



Pursuant to a warrant dated November 2, 2017, signed by Selectmen, John M. Hickey, Chairman, Nancy C. Hyde and Michael F. Walsh, and duly posted online and in four public places equally distributed among the four precincts in Town, by Constable Sgt. Paul Sicard on November 3, 2017, the inhabitants of Westwood qualified to vote in Elections and Town affairs, convened in the Westwood High School Auditorium, 200 Nahatan Street, on Monday November 13, 2017 at 7:30 p.m.

Moderator Alice E. Moore declared the presence of a quorum with Three Hundred and Thirty Nine ~339~registered voters in attendance calling the meeting to order at 7:15 p.m. The meeting began with the Pledge of Allegiance to the flag led by Westwood Girl Scouts.

The first order of business was the reading of the Town Meeting Warrant which had been duly posted by Constable Sgt. Sicard. The Moderator determined that the Constable had filed a return of service and the Town then voted unanimously on the Selectmen's move to dispense with the reading of the articles and full warrant, and to adjourn the meeting until 7:30 p.m. on Tuesday, November 14, 2017 at 7:30 p.m. in the Westwood High School Auditorium if business was not completed by 10:45 p.m. Before business was acted upon, Town clerk, Dottie Powers did a brief presentation on Electronic Voting. The Moderator then explained Town Meeting procedures and then made a motion for the town to consider each of the articles below which were all moved and seconded.

#### **ARTICLE 1**

The Finance and Warrant Commission recommended and the Town voted by a Unanimous vote in favor declared by the Moderator to approve the Eighty Four Million, Eight Hundred and Sixty Two Thousand, Seven Hundred and Sixty Eight Dollars (\$84,862,768) borrowing authorized by the Blue Hills Regional Technical High School District for the purpose of paying costs of renovating, reconstructing and making extraordinary repairs to the Blue Hills Regional Technical High School, located at 800 Randolph Street, in Canton, Massachusetts 02021, and for the payment of all other costs incidental and related thereto, (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-five and eighty-nine hundredths percent (55.89%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

**ARTICLE 2**

The Finance and Warrant Commission recommended and the Town voted by a Unanimous vote in favor declared by the Moderator to establish, under Chapter 40, Section 5B of the Massachusetts General Laws, a new stabilization fund, the Meals/Hotel Reserve Fund, for the purpose of reserving dedicated funds from local option meals and hotel tax revenues into the Fund for future Town Meeting appropriation; and dedicate 100% of local option hotel and 100% of local option meals excise tax revenues into the Fund.

**ARTICLE 3**

The Finance and Warrant Commission recommended and the Town voted by a Unanimous vote in favor declared by the Moderator to accept M.G.L. Chapter 40, Section 13E, to establish a reserve fund known as the Special Education Reserve Fund, for the purpose of reserving funds to be used in the upcoming fiscal years, to pay, without further appropriation, for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation; and to accept future Medicaid reimbursement into the Fund; and to transfer from available funds the sum of Five Hundred Seventy-Six Thousand Dollars (\$576,000) to the Special Education Reserve Fund established in accordance with M.G.L. Chapter 40, Section 13E.

Purpose	Amount	Funding Source
Special Education Reserve Fund	\$576,000	Free Cash

**ARTICLE 4**

The Finance and Warrant Commission recommended and the Town voted by a Majority vote in favor declared by the Moderator to raise and appropriate and/or borrow and/or transfer a sum of money to pay for the design of sidewalk improvements along Gay Street and other locations to be submitted to the Complete Streets Program and/or other state or federal program for approval and Notice to Proceed; to authorize the Board of Selectmen to enter into contracts for expenditure of any funds allocated or to be allocated by the Commonwealth and/or federal agency for the design of said sidewalks; and to meet said appropriation, appropriate the sum of Two Hundred and Twenty Five Thousand Dollars (\$225,000) from Free Cash.

**ARTICLE 5**

The Finance and Warrant Commission recommended and the Town voted to defeat the article 144-YES, 112-NO. The article failed to achieve a 2/3 vote declared by the Moderator to approve certain amendments to the Westwood Zoning Bylaw to add definitive caps on the number of residential dwelling units which may be constructed in Flexible Multiple Use Overlay Districts 6 and 7 by amending Section 9.5 [Flexible Multiple Use Overlay District (FMUOD)], or take any other action in relation thereto:

Add a new Section 9.5.13.1 [Maximum Number of Residential Units] to read as follows, and renumber subsequent sections as appropriate

#### **9.5.13.1 Limit on Number of Residential Dwelling Units in FMUOD6 and FMOUD7.**

The aggregate number of residential dwelling units for all projects allowed by special permit within the FMUOD6 and FMUOD7 districts shall not exceed a maximum of 90 dwelling units per district. Said maximum shall include all residential dwelling units; previously approved by FMUOD special permit or by Upper Story Residential Overlay (USROD) special permit.

