

**Westwood Planning Board Meeting Minutes**  
**Joint Meeting with Finance & Warrant Commission**  
**Tuesday, March 8, 2016**  
**Community Meeting Room, Public Library**  
**660 High St. – 7:30 PM**

**Call to Order:** The meeting was called to order at 7:30 PM.

**Present:**

Planning Board members present: Steve Olanoff and John Wiggin. Staff members present: Town Planner Abigail McCabe and Director of Community & Economic Development Nora Loughnane.

Planning Board members attending this meeting to participate in the Finance & Warrant Commission Public Hearing to discuss proposed Planning Board Articles for 2016 Annual Town Meeting.

Ms. McCabe introduced herself and Planning Board members Jack Wiggin and Steven Olanoff. The Planning Board has submitted seven zoning amendment articles for inclusion on the Annual Town Meeting Warrant. Ms. McCabe summarized the articles with a power point presentation as follows.

**The First Planning Board Article – Related to Senior Housing**

The Planning Board's first article is zoning bylaw amendments related to Senior Housing. Specifically, the proposal is to integrate the Senior Residential Development (SRD) outlined in Section 8.4 of the bylaw into the existing Open Space Residential Development (OSRD) bylaw in Section 8.3 and remove the thus remove the old SRD section.

The purpose of this amendment is to provide a new zoning mechanism for senior housing, to encourage senior residential development that is compatible with the environment and neighborhood, and promote quality design, provides technical guidance for appropriate growth to developers and the community through the planning board's review process.

Over the last few years, the Planning Board has received several inquiries and applications from developers, also inquiries from interested residents looking to the town for options. Many projects had large number of units without much regard from the appropriateness of the land or neighborhood and none have been successful as the Board has felt projects were proposing overdevelopment on the land. Given that the baby boomer generation is aging and will soon all be over 55, the Board felt it is important to have zoning that reflects our demographics of the town. In 2015, the PB began to carefully review the existing SRD bylaw and created a senior housing subcommittee. We found that the existing zoning was ineffective - only one SRD project has been developed. The existing SRD does not give clear guidance to developers or board members of the kind of development we want to see which is to allow aging-in-place, which is when seniors can live in their community safely and independently. All of which has led to a cumbersome and frustrating process for applicants, residents, and board members.

The bylaw defines senior housing as housing that is age-restricted with at least one resident over 55. Housing designed for and attractive for seniors can take many forms but typically encourages safe & independent living, near public transportation or has its own transportation network, affordable, has areas for community activities, and low maintenance in terms of lawn, roads etc.

There are several ways communities can promote senior housing through zoning for ex: Retirement Districts (which is what we have with Fox Hill Village), multiple family districts (such as at University Station), mixed use (such as our FMUOD zones), and incentive zoning and cluster / open space districts. This amendment is proposing a mix of the incentive zoning as part of the Open Space zone.

Westwood adopted in OSRD in 2010. The OSRD has been a successful bylaw and is considered as a model for new development and how the PB would like to see all new residential development. The purpose and goals of the existing to conserve the natural environment, lessen disturbance by requiring smaller roads

and less impervious surface, allow for flexibility with dimensional requirements, offer greater housing choices, and a specific design process. This amendment expands on these ideas by creating a new special permit use category in this OSRD section to allow for age-restricted housing and provide an incentive by including bonus units for age-restricted dwellings.

The specifics of the amendment are that the OSRD only applies to the SRB, SRC, and SRE zones. These are all single-family zoning districts but are the three with the largest lot size minimums in the underlying (base) zoning. Show on the map. The current SRD applies to all residential zones but this proposal changes that. Additionally, this proposal includes a minimum land area for a project whereas the existing zoning SRD does not. The minimum sizes are based on the size of the base zoning districts. The subcommittee and PB reviewed this and did not feel the SRD the area near the high school and the GR near Islington were not included in this proposal because they were determined to not be suitable locations for this type of development. These areas are also close to the FMUOD zones along Washington Street and High St. which allows for more housing choices and therefore meets the demands.

