductors, transformers and similar equipment shall be concealed from view, to the greatest practical extent. All signs and support structures shall be kept in good repair and shall be painted or cleaned as often as necessary to maintain a clean, neat, safe and orderly appearance. The Building Commissioner may order the repair of a sign that is not secure, safe or in good state of repair by written notice to the owner. If the defect in the sign is not corrected within thirty (30) days of said written notice, the Building Commissioner may order the removal of the sign or impose fines as specified pursuant to Section 10.1, Execution and Enforcement.
- 6.2.13 **Sign Removal.** Any sign which has been ordered removed by the Building Commissioner or which is abandoned or discontinued, shall be removed by the person, firm or corporation responsible for the sign within thirty (30) days of the written notice.
- 6.2.14 **Special Permit.** The Board of Appeals may grant a special permit for a sign that does not comply with sign area, height, or setback requirements set forth herein, or which exceeds the maximum permitted number of signs permitted, provided that said sign is otherwise in compliance with all other provisions of this section, and provided further that the Board of Appeals makes the following findings:
- 6.2.14.1 Applicant has adequately demonstrated that compliance with the provisions of this Section will be an undue hardship.
- 6.2.14.2 Sign scale is determined to be in reasonable relation to the scale of the building or structure and the sizes of signs on nearby structures.
- 6.2.14.3 Sign size, shape and placement serves to define or enhance architectural elements of the building or structure such as columns, sill lines, cornices and roof edges.
- 6.2.14.4 Sign design is harmonious with other signage on the same or adjacent structures and provides reasonable continuity in mounting location and height, proportions and materials.
- 6.2.14.5 Sign materials, colors, lettering style, illumination and form are reasonably compatible with

building design, and surrounding neighborhood.

- 6.2.14.6 Sign size, location, design and illumination do not present a safety hazard to vehicular or pedestrian traffic.

ARTICLE 28

The Finance and Warrant Commission recommended and the town voted unanimously to approve certain amendments to the Westwood Zoning Bylaw, Section 2.0 [Definitions], Subsections 2.54 [Floor Area, Net] and 2.55 [Floor Area Ratio (FAR)] as set forth below:

- 1) Amend Section 2.55 [Floor Area Ratio (FAR)] to read as follows:

2.55 Floor Area Ratio (FAR) The gross floor area of a building, less all floor area of said building attributed to entrance areas, atriiums and parking garages, divided by the total gross lot area of the parcel on which it is located. For example, a one acre lot with a FAR of .75 could contain 32,670 square feet of floor area (43,560 x .75=32,670), plus such additional area as may be attributed to entrance areas, atriiums or parking garages.

ARTICLE 29

The Finance and Warrant Commission recommended Indefinite Postponement and the town voted by a majority in favor of Indefinite Postponement to approve certain amendments to the Westwood Zoning Bylaw, Section 7.3 [Environmental Impact and Design Review (EIDR)], Subsection 7.3.3 [Exempt Uses], Subsection 7.3.6 [Submittal Requirements], and Subsection 7.3.13 [Appeal], as set forth below:

- 1) Amend Section 7.3.3 [Exempt Uses] to read as follows:

7.3.3 **Exempt Uses.** Mandatory review of uses for which M.G.L. Chapter 40A, Section 3 provides certain exemptions from zoning restrictions shall be limited consistent with those statutory provisions, and on other matters shall be advisory only. For all uses exempt under M.G.L. Chapter 40A, Section 3, the Planning Board shall make determinations of compliance with dimensional and parking requirements of this bylaw, including requirements related to setbacks, building height, building coverage, impervious surface, parking and circulation, buffers, screening, landscape, lighting, and stormwater management. Application and review procedures for such uses shall be the same as for others, except that the Planning Board shall waive the requirement of any submittals which are unnecessary for the Planning Board's regulatory determinations.

- 2) Amend Section 7.3.6 [Submittal Requirements] by adding a new Subsection 7.3.6.1.9 to read as follows:

7.3.6.1.9 Location and description of any proposed disturbance to existing vegetation, or alteration of natural or historic features, which are proposed in relation to temporary access, utility installation, or other aspects of construction, including provisions for site restoration.

- 3) Delete Section 7.3.13 [Appeal] in its entirety and replace it with the following:

7.3.13 **Appeal.** Any decision of the Planning Board pursuant to this Section shall be appealed within twenty (20) days of the date of issuance of the decision. Such appeal shall be filed in Norfolk County Superior Court, and any proceedings pursuant to such appeal shall be limited to the record before the Planning Board.

ARTICLE 30

The Finance and Warrant Commission recommended and the town voted unanimously to approve certain amendments to the Westwood Zoning Bylaw Section 4.1 [Principal Uses], Subsection 4.1.1 [General], as set forth below:

- 1) Amend Section 4.1.1 [General] to read as follows:

4.1.1 **General.** No building or structure shall be constructed, and no building, structure or land shall be used, in whole or in part, for any purpose other than for one or more of the uses herein set forth as permitted in the district in which said building, structure or land is located, or set forth as permissible by special permit in said district, and so authorized. In the case of lots lying partly within the Industrial District or Highway Business District of the Town of Westwood and partly within another abutting municipality, that portion of the lot lying outside of the Town of Westwood may be used to meet the zoning requirements of this Bylaw, and such lot may have effective access

through such abutting municipality. However, in all other cases, no building or structure shall be constructed or used on a lot lying only partly within the Town of Westwood unless the Westwood portion of the lot shall meet the zoning requirements herein set forth, and the lot shall have effective access to the Town of Westwood. There shall be no more than one non-agricultural principal use for each lot in a Residential District, except as may otherwise be provided herein.

