

**Westwood Planning Board
Meeting Minutes
Wednesday, September 30, 2015**

Call to Order

The September 30, 2015 Planning Board meeting was called to order by Chairman Pfaff at approximately 7:31 p.m. in the Champagne Meeting Room at 50 Carby Street in Westwood and WestCAT was granted permission to videotape the meeting.

Present:

Planning Board members present: Chairman Chris Pfaff, Steve Olanoff, John Wiggin, Trevor Laubenstein and Bruce Montgomery. Staff members present: Town Planner Abigail McCabe, Nora Loughnane, Community & Economic Development Director and Janice Barba Planning & Land Use Specialist, who recorded the minutes.

Public Hearing to Consider the following proposed amendments to the Town of Westwood Zoning Bylaws and Official Zoning Map:

Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin, the Board voted unanimously in favor to open the public hearing and waive the reading of the full text of the legal notice for the public hearing.

Ms. McCabe summarized her memo to the Finance and Warrant Commission Members and Planning Board members dated 9/29 on the eight zoning amendment articles for the November 9 Town Meeting, while giving a Power Point presentation on the details of each article for Planning Board consideration.

Article 1: To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Section 9.5 [Flexible Multiple Use Overlay District (FMUOD)], or take any other action in relation thereto.

Property owners Don and Barbara Foster were present to discuss obstacles that have prevented redevelopment of the Foster Brick lot, located in the FMUOD 3 due to the lack of flexibility of mix of land uses in the bylaw. They've had some interested but the 50% cap on multi-family has not made residential an option. They've had some interest in age-restricted but that is not specifically allowed and multi-family has the cap that encourages mixed use.

A new Section 9.5.8.4.2 would read: ***Age-restricted dwelling for persons 55 years of age and older.*** Furthermore, Section 9.5.14 would be revised to ***...except that age restricted dwelling units for persons 55-years old or older permitted within FMUOD 3 may occupy up to 100% of the total gross floor area of a project.***

Ms. McCabe explained that the FMUOD-3 zone is the area of west of Providence Highway (Route 1), east of the railroad tracks, north of Everett Street and south of Willard Circle containing the properties on Glacier Drive and Wilson's Way. This zone contains about a dozen properties which is there area where the former Foster Brick site down to the McDonalds, the Prime Dealership, Mercedes, and the area with Frugal Fannies.

This amendment proposes to add a new use category to allow age restricted dwellings for people over 55 by Special Permit from the Planning Board. The exact wording of this amendment is shown in red font while the black font shows the existing zoning bylaw language. The other uses allowed in this zone are for assisted living, fast food establishments, multi-family, and research and development. Additionally, this amendment proposes to allow age-restricted dwelling for up to 100% gross floor area of a project. The black font shows how the ZBL exists today. There is a 50% cap for the GFA per project for multi-family, however, this article proposes to not have that cap for the age-restricted units.

There are no specific projects proposed at this time, however, the Planning Board has created a subcommittee and is working on amendments to the existing Senior Residential Development (SRD) zoning bylaw. The SRD zone currently permits age-restricted housing in residential zones only. The subcommittee is working on a complete re-write to the SRD but was not ready at this time to come

**Westwood Planning Board
Meeting Minutes
Wednesday, September 30, 2015**

forward with that article but has identified the property known as the Foster Brick site on Everett Street as a promising location for age-restricted housing because it is currently underutilized as a contractor's yard.

Article 2: To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Section 2.0 [Definitions] and to Section 4.1 [Principal Uses], including amendments related to solar energy facilities, or take any other action in relation thereto.

"Large Scale Solar" will replace "Commercial Scale Solar" and "Small Scale Solar" will replace "Non-Commercial Scale Solar"

Board members discussed this article and agreed that the size (number of panels) in Ms. McCabe's Power Point presentation is not important as Kw, as >15Kw is considered more than an accessory use according to the bylaw and this amendment would provide a process by which a special permit may be granted to exceed the >15Kw limit. The number of panels is not specifically related to the output of the Kw.