#### **ARTICLE 6**

The Finance and Warrant Commission recommended Indefinite Postponement and the Town voted by a Majority vote, 136-YES, 94-NO, in favor of Indefinite Postponement declared by the Moderator, to rescind the vote taken on Article 29 at the annual Town Meeting on May 2, 2016.

#### **ARTICLE 7**

The Finance and Warrant Commission recommended Indefinite Postponement and the Town voted by a Majority vote in favor of Indefinite Postponement declared by the Moderator to amend the Westwood Town bylaw 138-17 by deleting sections F, G, and H in their entirety and replace with "Primary vote of Town Meeting shall be by electronic voting. If the number of voters exceeds the number of voting devices, pursuant to MGL 39 Section 10, the Moderator shall designate an overflow room for vote by show of hands and shall appoint an Assistant Moderator, pursuant to MGL 39 Section 14 to preside at and regulate proceedings in overflow room.

#### **ARTICLE 8**

The Finance and Warrant Commission recommended Indefinite Postponement and the Town voted by a Majority vote in favor of Indefinite Postponement to raise, appropriate and transfer, from any available funds in the treasury, the sum of \$20,000 to purchase an electronic voting system, for use at Town Meeting, with 350 hand held units.

#### **ARTICLE 9**

The Finance and Warrant Commission recommended Indefinite Postponement and the Town voted by a Majority vote, 90-YES, 112-NO to defeat Indefinite Postponement. Reconsideration on the article failed, 123-YES, 74-NO because a 2/3 vote was not achieved, declared by the Moderator, to amend the Westwood Town Bylaw 138-15D (1) by inserting the following language To see if the Town will vote to amend the Westwood Town Bylaw 138-15D (1) by inserting the following language after the wording: considered the main motion, excluding citizen petitions. The sponsor of a citizen petition shall make the first motion and said motion shall be considered the main motion of that article.

#### **ARTICLE 10**

The Finance and Warrant Commission recommended and the town voted by a 2/3 vote in favor, 101-YES, 36-NO, declared by the Moderator to approve certain amendments to the Westwood Zoning Bylaw related to permitting cafeterias, snack bars, gift shops and vending machines as accessory uses in the HB (Highway Business) zoning district by amending Section 4.3.1 [Table of Accessory Uses.

1) Amend Section 4.3.5 to read as follows:

### 4.3.5 ACCESSORY USES IN INDUSTRIAL, HIGHWAY BUSINESS AND ARO DISTRICTS

ACCESSORY USE	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.3.5.1 Retail uses, such as cafeterias, snack bars, gift shops and vending machines dispensing food, soft drinks and incidental merchandise items; provided that any such uses shall be conducted primarily for the convenience of employees and the clientele of the principal use of the premises and shall be wholly within a building and have no exterior advertising display.	N	N	N	N	N	N	N	N	N	Y	Y	Y	BA

#### ARTICLE 11

The Finance and Warrant Commission recommended and the Town voted by a 2/3 voice vote in favor declared by the Moderator to approve certain amendments to the Westwood Zoning Bylaw related to various medical uses by amending Section 2.0 [Definitions] and Section 4.1.2 [Table of Principal Uses], or take any other action in relation thereto:

- 9) Revise definitions in Section 2.0 [Definitions] for “Medical Center or Clinic” and “Office of Health Care Professional” to read as follows:

Medical Center or Clinic A building designed and used for the diagnosis and treatment of human patients that is not a Hospital or Substance Rehabilitation or Treatment Facility.

Office of Health Care Professional An office for a medical doctor, dentist, psychologist, chiropractor, acupuncturist, or similar physical or mental health care professional, including clinical and laboratory analysis activities directly associated with such medical

office use, but excluding offices within Medical Centers or Clinics, Hospitals, or Substance Rehabilitation or Treatment Facilities.

- 9) Add new definitions to Section 2.0 [Definitions] for “Hospital” and “Substance Rehabilitation or Treatment Facility” as follows:

**Hospital** A building designed and used for the diagnosis and treatment of human patients that includes overnight care facilities.