There is a clear step by step formula in the existing bylaw to calculate the maximum density. This gives a developer and board members clear guidance on what is and is not appropriate. The existing bylaw has a clear formula, this bylaw process Step 6 which is to add bonus dwelling units for age-restricted housing. The formula for all OSRD first removes the wetlands and undevelopable land from the lot size, then removes 10% for an infrastructure factor, divides by the minimum lot size required in the district, rounds, and has a base yield unit chart to produce the base density. This Amendment proposes multiplying the base density by three to get the added number of bonus units for age-restricted units as an incentive. For example, a hypothetical 5 acre lot with an acre of wetlands could result in a maximum total of 20 units. In this example, if all the units are age-restricted you would  $5 \times 3 = 15$  bonus units in addition to the 5 would be 20 units.

This Amendment revises the application process. The approval process for an OSRD senior housing is still a Special Permit - the same as today, which is a discretionary approval by the Planning Board with a public hearing and abutter notification, but also adds initial meeting with the Towns LUC which is comprised of Community Development Director, Town Planner, Town Engineer, Fire, Police essentially, the Planning Board's review staff to providing an initial non-binding recommendation. The next step requires a Preliminary Review by the Planning Board. The Preliminary will be a public hearing with the Planning Board but primary purpose will be to determine the suitability of the land and set the maximum density. The primary purpose of these new steps is to give clear guidance to applicants before they invest in the full special permit submittal which is extensive and to work out any issues before hand. Also, this amendment process beefing up the Board's findings by requiring a market study, fiscal impact report during the final special permit stage to give more authority to the PB during their decision making process.

This proposed amendment provides the appropriate incentives to encourage development with the bonus units, protects the environment and neighborhoods with the clear density formula, encourages creative design with authority to the Planning Board, and gives more guidance to applicants with the minimum land sizes, process improvements, and limited locations, which will result in a more predictable outcome for all.

#### **Finance Commission and Public Comments and Questions:**

- A member of the public felt the bylaw was be substantially expanded and made more complicated and was not supportive of the minimum land size requirement and not allowing it in every residential district. The Board responded that the minimum tract size requirement is to discourage overdevelopment on smaller lots. The areas excluded near Islington, the High School, and High Street can meet the market needs with the existing zoning in place in the Flexible Multiple Use Overlay zones that permit multi-family housing.
- There was a question on the affordable housing requirement for senior housing. The Board responded that this is a new requirement in the OSRD but the affordability requirement applies to the existing SRD and housing developments where 10 or more dwellings are proposed today. Affordable housing options are important for the senior population.

### **Second Planning Board Article – Related to Outdoor Seating as an Accessory Use**

Ms. McCabe explained this proposal is to allow outdoor seating associated with permitted commercial uses. The Zoning Bylaw currently allows outdoor seating for restaurants that by definition prepare and serve food but the Bylaw is silent on outdoor seating for uses such as takeout and fast order food establishments, ice cream shops, retail take-out counters, and coffee shops.

This amendment allows outdoor seating as an accessory use for all other permitted uses, provided there is:

- Prior written approval from the Town Planner
- 6 ft. clearance for safe passage for people to walk
- Appropriate buffering and protection from vehicles such as bollards, fences, guard rails etc.
- Appropriate lighting and noise measures to meet the bylaw
- Meets parking requirements
- And area is maintained – no trash etc.
- Once approved, enforced by Building Commissioner/Zoning Enforcement Officer

### **Third Planning Board Article – Housing Affordability**

This article is related to calculating the number of affordable units. In four places in the zoning bylaw Westwood requires there to be 15% of total units to be affordable presently if over 10 units total proposed (in the FMOUD, UAMUD, SRD, and as part of the new OSRD in article 1 that just discussed with age-restricted housing). The Bylaw does not specify how to round when you have a decimal, which led to some confusion as to round up or down since you can't have fractional housing units.

As proposed this amendment no longer says "15%" but includes a chart that specifies how many affordable units must be provided based on how many total are proposed. Additionally, the affordable units will now be required when at least 8 units are proposed instead of 10. Additional language that the Planning Board consults with the Westwood Housing Authority and that the units be affordable in perpetuity has also been added.

8 - 9 units	= 1 affordable unit
10 - 15 units	= 2 affordable units
16 - 22 units	= 3 affordable units
23 - 26 units	= 4 affordable units
27 units	= 15% and round up to next whole number in all cases

This proposal essentially does the "math" for people and leads to less confusion. Requiring at eight allows Westwood to reach our goals of providing the state required min. of 10%.