Public Comment:

Resident C. Martin asked for a point of clarification regarding size of the solar panels.

Resident A. Drainville asked if the Board could consider looking or regulating the square footage rather than the Kw.

The Board responded that the physical sizes of solar arrays are difficult to regulate because the number of panels and sizes vary greatly and produce a different energy output. From reviewing the existing permits issued by the building department with an electrical permit they are permitted based on the kilowatts and not necessarily the physical size.

Article 3: To see if the Town will vote to delete Section 5.5.7 [Creation of Ways] of the Westwood Zoning Bylaw in its entirety, or take any other action in relation thereto.

Ms. McCabe explained that this Section is in disagreement with the Massachusetts Subdivision Control Law and the Planning Board's Rules & Regulations Governing the Subdivision of Land is what regulates the process of the creation of ways. The Zoning Bylaw does not have authority to regulate how new roads are created. The Board had added this section to the Zoning Bylaw a few years ago with the intent that it would only reference the Subdivision Rules and Regulations but the Subdivision Rules and Regulations have not been updated to include this Section 5.5.7. A recent court case pointed out that this section of the Zoning Bylaw was not enforceable and the plaintiff in the case has brought to our attention that this section of the zoning is unlawful. The proposal is to delete this section from the Zoning Bylaw and when the Board updates their Subdivision Rules and Regulations will include this section related to new roads and how close they can be to other property lines.

Article 4: To see if the Town will vote to approve certain amendments to the Official Zoning Map intended to correct errors and inconsistencies, or take any other action in relation thereto.

Ms. McCabe explained that this amendment is for a parcel along the border of Westwood and Dedham does not currently have a zoning designation and an amendment to the Zoning Map will correct this error by zoning this parcel Highway Business which is consistent with the surrounding land. It is a very small parcel (777 SF) that does not have a zoning designation on our official zoning map.

Article 5: To see if the Town will vote to approve certain amendments to the Official Zoning Map, including a change in the zoning district designation for a parcel of land near 90 Deerfield Avenue shown on Assessor's Parcel 14 as Lot 95 from Single Residence E District to Single Residence C District, or take any other action in relation thereto.

The rezoning of a parcel would provide consistent SRC zoning of both the reconfigured American Legion

**Westwood Planning Board
Meeting Minutes
Wednesday, September 30, 2015**

parcel and the reconfigured Town Hall/Police Station parcel, and would make the new American Legion parcel a conforming lot to the minimum size requirements.

Article 6: To see if the Town will vote to approve certain amendments to the Official Zoning Map, including a change in the zoning district designation for a portion of a parcel of land at 790 Gay Street shown on Assessor's Parcel 16 as Lot 5 from Single Residence E District to Single Residence A District, or take any other action in relation thereto.

Ms. McCabe explained that this zoning amendment is to rezone a portion of the Hanlon School property so that the proposed new lot would all be in one zone. The proposed new lot is still under negotiation between the Town and the Girl Scouts but this has been identified as a likely location for the Girl Scouts House [to be relocated if the Deerfield Extension and Police Station is constructed]. This article is sponsored by the Board of Selectmen. Ms. Loughnane reported that the status of this article is pending and that this may be withdrawn as it relates to a possible sale and relocation of the Girl Scout for the extension of Deerfield Avenue and the redevelopment of the Police Station.

The Board reviewed and came to a consensus that the full lot at 790 Gay Street should all be within one zone and not be split zoned as it is today. Presently, the zoning line goes through the building and it would be cleaner if the zoning line followed the property line.

Public Comment:

Resident C. Martin expressed her concern for the relocation of the Girl Scout House and had questions regarding the new site.

Paul Bieren asked why the full property would be rezoned.

Resident M. Grant was concerned about traffic.

Resident A. Drainville was concerned about possible impacts to the Islington area.

Ms. Loughnane responded that the concept plans include a proposal for the Girl Scout lot to be relocated behind the Hanlon School and to share the existing parking spaces and an overflow parking area off of the existing parking has been identified. The Girl Scouts were supportive of this location because the school's use was compatible to theirs as their programs are generally after school and not during school hours.