ARTICLE 31

The Finance and Warrant Commission recommended Indefinite Postponement. A motion to reconsider Indefinite Postponement from the floor was made with the Town voting 62 YES, 102 NO, defeating Indefinite Postponement. The article was then voted on, 106 YES to 56 NO and the 2/3 vote that was required was not achieved thus failing, to approve certain amendments to the Westwood Zoning Bylaw and Official Zoning Map, including amendments related to proposed revisions to the existing bylaw Section 9.4 [Wireless Communication Overlay District (WCOD)], including the following:

- 1) Replace the existing Section 9.4 [Wireless Communication Overlay District (WCOD)] with a new Section 9.4 [Wireless Communication Overlay District (WCOD)] to read as follows:

9.4 WIRELESS COMMUNICATION OVERLAY DISTRICT (WCOD)

9.4.1 **Purpose.** The purpose of the Wireless Communication Overlay District (WCOD) is to permit and regulate the use of wireless communication facilities within the Town and to encourage their location and use in a manner which minimizes negative visual and environmental impacts. It is intended that this Section be in compliance with the Federal Telecommunications Act of 1996 in that the requirements of this section: (i) do not prohibit or have the effect of prohibiting the provision of wireless communication services; (ii) are not intended to discriminate unreasonably among providers of functionally equivalent services; and (iii) do not regulate wireless communication services on the basis of environmental effect of radio frequency emissions to the extent that the regulated services and facilities comply with the FCC's regulations concerning emissions. This Section does not apply to the construction or use of an antenna structure by a federally licensed amateur radio operator, as exempted by M.G.L. Chapter 40A, Section 3.

9.4.2 **Location.** Two distinct Wireless Communication Overlay Districts - WCOD 1 and WCOD2 - are herein established as overlay districts as shown on the Official Zoning Map and as described herein:

9.4.2.1 **WCOD 1:** WCOD 1 shall comprise all land within the following zoning districts:

Administrative-Research-Office (ARO)
Highway Business (HB)
Industrial (I)
Industrial-Office (IO)

and also the following specific parcels, or discreet portions of parcels, as shown on the Westwood Board of Assessors' Map, as of January 1, 2012:

Parcel 14-046 (High Street Fire Station);
Parcel 14-072 (Police Station);
Parcel 14-094 (Deerfield School);
Parcel 16-005 (Hanlon School);
Parcel 21-048 (Westwood High School);
Parcel 21-047 (Thurston Middle School);
Parcel 20-072 (New Westwood Cemetery);
Parcel 23-215 (Islington Fire Station and Morrison Field);
Parcel 24-135 (Downey School);
Parcel 28-077 (Sheehan School);
Parcel 28-059 (Buckmaster Pond, former quarry parcel only);
Parcel 28-078 (Sheehan Athletic Fields);
Parcel 35-089 (Martha Jones School); and
That abandoned portion of public right-of-way which extends from the intersection of Grove Street and Country Club Road to Route 128.

9.4.2.2 **WCOD 2:** WCOD 2 shall comprise the following specific parcels, or discreet portions of parcels, as shown on the Westwood Board of Assessors' Map, as of January 1, 2012:

Parcel 04-001 (Hale Reservation, limited to existing utility easement);
Parcel 09-065 (Dedham-Westwood Water District water towers);
Parcel 14-071 (Town Hall);
Parcel 14-079 (Westwood Public Library);
Parcel 14-181 (Colburn School Building);
Parcel 14-096 (St. John's Episcopal Church);
Parcel 14-140 (First Baptist Church);
Parcel 16-250 (First Evangelical Free Church);
Parcel 16-238 (St. Denis Church);
Parcel 21-044 (St. Margaret Mary Church);
Parcel 21-050 (First Parish of Westwood United Church);
Parcel 21-064 (First Parish of Westwood United Church);
Parcel 23-189 (Islington Community Center); and
Parcel 28-329 (Temple Beth David).

9.4.3 **Definitions.** For the purposes of this Section, the following definitions shall apply:

9.4.3.1 **Wireless communication facility.** Any tower, pole, antenna, receiving or transmitting equipment of any kind, and any equipment or structure related to wireless communication activities such as cellular telephone service, personal communication service (PCS), enhanced specialized mobile radio service, paging, light radio, and any other functionally equivalent service, including access ways, screening materials and landscaping associated with said facility.

9.4.3.2 **Minor wireless communication facility.** A wireless communication facility for which all components are located fully within an existing building or structure, or fully within an addition to an existing building which is approved pursuant to a WCOD Special Permit, and are not visible from the exterior of said building or structure, or for which any components located outside of an existing building or structure are less than ten (10) feet in height.

9.4.3.3 **Major wireless communication facility.** A wireless communication facility not meeting the limitations specified for a Minor wireless communication facility.

9.4.4 **Permitted Uses.** Except as otherwise provided herein and subject to the provisions of this Bylaw applicable to the underlying district, land and buildings in a WCOD may be used for any purpose permitted as of right or by special permit in the underlying district. Major wireless communication facilities shall only be permitted within the WCOD 1 overlay district, except that a major wireless communication facility may be permitted within the WCOD 2 only upon a determination by the Planning Board that the location of the proposed facility would provide adequate screening and buffering such that the proposed facility would not be detrimental to the Town or to the general character or visual appearance of the surrounding neighborhood or abutting uses, and would be consistent with the intent of the Bylaw. Minor wireless communication facilities may be permitted in either the WCOD 1 or the WCOD 2 overlay district. Wireless communication facilities, whether Major or Minor, shall not be permitted outside the boundaries of a WCOD.

9.4.5 **Permits Required.**

9.4.5.1 Minor wireless communication facilities to be located entirely within the interior of an existing building or structure, not visible from the exterior, and not involving a change to the exterior size or appearance of the building or structure, shall be a permitted use in a WCOD1 or WCOD2, provided that the wireless communication facility complies with FCC standards for radio frequency emissions and receives a building permit from the Building Inspector.

9.4.5.2 Minor wireless communication facilities to be located outside of an existing building or structure, or to be attached to an existing communication facility, utility transmission tower or pole, water tower or related facility, shall be a permitted use in a WCOD1 or WCOD2, provided that the wireless communication facility is no more than ten (10) feet in height, adds no more than ten (10) feet in height to the building or structure, and receives A WCOD EIDR Approval pursuant to this section and Section 7.3 of this bylaw.

9.4.5.3 Minor wireless communication facilities to be located entirely within the interior of an addition to an existing building, which addition is approved pursuant to a WCOD Special Permit, and which facilities are

not visible from the exterior, may be permitted in WCOD1 or WCOD2 only upon the issuance of a WCOD Special Permit from the Planning Board in compliance with the provisions of this section.

