

**Westwood Planning Board
Meeting Minutes
February 11, 2014
50 Carby Street
7:30 PM**

Attendance & Call to Order:

Ch. Montgomery called the meeting to order at 7:32 p.m. and asked if anyone present wished to record the meeting. Westcat TV was present and was granted permission to record the meeting.

Present: Board members Jack Wiggin and Steve Olanoff. *Absent:* Steve Rafsky and Chris Pfaff. Staff present: Town Planner Nora Loughnane, and Planning & Land Use Specialist Janice Barba, who recorded the minutes.

Pre-application Conference re: Exterior Alterations to Stagecoach Plaza – 725-745 High Street

Presentation

Proponents Gregory Salvatore and Scott Moriyama of Salvatore Capital Partners were present along with Economic Development Officer Pete Hechenbleikner. Mr. Salvatore described the proposed alterations as being aesthetic improvements of the façade frontage, including installation of a new roof, removal of the existing overhang and renovation of the wood frame portico. Tenant awnings, wall sconces, gooseneck lighting fixtures and concrete landscape planters will be added. A new tenant, Comella's Restaurant, will re-use a portion of the building in the space formerly known as Victoria's. Mr. Salvatore acknowledged that as part of the exterior alterations, a new exterior grease trap will be installed in accordance with the Sewer System Rules and Regulations. Mr. Moriyama added that they will contact the Health Department regarding compliance with its regulations as well.

Board Discussion/Comments & Questions:

- Is the second floor of the building fully leased? (Yes)
- Is the parking layout and number of spaces sufficient? (Yes, as Comella's Restaurant will have fewer seats than the previous tenant.)
- What kind of business is planned for the left-hand corner of the building where the former convenience store was? (Hopefully, a complementary tenant mix.)
- A board member commented that the existing fence on the left hand side of the property is in poor condition.
- Does this building have an elevator(s)? (No)

Public Comments:

None.

Motion/Action Taken:

Board members agreed that they are in favor of the proposed exterior alterations at 725-745 High Street. Ms. Loughnane recommended that the proponent complete an application for Environmental Impact and Design Review and to work with other town departments to comply with other requirements.

Continuation of Public Hearing to Consider Modifications to Special Permit for Reynold's Farm SRD to Permit Various Interior Alterations – 1561 High Street

Motion/Action Taken:

Upon a motion by Mr. Wiggin and seconded by Mr. Olanoff, Wiggin the board voted unanimously in favor to open and immediately continue this public hearing, without testimony taken, until Tuesday, February 25th at 7:30 p.m., in the Champagne Meeting Room.

Consideration of Modifications to USROD Special Permit for Colburn School Building – 668 High Street

Presentation

Representatives from Coffman Realty, Michael Coffman and Ben Hartley were present to discuss

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ongoing concerns with exterior lighting and signage at the Colburn Building.

Board Discussion/Comments & Questions:

Ms. Loughnane informed the Board that there is significant light trespass from the Colburn and Library lighting fixtures onto adjacent properties. Deputy Director Chris Gallagher was on-site last night at 7:15 p.m. to measure the lighting with a meter device. (The Board was given a copy of the photometric plan with readings hand-marked over it.)

- Some portion of the light trespass is caused by unshielded under-canopy lights in the drive-thru area for Peoples Bank. The applicant has proposed retrofitting the installed fixtures with shields to decrease the horizontal light spread. A test of the proposed shields was conducted last night. The meter readings for the shielded fixtures seemed to comply with the maximum under-canopy average requirements, but there still appeared to be significant light spillage onto the adjacent properties. The applicant will make modifications to the shield design to better direct the light downward from the under-canopy fixtures. A request has also been made that Peoples Bank decrease the light output through the use of lower wattage light bulbs in these fixtures.
- Ms. Loughnane and Coffman Realty are working with the electrical contractor for the Library project to address the light trespass issues related to the pole fixtures. The light meter readings related to the pole fixtures are significantly higher than shown on the approved photometric plan. The electrical contractor is investigating the design of more effective shields. A test of a new shield design for these pole fixtures will be conducted as soon as possible.
- A concern had also been raised about the use of internally lit lettering on the signs for the drive-through window and drive-through ATM. The Westwood Historical Commission expressed concern that the existing signs detracted from the historic character of the building. The applicant installed a tinted plastic shield on these signs to dampen the sharpness of the LED lettering. Ms. Loughnane will inform the board if she receives further comment from the WHC.
- Board members generally agreed that this site is too brightly lit, whereas the adjacent sites are more dimly lit.
- A Board member suggested that the lighting under the canopy should be turned off by 10:00 p.m.
- The light fixture closest to the Malster property is remaining on all night long and should not be.
- A board member suggested that these lights should be even, multiple points of LED fixtures.