### **Finance Commission and Public Comments and Questions:**

- There was a question as to what happens when rental units are turned to condos and occupant turnover. The Board and staff responded that the affordable requirement is permanent. When owner-occupied units are turned over the Town receives notification and has rights to first refusal.

### **Article Related to Administrative Review for Wireless Facilities**

This Amendment proposed a formal administrative review process by the Town Planner for minor alterations to existing or already permitted wireless communication facilities. When Wireless Facilities first are proposed they receive approval from the PB with a full application & public hearing.

This Amendment process an expedited review process with administrative approval without having to go to full Planning Board for a hearing for minor alterations. As proposed, the applicant would submit the building plans to the Building Commissioner. The Commissioner would determine it to be minor having no visible or significant exterior changes and would forward to Town Planner for Administrative Review, which is under Environmental Impact and Design Review (EIDR) of the Zoning Bylaw.

### **Finance Commission and Public Comments and Questions:**

- There was a question has to if exterior changes would be allowed under this administrative review.

The Board and staff responded that they would so long as they were not significant and deemed de minimis by the Building Commissioner.

- There was a question as to whether there would be any public notification or hearing on these reviews and staff responded that there would not be.
- Staff added that this is proposed to comply with the Middle Class Tax Relief and Job Creation Act which says that governments must approve modifications to existing facilities.
- Example: 690 Canton St. removed and replaced with same size antennas and remote radio units.

### Article Related to Parking

The Zoning Bylaw sets a minimum required number of spaces and says they must be on-site. This amendment process to allow for the option for shared and spaces to count towards the required minimum when approved by the Planning Board after a formal review. These sections already exist but this amendment process strengthening the findings the Board must make to approve and changes the application process from a Special Permit to a Waiver. Spaces may be shared within 400-600 ft. in the Local Business, Office, and Highway Business Districts if there is a provided pedestrian connection, sufficient protection such as an easement or overflow in case of future changes.

- There was a question to where this has occurred in Town. Staff responded that at the Stagecoach Plaza on High Street Arch Orthodontic was recently approved to share parking with the adjacent lot owned by the same individual. Employees have been parking in the adjacent lot allowing spaces in front of the dentist to remain available to customers. Chiara's on High Street parking was also reviewed by the Board and found that they had plenty of parking and a special permit to reduce the number of spaces was granted.

### House Keeping Articles

Housekeeping articles are intended to correct any non-substantive errors or inconsistencies in the zoning discovered during the review process.

- ATM last spring changed the SPGA from the ZBA to the PB, outlined in Section 7.1 of bylaw but Use Table was not updated and the note can now be deleted.
- Change the word "Medicinal" to "Registered" in the parking table for RMDs to match our definitions and terms
- Correction section in landscape section reference parking
- In the RMD section reads PB when it should say PB and the word "shall" is missing in one location.
- The Univ. Ave. Mixed Use Zoning Map Boundary cuts off a small corner on at the back of property on Whitewood Rd. The UAMUD & Master Plan showed boundary going all the way to the street – this proposed correcting that ~3,000 to extend blue diagonal lines full length of property

### Article Related to Project Area in FMUOD (Flexible Multiple Use Overlay District)

This proposal amends the minimum project area in the FMUOD-1 (Univ. Ave. Bus. District) – the red squares on the map area around Univ. Ave. & Canton Street proposed to reduce min. size from 30 acres to 10 acres. This lot size was created several years ago and much development has taken place at Univ. Station under the UAMUD. The FMUOD is bigger but still has several smaller parcels that are underutilized. This proposal will allow for more redevelopment opportunities and encourages mixed use. Industrial is the base zoning and uses are allowed but the FMUOD encourages multiple uses and would help develop the remaining land. Also, this article proposes defining Min. Project area to define as adjacent and effectively continuous parcels and this applies to all seven of our FMUODs.

### List of Documents

• Memorandum to Finance & Warrant Commission from Planning Board, dated 3/2/16 (6 pages)	PDF
• Planning Board Warrant Article language, 7 Articles revised through 3/3/16	PDF
• Westwood Zoning Bylaw, May 2016 Proposed Redlined Version	PDF
• Power Point Presentation, Planning Board Articles for 3/7/16	PDF