9.4.5.4 Major wireless communication facilities may be permitted only in WCOD 1, or in WCOD 2 only pursuant to the exception noted in Section 9.4.4, and only upon the issuance of a WCOD Special Permit from the Planning Board in compliance with the provisions of this section.

9.4.6 **Application and Submittal Requirements.** An application for a WCOD Special Permit or WCOD EIDR Approval shall be filed in accordance with the Planning Board’s Rules and Regulations for Wireless Communication Overlay District Special Permits, and shall include the following, except to the extent waived by the Planning Board:

9.4.6.1 Locus map at a scale of 1”:200’ which shall show all streets, landscape features, dwellings units and all other structures within five hundred (500) feet of the proposed wireless communication facility.

9.4.6.2 Site plan prepared by a Registered Professional Engineer at a scale of 1”:40’ which shall show the following information:

9.4.6.2.1 Location, size and height of the wireless communication facility, including the location, size and height of all accessory structures and equipment.

9.4.6.2.2 Property boundaries of the site.

9.4.6.2.3 Topographical site information, including existing and proposed elevations.

9.4.6.2.4 Fencing, landscaping, lighting and signage.

9.4.6.2.5 Areas to be cleared of vegetation and trees.

9.4.6.2.6 Location and identification of all existing buildings, structures and uses of land located on the site.

9.4.6.2.7 Location and identification of all existing buildings, structures and uses of land located within three hundred (300) feet of the property boundaries of the site.

9.4.6.3 Profile or elevation drawings to illustrate the view lines from the wireless communication facility to all nearby residences and public areas.

9.4.6.4 Color photograph or computerized rendition of the wireless communication facility and its components and accessory structures. For a Major wireless communication facility, a rendition shall also be prepared to illustrate the view lines from all neighboring streets.

9.4.6.5 Description of the wireless communication facility and the technical, economic and other reasons for the proposed location, height and design.

9.4.6.6 Visual representation of the area of solid Radiofrequency Radiation (RFR) coverage and the area of marginal RFR coverage of the wireless communication facility, existing and proposed.

9.4.6.7 Confirmation that the wireless communication facility complies with all applicable federal and state standards, regulations, statutes and other requirements. This shall include, if applicable, a written statement that the wireless communication facility is in compliance with, or is exempt from, applicable regulations administered by the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission and the Massachusetts Department of Public Health.

9.4.6.8 A description of the wireless communication facility’s capacity, including the number and type of panels, antennas and/or transmitter receivers that it can accommodate and the basis for these calculations.

9.4.6.9 Documentation that the Applicant has the legal right to install and use the wireless communication facility.

9.4.6.10 After the submittal of an application, the Planning Board may require that the Applicant perform a “balloon test” or other test in the field sufficient to illustrate the proposed height and location of the wireless communication facility in relation to the surrounding area.

9.4.7 **Development Standards.**

9.4.7.1 An Applicant proposing a wireless communication facility must demonstrate to the satisfaction of the Planning Board that the visual and aesthetic impacts of the wireless communication facility on nearby properties will be minimal. The Applicant must also demonstrate that the facility must be located at the

proposed site due to technical, topographical or other unique circumstances, and that no reasonable combination of locations, techniques or technologies will mitigate the height or visual impact of the proposed wireless communication facility.

- 9.4.7.2 Co-location of wireless communication facilities is encouraged. To the extent possible, wireless communication facilities shall be located in or on existing buildings or structures, including, but not limited to, buildings, communication facilities, utility transmission towers or poles, water towers, and related facilities, provided that such installation preserves the character and integrity of these buildings or structures. The Applicant shall have the burden of demonstrating to the satisfaction of the Planning Board that a good faith effort has been made to co-locate on an existing building or structure, or on an existing Major or Minor wireless communication facility, that there are no feasible existing buildings or structures upon which to locate, and that no reasonable combination of locations, techniques or technologies will obviate the need for the proposed wireless communication facility.
- 9.4.7.3 Major wireless communication facilities shall be designed and constructed to accommodate the maximum number of presently interested users that is technologically practical. In addition, if the number of proposed users is less than four, the applicant shall provide a plan showing how the proposed tower can be expanded to accommodate up to four users. In the event that the Planning Board finds that co-location is preferable, the applicant must agree to allow co-location pursuant to commercially reasonable terms to additional users.
- 9.4.7.4 Antenna support structures shall be buildings or monopoles. Where appropriate to the surrounding area, at the sole discretion of the Planning Board, monopoles shall be disguised as flag poles or trees.
- 9.4.7.5 The highest point of a Major wireless communication facility, including its antenna support structure and any component thereof or attachment thereto, shall not exceed one hundred (100) feet above ground level.
- 9.4.7.6 The maximum diameter or width of any Major wireless communication facility antenna support system shall be no more than three (3) feet.
- 9.4.7.7 All Major wireless communication facilities is shall be setback from all property lines abutting any public way, including any sidewalk, a distance one hundred percent (100%) of the height of the highest point of the wireless communication facility, except that this setback requirement may be reduced, at the sole discretion of the Planning Board, to allow the integration of a wireless communication facility into an existing or proposed building or structure.
- 9.4.7.8 No Major wireless communication facility shall be constructed within a distance equal to one hundred percent (100%) of the height of the highest point of the wireless communication facility from any existing residential dwelling or any proposed dwelling for which a building permit or subdivision approval has been issued. However, this regulation shall not prohibit the later development of any residential dwelling within said distance from an existing wireless communication facility.
- 9.4.7.9 All equipment enclosures and other improvements included within a wireless communication facility shall be architecturally designed to blend in with the surrounding environment and shall be maintained in good appearance and repair.
- 9.4.7.10 Fencing shall be provided to control access to the base of a Major wireless communication facility. The fencing shall be compatible with the scenic character of the Town, as determined by the Planning Board, and shall not consist of barbed wire or razor wire.
- 9.4.7.11 All exterior wireless communication facilities shall be painted, colored, molded, installed or otherwise screened to minimize their visibility to abutters, adjacent streets, views from scenic roads, and residential neighborhoods. Ground mounted equipment shall be screened from view by suitable vegetation, except where a design of non-vegetative screening better reflects and complements the architectural character of the surrounding neighborhood. Existing on-site vegetation shall be preserved to the maximum extent feasible.
- 9.4.7.12 All antennas on a Major wireless communication facility shall be single unit cross-polar antennas. Antennas shall be designed and mounted in such a manner as to present the smallest possible silhouette, profile, or cross-section.
- 9.4.7.13 Wireless communication facilities shall not be lighted unless required by the Federal Aviation Administration (FAA), or unless after consultation with the Police and Fire Chiefs, the Planning Board requires such lighting for public safety reasons.
- 9.4.7.14 Wireless communication facilities shall not interfere with nor have any negative effect on the Town's emergency radio communications.
- 9.4.7.15 Signs posted for advertisement or any other reasons shall not be allowed on or in the vicinity of a Major wireless communication facility, with the exception of one (1) sign not exceeding four (4) square feet in area at the facility which shall display the name and telephone number of the person and company responsible for the maintenance of the facility. The signage shall also display a 'No Trespassing' warning.