Public Comments:

None.

Motion/Action Taken:

Endorsement of Tripartite Agreement

Ms. Loughnane explained to the Board that the applicant has requested the issuance of temporary Certificates of Occupancy for each of the apartment units. Since several items remain unfinished, including exterior painting and landscape items that cannot be completed before spring, Ms. Loughnane proposed the funding of all incomplete items, including the cost of new light shields and

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replacement lights for the ATM sign, pursuant to a tri-partite agreement for \$19,350. The form of agreement has been approved by the Town Administrator and Town Counsel. Town Counsel Tom McCusker was present before the Board to witness and notarize the signatures of the Board.

Upon a motion by Mr. Wiggin and seconded by Mr. Olanoff the board voted unanimously in favor to endorse the Tripartite Agreement.

Review of Draft Amendments to the Town of Westwood's Zoning Bylaws for Recommendation to Annual Town Meeting.

Presentation

Ms. Loughnane provided the following draft of the ten proposed zoning amendment articles for the May Town Meeting. The focus of the discussion was on Section 9.5 (adding two new FMUOD districts.)

Board Discussion & Comments/Changes: in **RED**.

**DRAFT 2-11-14
WESTWOOD PLANNING BOARD
LEGAL NOTICE
NOTICE OF PUBLIC HEARING**



The WESTWOOD PLANNING BOARD will hold a public hearing in accordance with the provisions of M.G.L. Chapter 40A, §5 on Tuesday, March 25, 2014, at 7:30 PM in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, MA, to consider the following proposed amendments to the Town of Westwood Zoning Bylaw and Official Zoning Map:

Article 1: To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw and Official Zoning Map related to Section 9.5 [Flexible Multiple Use Overlay District (FMUOD)], including the establishment of one or more additional FMUOD districts, or take any other action in relation thereto:

- 1) Replace the existing Section 9.5.2 with a new Section 9.5.2 to read as follows:
 - 9.5.2 **Location.** Seven distinct Flexible Multiple Use Overlay Districts - FMUOD 1, FMUOD 2, FMUOD 3, FMUOD 4, FMUOD 5, FMUOD 6, and FMUOD 7 - are herein established as overlay districts as shown on the Official Zoning Map and as described herein:
 - 9.5.2.1 **FMUOD 1: University Avenue Business District.** FMUOD 1 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 1, approximately bounded by Route 128/95, the Neponset River, Canton Street and Town of Westwood Conservation Land.
 - 9.5.2.2 **FMUOD 2: Southwest Park.** FMUOD 2 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 2, approximately bounded by Providence Highway, Route 128/95 and the MBTA Commuter Rail Tracks.
 - 9.5.2.3 **FMUOD 3: Glacier/Everett Business District.** FMUOD 3 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 3, in the vicinity of Glacier Avenue and Everett Street, west of Providence Highway.

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- 9.5.2.4 **FMUOD 4: Perwal/Walper Business District.** FMUOD 4 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 4, in the vicinity of Perwal and Walper Streets, east of Providence Highway.
- 9.5.2.5 **FMUOD 5: Allied Drive Business District.** FMUOD 5 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 5, including properties abutting the Route 128 Circumferential Highway in the vicinity of Allied Drive and East Street within Westwood.
- 9.5.2.6 **FMUOD 6: Washington Street Business District.** FMUOD 6 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 5, including properties along Washington Street within the Local Business B District, between Fairview Street and Everett Street.
- 9.5.2.7 **FMUOD 7: High Street Business District.** FMUOD 7 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 5, including properties along High Street within the Local Business A District, between Windsor Road and High Rock Street.

2) Replace the existing Section 9.5.7 with a new Section 9.5.7 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, FMUOD 5, FMUOD 6, or FMUOD 7, whether held in common or separate ownership.

