

**Planning Board Meeting Minutes  
Monday, March 5, 2018  
Library, Community Meeting Room  
660 High Street - 7:30 PM  
Westwood, MA 02090**

The Planning Board attended the Finance and Warrant Commission's public hearing on Annual Town Meeting Warrant Articles to participate in the discussion and presentation of zoning amendment articles.

**Present:**

Planning Board members present: Trevor W. Laubenstein, David L. Atkins, Jr., Michael L. McCusker, Steven H. Olanoff, and Brian D. Gorman. Staff members present: Town Planner Abigail McCabe, Community & Economic Development Director, Nora Loughnane and Planning & Land Use Specialist Janice Barba were also present.

**Petitioner Article – Zoning Amendment to Limit Number of Residential Dwelling Units in FMUOD6 &**

**FMUOD7** -To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw to add definitive caps on the number of residential 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 FMUOD7.**

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 thirty (30) 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.

(Nada Milosavljevic-Fabrizio, 32 Webster Street)

Ms. Milosavljevic-Fabrizio presented to the Finance and Warrant Commission.

The Chair of the Finance and Warrant Commission asked for the Planning Board's input.

Chairman Laubenstein reported that the Planning Board held a public hearing on February 27 and voted 4-1 to recommend the Finance and Warrant Commission (Fin Com) indefinitely postpone this petition article because the Board found that the proposed cap of 30 dwelling units is too limiting and too restrictive to encourage redevelopment of underutilized properties, which is in conflict with the purpose of the FMUOD bylaw. The Board also expressed concern that the proposal could fail to meet the legal requirements of Mass General Laws related to the uniformity law.

The Planning Board and staff responded to questions. In response to a question about how this proposal differs from the one proposed by the Planning Board and Board of Selectmen in the fall, staff explained that the proposal last fall to limit the residential dwellings to 90 in FMUOD6 and 90 in FMUOD7 was intended to add clarity to misconceptions on how many residential units could be built, and not intended to change the bylaw by limiting development. The 90 residences was proposed after analysis of what likely would be the most amount of residences that could ever be constructed at full build-out while the proposal for 30 units restricts and limits development to no more than 30 in each district and significantly changes the bylaw.

**Zoning Map Amendments related to Islington Center Redevelopment Project to Alter the Boundaries of the Local Business B (LBB) District and the Flexible Multiple Use Overlay District 6 (FMUOD6/Washington Street Business District)** - This article is intend to approve certain amendments to the Official Town Zoning Map by re-zoning the parcels of land at 9 School Street (which is shown on Assessor's Parcel 23 as Lot 161) and 277A Washington Street (which is shown on Assessor's Parcel 23 as Lot 165) from Single Family Residence A (SRA) to Local Business B (LBB) and by overlaying these two parcels with the Flexible Multiple Use Overlay District 6 (FMUOD 6/ Washington Street Business District), or take any other action in relation thereto. The zoning map amendments would expand the boundary of the LBB District and the FMUOD 6 Overlay District to include all of the land involved in the Islington Village Redevelopment Project, which is currently under consideration by the Planning Board for a FMUOD Special Permit. This article is connected with the May 2, 2016 Request for Proposals (RFP) for the Redevelopment of Property in Islington Center, for which a Land Disposition Agreement is currently under consideration by the Board of Selectmen. This article is sponsored by the Planning Board.

Ms. McCabe and Chairman Laubenstein presented the proposed zoning map amendment to re-zone parcels at 277A Washington St. and 9 School Street from SRA to LBB and FMUOD 6 which are proposed in association with the Islington Center Redevelopment proposal. At last week's hearing on February 27, the Planning Board expressed that they are inclined to support the project and have asked for specific items to be improved and incorporated to move towards revised plans to be presented for approval at an upcoming hearing. The proposed project proposes a new retail building for CVS on 9 School St., parking for retail and municipal uses, and landscaping in the area currently zoned residential. If approved, both these parcels would be re-zoned LBB and FMUOD. At the February 27 zoning hearing, the Planning Board recommended Fin Com favorable action for the map amendment.

Staff and the Planning Board members answered questions related to the changes that were currently underway, parking, what was currently on the property, the size of the CVS building, and the status of the project.

**Amendments to Section 9.5 of the Westwood Zoning Bylaw to Allow Retail Sales and Service Greater than 10,000 square feet by Special Permit in the Flexible Multiple Use Overlay District 6 (FMUOD6/Washington Street Business District)** -This article is intended to approve certain amendments to the Section 9.5 of the Westwood Zoning Bylaw [Flexible Multiple Use Overlay District] to allow retail sales and service establishments of up to 15,000 square feet in the Flexible Multiple Use Overlay District 6 (FMUOD 6/Washington Street Business District) subject to Planning Board approval of a FMUOD Special Permit, or take any other action in relation thereto. The Planning Board is currently considering an FMUOD Special Permit application for the Islington Village Redevelopment Project. The FMUOD application proposes a new CVS building with a pharmacy where the combined size of the retail store and pharmacy exceed the maximum 10,000 square foot requirement. This article is connected with the May 2, 2016 Request for Proposals (RFP) for the Redevelopment of Property in Islington Center, for which a Land Disposition Agreement is currently under consideration by the Board of Selectmen. This article is sponsored by the Planning Board.

Ms. McCabe and Chairman Laubenstein presented the proposed change to the FMUOD and the LBB allows retail sales and serves up to 10,000 sq. ft. The Islington project proposes a CVS over 10,000 sq. ft. limit at a total of 13,074 retail sales and pharmacy, and 1,712 of storage on the first floor. Storage space is included in the total retail sales area if on the same floor. The zoning amendment proposes adding language to allow the Planning Board to consider allowing retail sales 10,000-15,000 sq. ft. by special permit from the Planning Board. On February 27, the Planning Board voted to recommend Fin Com take favorable action on this amendment.

Staff and the Board members answered questions related to the status of the project, the size of the CVS building, traffic, parking, allowed uses, and the status of the special permit project.

A Planning Board member informed the Fin Com that he did not support the zoning articles because the project hasn't been approved and he was therefore not ready to support zoning changes for a project not approved, and was opposed to both the map and retail size changes proposed.

**Zoning Amendments – Housekeeping** -This article is intended to serve as a placeholder to approve certain housekeeping amendments to various sections of the Westwood Zoning Bylaw and official Zoning Map as may be necessary to correct any errors or inconsistencies that may be discovered, or take any action in relation thereto. Ms.

McCabe explained that no changes are proposed at this time, if none are found by the Fin Com's next hearing this placeholder can be withdrawn.

The Fin Com asked for an update in advance of their next hearing on March 26.

Action:

The zoning amendment public hearing was continued to the Planning Board's next meeting on Tuesday, March 13, 2018 at 7:00 pm at Downey Elementary School in the Cafeteria, 250 Downey Street in Westwood.

**List of Documents**

• Finance and Warrant Commission Public Hearing March 5, 2018 Meeting Book with Article listings for 3/5/18 and 3/6/18 (if needed) hearing (includes full article language).	PDF
• Memorandum from Abby McCabe, Town Planner and Planning Board to Finance and Warrant Commission, Re: Summary of Proposed Zoning Articles for Annual Town Meeting, dated March 2, 2018 (3 pages).	PDF
• Zoning Article PowerPoint Presentation Slides	PDF