- 9.4.8 **Decision.** A WCOD Special Permit or WCOD EIDR Approval shall only be granted upon the determination of the Planning Board that the application meets the objectives cited herein. The Planning Board may impose reasonable conditions at the expense of the Applicant, including performance guarantees, to promote these objectives. Prior to the issuance of any WCOD Special Permit or WCOD EIDR Approval, the Planning Board shall make positive findings that:
- 9.4.8.1 The Applicant has demonstrated to the satisfaction of the Planning Board that there exists a significant gap in coverage and that said gap would be sufficiently reduced or eliminated by the proposed wireless communication facility.
- 9.4.8.2 The Applicant has demonstrated to the satisfaction of the Planning Board that the wireless communication facility must be located at the proposed site due to technical, topographical or other unique circumstances, in order to satisfy a demonstrated gap in coverage.
- 9.4.8.3 The Applicant has demonstrated to the satisfaction of the Planning Board that the visual and aesthetic impacts of the wireless communication facility on nearby properties will be minimal, and that no reasonable combination of locations, techniques or technologies will mitigate the height or visual impact of the proposed wireless communication facility.
- 9.4.8.4 The Applicant has demonstrated, in any case where a major wireless communication facility is permitted within WCOD 2 pursuant to Section 9.4.4, that the location of the proposed facility would provide adequate screening and buffering such that the proposed facility would not be detrimental to the Town or to the general character or visual appearance of the surrounding neighborhood or abutting uses, and would be consistent with the intent of the Bylaw.
- 9.4.8.5 The wireless communication facility will have no significant adverse impact on the town and surrounding residential properties.
- 9.4.9 **Discontinuance of Use.** A wireless communication facility, and all accessory equipment, shall be removed within six (6) months of abandonment or discontinuation of use. As a condition of any special permit for the placement, construction or modification of a Major wireless communication facility, the Applicant shall provide a bond, in a form acceptable to the Town, or shall place into escrow a sum of money sufficient to cover the costs of removing the facility from the subject property and said funds shall be held by an independent escrow agent to be appointed by the Applicant and the Planning Board. The amount of the surety shall be certified by a Registered Professional Engineer or Registered Professional Architect. The Applicant shall authorize and, as necessary, shall provide the authorization of the owner of the property to allow the Town or the escrow agent to enter upon the subject property to remove the facility when the facility has been abandoned or discontinued.
- 9.4.10 **Pre-existing Non-conforming Facilities.** Any wireless telecommunication facility legally in existence on the date of enactment of this section which does not comply in all respects with these provisions shall be deemed a pre-existing non-conforming use. Such wireless communication facilities may be renewed after a public meeting of the Planning Board. Non-conforming Major wireless communication facilities may be reconstructed, expanded and/or altered pursuant to the issuance of a WCOD Special Permit from the Planning Board in compliance with the applicable provisions of this section. A Minor wireless communication facility associated with a Major wireless communication facility may be granted WCOD-EIDR Approval in compliance with the applicable provisions of this section.
- 9.4.11 **Time Limitation.** A special permit issued for a Major wireless communication facility over fifty (50) feet in height shall be valid for a period of five (5) years. At the end of this time period, the Major wireless communication facility shall be removed at the Applicant's expense unless the Applicant receives approval from the Planning Board to renew the WCOD Special Permit for an additional five (5) years.

ARTICLE 32

The Finance and Warrant Commission recommended and the town voted unanimously to approve certain housekeeping amendments, including the following:

- 1) Replace the words "Subsections 4.4.1 through 4.4.2" in the title portion of Section 4.3.3.11 with the words "Section 4.4.1", so that the revised title portion of Section 4.3.3.11 reads as follows:

4.3.3.11 The use by a resident builder, carpenter, painter, plumber or other artisan for incidental work and storage in connection with this off-premise trade, subject to the conditions in Section 4.4.1.
- 2) Replace the words "Subsections 4.4.3 through 4.4.9" in the title portion of Section 4.3.3.12 with the words "Section 4.4.2", so that the revised title portion of Section 4.3.3.12 reads as follows:

- 4.3.3.12 Accessory apartment consisting of a second dwelling unit located within a detached one-family dwelling, or a building accessory thereto, subject to the conditions in Section 4.4.2.

- 3) Replace the words “Building Inspector” with the words “Building Commissioner” wherever they appear in the bylaw.

A motion was then made to reconsider article 31 at which time two residents doubted the presence of a quorum. A standing count of all registered voters still remaining was conducted. One hundred and thirty-nine (139) were still present thus lacking the number of registered voters necessary to constitute a quorum which is one hundred and seventy-five (175) per town by-laws §138-12. The Moderator then adjourned the meeting until the following evening, Tuesday, May 8, 2012 at 7:30p.m. in the High School Auditorium.

ARTICLE 33

The Finance and Warrant Commission recommended and the town voted unanimously to approve certain amendments to the Westwood Zoning Bylaw and Official Zoning Map, including amendments to Section 9.2 [Flood Area Overlay District (FAOD)], including the following:

- 1) Amend Section 9.2 [Flood Area Overlay District (FAOD)] to replace all references to the Flood Insurance Rate Map, effective as of June 17, 2002, with references to the Flood Insurance Rate Map, effective as of July 17, 2012, and revise terminology for consistency with that used in new maps, so that the amended Subsection 9.2 reads as follows:

9.2 FLOOD AREA OVERLAY DISTRICT (FAOD)

9.2.1 **Purpose.** The purpose of the Flood Area Overlay District (FAOD) is to reduce flood losses, to preserve and maintain the ground water table, to protect the public health and safety of persons and property against hazards of flood water inundation and to limit and control the development of flood prone areas.