3) Replace the existing Section 9.5.8 with a new Section 9.5.8 to read as follows:

- 9.5.8 **Permitted Uses.** FMUOD Special Permits shall be granted only for uses specified below. Except as otherwise provided herein and subject to the provisions of this Bylaw applicable to the underlying district, land and buildings in any FMUOD may be used for any purpose permitted as of right or by special permit in the underlying district pursuant to Section 4.0, Use Regulations and other applicable sections of this Bylaw. Multiple uses may be contained within a single building or structure pursuant to an FMUOD Special Permit.

9.5.8.1 **Uses Permitted by FMUOD Special Permit in any FMUOD:**

- 9.5.8.1.1 Bank or financial institution;
- 9.5.8.1.2 Business service establishment;
- 9.5.8.1.3 Coffee shop;
- 9.5.8.1.4 Commercial recreation, indoor;
- 9.5.8.1.5 Cultural facility, art gallery or museum;
- 9.5.8.1.6 Educational facility, including public, non-profit, or for profit;
- 9.5.8.1.8 Ice cream shop;
- 9.5.8.1.9 Office of a doctor or dentist;
- 9.5.8.1.10 Personal services establishment;
- 9.5.8.1.11 Printing/copy/publishing establishment;
- 9.5.8.1.12 Professional service establishment;
- 9.5.8.1.14 Restaurant with or without entertainment, less than 10,000 sq. ft.;
- 9.5.8.1.15 Retail sales and services establishment, less than 15,000 sq. ft.;
- 9.5.8.1.16 Shuttle service system.

9.5.8.2 **Additional Uses Permitted by FMUOD Special Permit in FMUOD1:**

- 9.5.8.2.1 Fast order food establishment, not within 300 feet of a residentially-zoned parcel not included within the project authorized by FMUOD Special Permit;
- 9.5.8.2.2 Hotel;
- 9.5.8.2.3 Kennel, commercial;

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- 9.5.8.2.4 Multi-family dwelling;
- 9.5.8.2.5 Pay-to-Park Outdoor Parking Facility;
- 9.5.8.2.6 Research and development facility;
- 9.5.8.2.7 Restaurant with or without entertainment, 10,000 sq. ft. or more;
- 9.5.8.2.8 Retail sales and services establishment, 15,000 sq. ft. or more.

9.5.8.3 Additional Uses Permitted by FMUOD Special Permit in FMUOD2:

- 9.5.8.3.1 Fast order food establishment, provided such establishment is wholly within an office or other non-retail building and is not presented as available for use of the general public;
- 9.5.8.3.2 Hotel.
- 9.5.8.3.3 Research and development facility;

9.5.8.4 Additional Uses Permitted by FMUOD Special Permit in FMUOD3:

- 9.5.8.4.1 Assisted living residence;
- 9.5.8.4.2 Fast order food establishment, provided such establishment is wholly within an office or other non-retail building and is not presented as available for use of the general public;
- 9.5.8.4.3 Multi-family dwelling.
- 9.5.8.4.4 Research and development facility;

9.5.8.5 Additional Uses Permitted by FMUOD Special Permit in FMUOD4:

- 9.5.8.5.1 Fast order food establishment, provided such establishment is wholly within an office or other non-retail building and is not presented as available for use of the general public;
- 9.5.8.5.2 Research and development facility;

9.5.8.6 Additional Uses Permitted by FMUOD Special Permit in FMUOD5:

- 9.5.8.6.1 Fast order food establishment, provided such establishment is wholly within an office or other non-retail building and is not presented as available for use of the general public;
- 9.5.8.6.2 Research and development facility;

9.5.8.7 Additional Uses Permitted by FMUOD Special Permit in FMUOD6:

- 9.5.8.7.1 Upper Story Residential Use;

9.5.8.8 Additional Uses Permitted by FMUOD Special Permit in FMUOD6: changed to FMUOD7

- 9.5.8.8.1 Upper Story Residential Use;

9.5.8.9 Accessory Uses Permitted by FMUOD Special Permit in all FMUOD districts: Any use accessory to a use permitted by FMUOD Special Permit may be permitted pursuant to that same permit, irrespective of whether such use is located on the same lot as the principal use, provided that the principal use to which such use is accessory shall be clearly identified, and further provided that such accessory use shall be specifically reviewed and approved by the Planning Board in the FMUOD Special Permit.