**Substance Rehabilitation or Treatment Facility** A building designed and used for the diagnosis and treatment of human patients for substance rehabilitation and/or treatment facilities.

- 9) Amend Section 4.1.5 [Table of Principal Uses – Commercial Uses] by revising new definitions to Section 2.0 [Definitions] for “Hospital” and “Substance Rehabilitation or Treatment Facility” changing the title of Section 4.1.5.22 from “Office of a doctor or dentist not a resident on premises” to “Office of Health Care Professional”, and by adding new Section 4.1.5.23 “Medical Center or Clinic”, new Section 4.1.5.24 “Hospital”, and new Section 4.1.5.25 “Substance Rehabilitation Facility” as follows, and renumber subsequent sections as appropriate:

**4.1.5 COMMERCIAL USES**

PRINCIPAL USE	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.1.5.22 Office of Health Care Professional	N	N	N	N	N	BA	N	Y	Y	Y	Y	Y	Y
4.1.5.23 Medical Center or Clinic	N	N	N	N	N	N	N	N	N	N	BA	BA	BA
4.1.5.24 Hospital	N	N	N	N	N	N	N	N	N	N	N	N	BA
4.1.5.25 Substance Rehabilitation or Treatment Facility	N	N	N	N	N	N	N	N	N	N	N	N	BA

- 4) Amend Section 9.5.8.1.9 [Use Permitted by FMUOD Special Permit in any FMUOD] by revising new definitions to Section 2.0 [Definitions] for “Office of Health Care Professional” from “Office of a doctor or dentist” as follows:

9.5.8.1.9 Office of Health Care Professional;

## **ARTICLE 12**

The Finance and Warrant Commission recommended and the Town voted by a 2/3 voice vote in favor declared by the Moderator to approve certain housekeeping amendments to various sections of the Westwood Zoning Bylaw and Official Zoning Map as may be necessary to correct errors or inconsistencies and to clarify such sections.

1) Add "Access Approval Overlay District (AAOD)" to the list of overlay districts in Section 3.1.3 [Overlay Districts]

2) Amend Alternative Dimensions Table 9.5.9 to change the Section reference from 9.5.14.2.4.3 to read as follows:

Minimum Public Amenity Areas or other public amenities required under Section 9.5.15.2.4.3

3) Delete the words "Section 8.4, Senior Residential Development (SRD)" in the second paragraph under Section 9.7.12.5 [Relationship to Underlying Districts and Regulations].

4) Amend the second paragraph in Section 9.7.12.5 [Relationship to Underlying District Regulations] to correct the Section reference referring to Section 8.5, Residential Retirement Community (RRC) to Section 8.4.

## **ARTICLE 13**

The Finance and Warrant Commission recommended and the Town voted by a Unanimous vote in favor declared by the Moderator to accept Chapter 41, Section 110A of the Massachusetts General Law.

## **ARTICLE 14**

The Finance and Warrant Commission recommended and the Town voted by a 2/3 voice vote in favor declared by the Moderator to amend § 184-10. Licensing; dogs worrying, maiming or killing livestock. C. (1) of the Town bylaws by adding §184-10. C. (2):

(2) Effective January 1, 2018 any person seventy (70) years of age or older, upon proof of age, shall be exempt from the annual fee for one dog, per household, per year. The owner of a kennel license, age seventy (70) years of age or older shall be excluded from this exemption. Dogs must still be licensed on or before March 31<sup>st</sup> of any given year per town bylaws § 184-10. C. (1)

## **ARTICLE 15**

The Finance and Warrant Commission recommended and the Town voted by a 2/3 voice vote in favor declared by the Moderator to accept as Town Ways the streets listed below as laid out by the Selectmen.

Thompson Avenue

## **ARTICLE 16**

The Finance and Warrant Commission recommended and the Town voted by a 2/3 voice vote in favor declared by the Moderator to authorize the Board of Selectmen to execute a Grant of Location and Easement across a portion of Town land known as Assessors Map 22, Lot 052 on Clapboardtree Street for the purpose of a 5 foot wide sidewalk connection from the property at 789 Clapboardtree Street to the Mercer property in Norwood, which crosses over approximately 50 feet of a Town-owned undeveloped lot.

All Business on the Warrant having been acted upon, a motion was made and seconded to adjourn at 10:23 p.m.

*\*\*\*Article 14, is a General bylaw amendment pending approval by the Attorney General.*

*\*\*\* Articles 10-12, are Zoning bylaw amendments pending approval by the Attorney General.*