9.2.2 **Location.** The FAOD is herein established as an overlay district. The FAOD includes all Special Flood Hazard Areas, designated as Zone A and AE as set forth on the Norfolk County Flood Insurance Rate Map (FIRM), issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program, including map panels 25021C0038E, 25021C0039E, 25021C0159E, 25021C0176E, 25021C0177E, 25021C0178E, 25021C0179E, 25021C0181E, 25021C0183E, 25021C0184E, and 25021C0186E, effective as of July 17, 2012. The exact boundaries of the FAOD are defined by the one percent (1%) annual chance base flood elevations shown on the FIRM and further defined by the Norfolk County Flood Insurance Study (FIS) report dated July 17, 2012. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Board of Health and Building Inspector.

9.2.3 **Permitted Uses.** Except as otherwise provided herein and subject to the provisions of this Bylaw applicable to the underlying district, land and buildings in the FAOD may be used for any purpose permitted as of right or by special permit in the underlying district.

9.2.4 **Development Standards.** The following development standards shall apply within the FAOD:

9.2.4.1 All development in the district, including structural and non-structural activities, whether permitted by right or by special permit, must be in compliance with:

- a. Chapter 131, Section 40 of the Massachusetts General Laws, as amended from time to time;
- b. Sections of the Massachusetts State Building Code addressing floodplain and coastal high hazard areas, under 780 CMR, as amended from time to time;
- c. Wetlands Protection Regulations promulgated by the Massachusetts Department of Environmental Protection (MA-DEP), under 310 CMR 10.00, as amended from time to time;
- d. Inland Wetlands Restrictions promulgated by MA-DEP, under 310 CMR 13.00, as amended from time to time; and
- e. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, promulgated by MA-DEP under 310 CMR 15, Title 5.

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

9.2.4.2 In Zone AE, along watercourses that have a regulatory floodway designated on the FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

9.2.4.3 In Zones A and AE, along watercourses that have no designated regulatory floodway, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in

floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

9.2.4.4 New construction or substantial improvement of residential structures within the FAOD shall have the lowest floor (including basement) elevated to or above the one percent (1%) annual chance flood level as shown on the FIRM. Nonresidential structures within the FAOD shall either be similarly elevated or, together with attendant utility and sanitary facilities, be watertight flood-proofed to or above the one percent (1%) annual chance flood level. Substantial improvement shall include any repair, construction or alteration costing fifty percent (50%) or more of the actual cash value of the structure before improvement or, if damaged, before damage occurred.

9.2.4.5 Where watertight flood-proofing of a structure is permitted, a Registered Professional Engineer or Registered Professional Architect shall certify to the Building Inspector that the methods used are adequate to withstand the flood depths, pressures and velocities, impact and uplift forces and other factors associated with the one percent (1%) annual chance flood level. In all events, construction shall conform with the minimum standards of the Massachusetts State Building Code. The Building Inspector shall obtain and maintain records of elevation and flood-proofing for new construction or substantial improvements to existing sites and these certificates shall be maintained for a permanent record by the Building Inspector.

9.2.4.6 Base flood elevation data shall be required for developments involving more than 5 acres or more than 50 lots, within unnumbered A zones.

9.2.5 **Exemption by Special Permit.** The Board of Appeals may by special permit exempt from the requirements of this Section any structures within the FAOD which would be functionally impaired by such measures, which would require waterside location, and which are not used for sustained human occupancy; provided that the Board of Appeals finds that such structures do not substantially derogate from the purposes herein.

9.2.6 **Notification of Watercourse Alteration.** The Town Engineer shall notify adjacent communities, the National Flood Insurance Program (NFIP) State Coordinator, and the NFIP Program Specialist, of any alteration or relocation of a watercourse.

2) Amend the Official Zoning Map to properly reflect by reference the delineations of all Special Flood Hazard Areas designated as Zone A and AE as set forth on the Flood Insurance Rate Map, effective as of July 17, 2012.

ARTICLE 34

The Finance and Warrant Commission recommended and the town voted unanimously to amend the Code of the Town of Westwood by adding a new Chapter 310 Lodging Facilities as follows:

Lodging Facilities

§ 310 – 1 Definitions

HOTEL - any building used for the feeding and lodging of guests licensed or required to be licensed under the provisions of section six of chapter one hundred and forty.

LODGING HOUSE - a house where lodgings are let to four or more persons not within the second degree of kindred to the person conducting it, licensed or required to be licensed under Massachusetts General Laws section twenty-three of chapter one hundred and forty.

MOTEL - any building or portion thereof, other than a hotel or lodging house, in which persons are lodged for hire with or without meals and which is licensed or required to be licensed under the provisions of Massachusetts General Laws, section thirty-two B of chapter one hundred and forty, or is a private club.

LODGING FACILITY – shall refer to any Hotel, Lodging House or Motel as defined above.

LODGER - any person residing in a rooming unit, including any person listed on the register or rental agreement.

ROOMING UNIT - The room or group of rooms let to an individual for use as living and sleeping quarters.

LICENSEE - The person(s) or entity listed on the license and the owner of the land and building where the facility is operated.

§ 310-2 Responsibilities of the Licensee

The licensee shall be responsible for the proper supervision, operation and maintenance of the lodging facility in accordance with the requirements of this Bylaw and all other pertinent State laws, regulations and other Town By-laws. The appointment of an agent shall in no way relieve the licensee from responsibility for full compliance with all of the foregoing laws and regulations.

§ 310-3 Agents

If the licensee is unable to exercise proper supervision of the premises, the licensee shall designate one or more agents to carry out all or part of its responsibilities. The owner of any such lodging facility having twelve (12) or more units shall be required to have an agent present on the premises at all times. Upon recommendation of the Chief of Police, for reasons of public safety, the Board of Selectmen may require the owner of a facility having fewer than twelve (12) units to have an agent present on premises at all times. Based on the qualifications of the agent(s) designated and the extent of their responsibilities, The Board of Selectmen may require more than one agent be provided. If, for any reason, an agent ceases to exercise his or her responsibilities, the licensee shall at once notify the Board of Selectmen and take immediate steps to provide proper interim supervision and obtain a suitable replacement.