The Board responded that the zoning was originally most likely created as a standard setback from the centerline of the street and did not follow property lines, which was common practice when town's first adopted zoning. When re-zoning is being considered that is a good time to clean up the zoning to create buffers or to zone a full parcel so that properties and buildings are not split-zoned.

Article 7: To see if the Town will vote to approve certain amendments to the Official Zoning Map, including a change in the zoning district designation for a portion of a parcel of land on High Street shown on Assessor's Parcel 21 as Lot 43 from Single Residence C District to Local Business A District, or take any other action in relation thereto.

The purpose of this article is to amend the zoning map for a portion of the Town-owned land next to the Obed Baker House from Single Residence C to Local Business A (LBA). Ms. Loughnane said that the status of this article is pending and may also be withdrawn as it is related to the Adaptive Re-use of the Obed Baker House, which has not been finalized yet. Ms. McCabe added that this is a Board of Selectmen sponsored zoning amendment. There were three proposals submitted in responses to a request for proposals the Town called for last month and one of the three proposals needed a zoning changes. This article was included as a place holder but the Selectmen met last night and approved a proposal that need not include the zoning change.

Article 8: To see if the Town will vote to approve 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, or take any other action in relation thereto

**Westwood Planning Board
Meeting Minutes
Wednesday, September 30, 2015**

Ms. McCabe explained that this article was a place holder in case any errors were found during the Board's hearing process. To date, none have been identified expect maybe to clean up the language for Section 6.1.12 – Reduction of Required Number of Joint Off- (Street Parking Spaces). A few words seemed to have not been printed in the latest update after May 2015 town meeting. Staff will check the zoning language that went to the Attorney General after spring town meeting.

Public Comment:

C. Martin had questions on the general zoning amendment and adoption process.

The Board explained that tonight's meeting is for zoning amendments to the town's zoning bylaw and official zoning map. Zoning designates what uses are allowed and where but is not specific to individual projects. Individual projects are reviewed by the Planning Board depending on certain triggers, generally at the time of proposed construction. Only Town Meeting can change the zoning on a 2/3 vote but the Planning Board must have a public hearing on all zoning amendments in advance of Town Meeting and must then make a recommendation.

On a motion made by Mr. Montgomery, seconded by Mr. Olanoff, the Board voted unanimously to continue the public hearing on all zoning amendments to their October 6, 2015 meeting.

Other Business:

Signage Request – Wegmans

Ms. McCabe presented three photographs of sandwich board-style signs that Wegmans has requested permission to use temporarily at the site of the new store between now and the grand opening on October 11.

Upon a motion by Mr. Montgomery and seconded by Mr. Laubenstein, the Board voted unanimously in favor to approve the temporary sandwich board signs as a project specific signage alternative for Wegmans.

Islington Center Task Force –

The Board followed up from their discussion from their last meeting on September 15 as there were interest from the members of the public. The Board discussed having a 20 member task force with representatives from various boards and commissions such as the Finance & Warrant Commission, Historic Commission, Pedestrian and Bike Safety Committee, Youth and Family Services and decided on three business and three resident representatives. If anyone is interested, please submit your interest statement to staff and the Planning Board will review candidates and make a selection on October 6. The Planning Board is going to recommend the candidates to the Board of Selectmen for their official appointment and to establish the Task Force.

Minutes: No minutes were approved at this meeting.

Adjournment:

Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin, the Board voted unanimously in favor to adjourn the meeting at approximately 9:21 p.m.

List of Documents

• Memo from Town Planner A. McCabe to Planning Board, dated 09-29-15 re: Summary of Proposed Zoning Amendment Articles for Fall Town Meeting	PDF
• Power Point Presentation by Town Planner A. McCabe, dated 9/30/15 – Public Hearing on Fall Town Meeting Zoning Amendments	PDF
• Photographs of Project Specific Signage for Wegmans (3)	PDF