The agent(s) shall be available on a 24-hour basis and the telephone number for the on duty agent must be posted in a conspicuous place inside each rooming unit or in a public area in the lodging facility office. The licensee must provide to the Board of Selectmen a list of all agents including land line and cell phone contact information. The Selectmen's Office will provide the contact information to the Police, Fire, Health and Building Departments.

§ 310-4 Registers and Card Files

The licensee of every lodging facility shall keep or cause to be kept, in a permanent form, a register. Such register shall contain the name and residence (or last residence for a person with no current residence) of every person engaging or occupying a private room together with a true and accurate record of the room assigned to such person and the day and hour of check-in and checkout. The entry of the name(s) of the person(s) engaging a room shall be made by said person(s). Until the entry of such name(s) and the record of the room have been made, no one shall be allowed to occupy any room.

In addition, each licensee shall keep or cause to be kept a card file or database containing current information on each lodger including full name, date and time of registration, room number, address, registration number, state of registration and make of automobile. To ensure compliance with this section, the licensee or agent will require proof of identification of the lodger. Acceptable identification will include a government issued photo identification showing the true name and date of birth of the holder. A photocopy of the identification will be maintained with the register card. These cards should be kept for a minimum of one year after departure of the lodger. The register and card file required by this section shall be available for inspection at all times by the Board of Selectmen, the Building Commissioner, the Health Director or any of their agents or any officer of the Westwood Police Department.

§ 310-5 Providing False information

No person renting a room shall give a wrong or false name or address or any fictitious information pertaining to his or her identity. No licensee or agent shall knowingly permit the entry of any wrong or false information into the records described in § 310-4. Any police officer taking cognizance of any such violation may request the offender to state his or her true name and address. Whoever, upon such a request, refuses to state his or her name or address, or states a false name or address, or a name or address which is not his or her name or address in ordinary use, may be arrested by a police officer without a warrant.

§ 310-6 Letting Rooms to Minors Prohibited

No licensee shall let a room to any person under the age of 18, knowing or having reason to believe him or her to be such.

§ 310-7 Training

All licensees and agents of each lodging facility shall complete a one-time training conducted by the Westwood Police Department along with representatives from the Town's Health, Building and Fire Departments. This instructional program will cover the requirements and expectations of the Town's lodging facility regulations and any other laws or regulations as the participating Town officials deem necessary for the safe and proper operation of the lodging facility. Any newly designated licensee or agent shall be required to complete the training program within thirty (30) days of his or her designation. The Westwood Police Department will submit a list of persons completing the training program to the Board of Selectmen. Failure to comply with the training requirement may result in revocation of the license at the discretion of the Board of Selectmen.

§ 310-7 Severability

The provisions of this Chapter are severable, and, if any, of its provisions shall be held unconstitutional or invalid by any court of competent jurisdiction, the decision of said court shall not affect any of the remaining provisions.

§ 310-8 Penalties

Any violation of § 310-3 through § 310-4 shall be punished by a fine of one hundred dollars (\$100) for the first offense and three hundred dollars (\$300) for any subsequent offense in any calendar year.

Any violation of § 310-5 through § 310-6 shall be punished by a fine of three hundred dollars (\$300).

ARTICLE 35

The Finance and Warrant Commission recommended and the town voted unanimously to amend The Code of the Town of Westwood, Part II General Legislation by deleting therefrom Part II, General Legislation Chapter 338 in its entirety and substituting therefore the following:

Soliciting and Canvassing

§ 338-1. Title.

This chapter shall be known as the “Door-to –Door Solicitation Law of the Town of Westwood.”

§ 338-2. This chapter is intended to regulate door-to-door sales by licensing sales agents; establishing a No Solicitation List; and promulgating reasonable time and manner restrictions on door-to-door solicitation, including enforcement of the No Solicitation List.

§ 338-3. Definitions.

The following words and phrases shall have the following meanings:

SALES PERSON- any person engaged in door-to-door sales of goods or services for present or future delivery.

SALES ORGANIZATION- any entity engaged in the supervision, recruitment, retention, or employment of a sales person or persons, including any person or representative thereof.

SALES SUPERVISOR- any person who directs or supervises a sales person(s) or person(s) engaged in door-to-door sales.

DOOR-TO-DOOR SALES- the in-person solicitation of sales of goods or services for present or future delivery by entry upon residential property, including multi-family or duplex residential property, or by soliciting person located on residential property from a street, sidewalk, or other adjacent property, without the prior invitation of the person to be solicited.

DOOR-TO-DOOR SALES PERMIT- a permit issued to a sales agent to engage in door-to-door sales in accordance with this chapter.

NO SOLICITATION LIST- a list of residential addresses in the Town, organized alphabetically by street name, indicating those residential properties placed on the list at the request of the owner or occupant indicating that they do not want sales agents to enter their property.

§ 338-4 Administration.

The Town of Westwood Door-to-Door Sales Permit process shall be administered by the Westwood Police Department.

§ 338-5 Application Requirements.

- A. Each sales person must apply individually to the Westwood Police Department during posted administrative hours by submitting a completed application, which shall require:
 1. Government-issued photographic identification.
 2. Date of birth.
 3. Social security number.
 4. Permanent residential address.
 5. Home telephone number.
 6. Temporary local address.
 7. Current cell phone number.
 8. Sales organization information.
 9. Sales supervisor identity.
 10. Make, model, color, and registration number of any vehicle(s) used to transport the sales agent(s), his or her supervisor, or sales materials.

11. Such other verifying information as may be reasonably required.

- B. An application fee to be established and adjusted from time to time by the Board of Selectmen shall accompany each Town of Westwood Door-to-Door Sales Permit Application.

§ 338-6. Background Check.

Subject to the provisions of the Massachusetts Criminal Records Offender Statute, M.G.L. c. 6 §167 *et seq.*, and regulations promulgated thereunder, the Westwood Police Department shall conduct a Criminal Records Check of each applicant for a Town of Westwood Door-to-Door Sales Permit to determine the applicant's fitness and suitability to conduct door-to-door sales.

§ 338-7. No Solicitation List.

- A. The No Solicitation List shall be established and maintained by the Westwood Police Department. Residents may submit their property for inclusion on the list without charge.
- B. Upon approval and issuance of a Town of Westwood Door-to-Door Sales Permit, each sales person shall be provided with a copy of the No Solicitation List.

§ 338-8. Door-to-Door Sales Regulations.

- A. No sales person shall engage in door to door sales without first having applied for and received a Town of Westwood Door-to-Door Sales Permit.
- B. No sales organization shall allow any sales person to engage in door to door sales who has not applied for and received a Town of Westwood Door-to-Door Sales Permit.
- C. No sales supervisor shall direct, supervise, or allow any sales person to engage in door to door sales who has not applied for and received a Town of Westwood Door-to-Door Sales Permit.
- D. No sales person shall enter within the perimeter of any residential property included on the No Solicitation List. In addition to the fine(s) established below, inclusion of a residential property on the No Solicitation List shall constitute notice prohibiting trespass under M.G.L.c.266 § 120.
- E. No sales person shall solicit sales from a person situated within a residential property included on the No Solicitation List from a street, sidewalk or other adjacent property.
- F. Each sales person shall carry the Town of Westwood Door-to-Door Sales Permit at all times while engaged in door to door sales, and shall display said Permit upon request by any police officer, Town official, or any person present at a residential property where door-to-door sales is solicited.
- G. No sales person or supervisor shall use any vehicle to transport persons or materials for door-to-door sales unless said vehicle is identified in the Town of Westwood Door-to-Door Sales Permit Application and the exterior of said vehicle is marked with name of the sales organization and the words "DOOR-TO-DOOR SALES". All required information shall be in letters a minimum of 4" in height on both sides of the vehicle.
- H. Door-to-door sales shall not be conducted except during the hours between 9:00 am and 7:00pm.

§ 338-9. Penalties.

- A. Each violation of any provision of this By-Law shall be punished by a fine not to exceed Three Hundred (\$300) Dollars.
- B. Upon the occurrence of a second violation of this By-Law by any sales person, the issuing authority may revoke that sales person's Town of Westwood Door to Door Sales Permit.

§ 338—10. Severability.

The invalidity of any portion or portions of this chapter shall not invalidate any other portion, provision or section thereof.

A motion from the floor was then made at 11:03 p.m., to reconsider article 31 at which time two residents doubted the presence of a quorum. A standing count of all registered voters still remaining was conducted. One hundred and thirty-nine (139) were still present thus lacking the number of registered voters necessary to constitute a quorum which is one hundred and seventy-five (175) per town by-laws §138-12. The Moderator then adjourned the meeting until the following evening, Tuesday, May 8, 2012 at 7:30p.m. in the High School Auditorium.

The adjourned session of Town Meeting began at 7:45 p.m. with the presence of a quorum ,two hundred and thirty eight registered voters(238) declared by the Moderator. At this time the Moderator rejected the motion to reconsider article 31 stating it violated town traditions and by-laws §138-16 and reconsideration may only occur on the same night the article is voted and requires a 2/3 vote of those present and voting.

Town Meeting was then continued beginning with Article 36.

ARTICLE 36

The Finance and Warrant Commission recommended and the town voted by a 2/3 vote in favor declared by the Moderator to amend the Code of the Town of Westwood, Part II, General Legislation by adding to Chapter 380, Vehicles and Traffic, a new Article as follows, or take any other action thereon:

VIII - Hackney Carriages; Taxicabs and Vehicles for Hire.

The Board of Selectmen pursuant to the provisions of General Laws Chapter 40, section 22 may make such rules, orders, and regulations for the licensing and operation of hackney carriages, taxicabs and vehicles for hire operated within the Town of Westwood and relative to the licensing of the operators thereof, including the imposition of penalties for violations therefor, as the Selectmen deem necessary and advisable from time to time. Such rules, orders and regulations shall be printed in a form made available to applicants for such licenses. Notice thereof and of said regulations and any changes thereon shall be duly published in a newspaper, all as prescribed by Chapter 40, Section 22, of the General Laws.

ARTICLE 37

The Finance and Warrant Commission recommended and the town voted unanimously to amend Chapter 380, Article III Public Safety Lanes, Section 380-7 of the Code of the Town of Westwood by deleting “fine of \$25” and replacing it with “fine of \$50” and amend Chapter 380, Article IV Handicapped Parking, Section 380-10 of the By-Laws by deleting “fine of \$50” and replacing it with “fine of \$100” or take any other action thereon.

ARTICLE 38

The Finance and Warrant Commission recommended and the town voted by a 2/3 vote in favor declared by the Moderator to amend the bylaws by inserting the following in Part II: General Legislation:

Chapter 325 Dealers of Second Hand Articles

§ 325 – 1 Authority

Pursuant to Massachusetts General Laws Chapter 140, § 54, The Board of Selectmen may license suitable persons to be collectors of, dealers in or keepers of shops for the purchase, sale or barter of junk, old metals or second hand articles; may make rules and regulations relative to their business; and may provide for the supervision thereof.

§ 325-2 License and Other Requirements

No person shall keep a shop for the purpose of the purchase, barter or sale of junk, old metal or second-hand articles or be a dealer therein, without first having obtained a license therefore from the Board of Selectmen. Every licensee shall display their license in its shop in a suitable and conspicuous place. Every such shop, all articles of merchandise therein and all records pertaining to the acquisition and disposition of said articles may at all times be examined by the Board of Selectmen or members of the Police Department.

§ 325-3 Record of Acquisitions

Every person licensed under § 325-2 shall keep a record of every acquisition of any such article to include: 1) a description of the article 2) the name, date of birth and address of the person from whom the article was acquired and 3) the date and hour of the acquisition.

Such record shall be open at all times to inspection by the Board of Selectmen or members of the Police Department.

Every person licensed under § 325-2 shall deliver to the Westwood Police, either in person, by United States Mail or electronically every week a legible and correct list, in the English language, containing an accurate description of all articles acquired, directly or indirectly, during the preceding week. All such lists shall be submitted in a format prescribed by the Chief of Police and shall be submitted on or before the close of business Mondays.

§ 325-4 Retention of Acquisitions

No person(s) licensed under § 325-2 shall permit any second-hand article acquired by him or her to be sold or altered in any way until at least fourteen (14) days after its receipt.

§ 325-5 Acquisitions from Minors Prohibited

No person licensed under § 325-2 shall acquire, directly or indirectly, any article from a person under the age of 18, knowing or having reason to believe them to be such.

§ 325-6 Providing False information

No person offering any article for sale or barter to a licensee, shall give a wrong or false name or address or any fictitious information pertaining to identity. No person holding a license under § 325-2 shall knowingly permit the entry of any wrong or false information into the record of the transaction described in § 325-3. In order to prevent wrong or false information, a license holder will examine photo identification from any person offering any article for sale or barter. Any police officer taking cognizance of any such violation may request the offender to state his or her true name and address. Whoever, upon such a request, refuses to state his or her name or address, or states a false name or address, or a name or address which is not his or her name or address in ordinary use, may be arrested by a police officer without a warrant.

§ 325-7 Severability

The provisions of this Chapter are severable, and, if any of its provisions shall be held unconstitutional or invalid by any court of competent jurisdiction, the decision of said court shall not affect any of the remaining provisions.

§ 325-8 Penalties

Any violation of § 325-2 through 325-5 shall be punished by a fine of one hundred dollars (\$100). Any violation of § 325-6 shall be punished by a fine of three hundred dollars (\$300).

§ 325-9 Exemptions

The licensing requirements of § 325-1 shall not apply to the purchase, sale or barter of clothing, books, prints, coins or postage stamps.

The licensing requirements of § 325-1 shall not apply to not for profit organizations that may receive donations of second hand items, even if offered for sale.

ARTICLE 39

The Finance and Warrant Commission recommended and the town voted by a 2/3 vote in favor declared by the Moderator to amend The Code of the Town of Westwood, Part II General Legislation by adding thereon Chapter 339, as follows, or take any other action thereon:

Fingerprint Based Criminal Record Background Checks

§ 339-1 Purpose and Authorization

In order to protect the health, safety, and welfare of the inhabitants of the Town of Westwood, and as authorized by Chapter 6, § 172B½ of the Massachusetts General Laws as enacted by Chapter 256 of the Acts of 2010, this by-law shall require a) applicants for certain Town licenses permitting the engagement in specific occupational activities within the Town as enumerated in § 339-2 below to submit to fingerprinting by the Westwood Police Department, b) the Police Department to conduct criminal record background checks based on such fingerprints, and c) the Town to consider the results of such background checks in determining whether or not to grant a license.

The Town authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (DCJIS) and the Federal Bureau of Investigation (FBI) as may be applicable to conduct on behalf of the Town and its Police Department fingerprint based state and national criminal record background checks, including of FBI records, consistent with this by-law. The Town authorizes the Police Department to receive and utilize FBI records in connection with such background checks, consistent with this by-law.

§ 339-2 Applicant’s Submission to Fingerprinting

Any applicant for a license to engage in any of the following occupational activities within the Town shall submit a full set of fingerprints taken by the Westwood Police Department within ten (10) days of the date of the application for a license, for the purpose of conducting a state and national criminal record background check to determine suitability of the applicant for the license:

- Manager of Alcoholic Beverage License
- Hawker and Peddler
- Door to Door Salesperson
- Owner or Operator of Public Conveyance (Taxi or Livery Service)
- Dealer of Second Hand Articles
- Ice Cream Truck Vendor

At the time of fingerprinting, the Police Department shall notify the individual fingerprinted that the fingerprints will be used to check the individual's FBI criminal history records.

§ 339-3 Processing of Fingerprints Based Criminal Record Background Checks and Communication of Results

The Police Department shall transmit fingerprints it has obtained pursuant to § 339-2 of this by-law to the Identification Section of the Massachusetts State Police, DCJIS and/or the FBI as may be necessary for the purpose of conducting fingerprint based state and national criminal record checks of license applicants specified in § 339-2.

An applicant may request and receive a copy of his or her criminal history records from the Police Department. Should an applicant wish to correct or amend the information contained in it, he or she will be directed to the DCJIS for state records and the FBI for national records.

The Police Department shall communicate the results of the fingerprint based criminal record background checks to the applicable licensing authority within the Town. The Police Department shall indicate whether the applicant has been convicted of, or is awaiting final adjudication for, a crime that bears upon the applicant's suitability, or any felony or misdemeanor involving the use of force or the threatened use of force, controlled substances or a sex-related offense.

§ 339-4 Reliance on Results

Licensing authorities of the Town shall utilize the results of fingerprint based criminal history record background checks for the sole purpose of determining the suitability of the subjects of the checks in connection with the license applications specified in § 339-2. A Town Licensing authority may deny any application for a license on the basis of the results of the fingerprint based criminal record background check, if it determines that the results of the check render the subject unsuitable for the propose occupational activity. The licensing authority shall consider all applicable laws, regulations and Town policies bearing on the applicant's suitability in making this determination. The licensing authority shall not deny a license based on information in a criminal record unless the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.

§ 339-5 Compliance with Law, Regulation and Town Policy

Implementation of this by-law and the conducting of fingerprint based criminal record background checks by the Town shall be in accordance with all applicable laws, regulations, and Town policies, which shall include record retention and confidentiality requirements. The Town shall not disseminate the results of fingerprint based criminal record background checks except as may be provided by law, regulation, and Town policy. The Town shall not disseminate criminal record information to unauthorized persons or entities.

§ 339-6 Fees

The fee charged by the Police Department for the purpose of conducting fingerprint based criminal record background checks shall be one hundred dollars (\$100). A portion of the fee, as specified in MGL Chapter 6 S 172B½ , shall be deposited into the Firearms Fingerprint Identity Verification Fund, and the remainder of the fee may be retained by the Town for costs associated with the administration of the fingerprinting system.

All Business on the Warrant having been acted upon, a motion was made and seconded to adjourn at 7:58 p.m.

Attest:



Dorothy A. Powers, CMM
Westwood Town Clerk