4) Replace the existing Section 9.5.9 with a new Section 9.5.9 to read as follows:

*

		<u>FMUOD 1</u>	<u>FMUOD 2</u>	<u>FMUOD 3</u>	<u>FMUOD 4</u>	<u>FMUOD 5</u>	<u>FMUOD 6</u>	<u>FMUOD 7</u>
9.5.9.1	Minimum	10 acres	5 acres	10 acres	5 acres	5 acres	2 acres	2 acres

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	Project Area							
9.5.9.2	Minimum Lot Area	15,000 sq. f.t.	15,000 sq. f.t.	15,000 sq. f.t.	15,000 sq. f.t.	15,000 sq. f.t.	4,000 sq. f.t.	4,000 sq. f.t.
9.5.9.3	Maximum Building Height	70 feet ¹	80 feet	45 feet	45 feet	45 feet	35 feet	35 feet
9.5.9.4	Maximum Floor Area Ratio, not including area of parking structure	1.0 ²	1.0	1.0	1.0	1.0	1.0	1.0
9.5.9.5	Minimum Residential District Buffer required under Section 6.3.2 (feet)	100	20	50	50	50	20	20
9.5.9.6	Minimum Public Amenity Areas or other public amenities required under Section 9.5.14.2.4.3	10%	other public amenity	10%	other public amenity	other public amenity	other public amenity	other public amenity

9.5.9 **Alternative Dimensions.** The alternative dimensions set forth in the table below may be used for a project developed under a FMUOD Special Permit rather than the requirements provided elsewhere in this Bylaw. There shall be no minimum lot frontage, lot width, or setback requirements, and no maximum impervious surface or lot coverage requirements for a project developed under a FMUOD Special Permit. Rather, specific project dimensions shall be determined by the Planning Board. In all cases, there shall be sufficient separation between any two structures to allow emergency vehicle access. **(This section will be moved to above the table. *)**

¹ Where a lot in FMUOD 1 is within two thousand five hundred (2,500) feet of the MBTA Train Station parcel (shown as Lot 1 on Assessor’s Plat 33), and east of University Avenue, the Planning Board may allow an increased maximum building height of no more than 120 feet. In no case shall the height of any building exceed one hundred seventy-eight and one-half (178.5) feet above sea level.

² Where a lot in FMUOD 1 is within two thousand five hundred (2,500) feet of the MBTA Train Station parcel (shown as Lot 1 on Assessor’s Plat 33), and east of University Avenue, the Planning Board may allow an increased maximum floor area ratio of no more than 1.2.

5) Replace the existing Section 9.5.11.2 with a new Section 9.5.11.2 to read as follows:

9.5.11.2 **Development Identification Sign.** Where appropriate, a project developed under a FMUOD Special Permit shall be allowed a development identification sign at any primary entrance to the project, as determined by the Planning Board. Such development identification sign may include the name and/or logo of the development project, as well as

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the names and/or logos of any anchor establishments within the development, as determined by the Planning Board. Development identification signs may have two (2) faces, each of which shall not exceed one hundred and sixty (160) square feet in area. Development identification signs shall not exceed twenty (20) feet in height, or such lesser amount as determined by the Planning Board to be appropriate for a particular application. Logos and/or graphic representations shall be counted toward the maximum permitted sign area. Development identification signs shall include appropriate landscaping as determined by the Planning Board.

6) Replace the existing Section 9.5.11.5 with a new Section 9.5.11.5 to read as follows:

9.5.11.5 Way Finding Signs. Where determined by the Planning Board to be appropriate in light of the size and scale of a project, way finding signs shall be allowed throughout a development, and may be allowed at off-premise locations at the sole discretion of the Planning Board. The number of such signs, and the size of each sign, shall be the minimum necessary to ensure traffic safety. Way finding signs shall be post-mounted, ground-mounted, or mounted on a building or structure, and shall not exceed thirty-two (32) square feet in area and shall have a maximum height of eight (8) feet above ground. All way finding signs located throughout a development shall be consistent in material, color and lettering style. Way finding signs shall not contain individual business identification logos. Way finding signs may include electronically changed lettering as appropriate to provide directions and/or indicate availability of public parking. Such changeable signs must be static displays that do not flash, or exhibit changes in lighting levels, or offer multiple messages on a cyclical basis.

7) Delete Sections 9.5.11.8, 9.5.11.9 and 9.5.11.10 in their entirety.

8) Replace existing Section 9.5.15.2.1.2 with a new Section 9.5.15.2.1.2 to read as follows:

9.5.15.2.1.2 Architectural Design. Structures shall be designed to create a visually pleasing, unifying and compatible image for the development as a whole. Any combination of architectural design elements may be employed to meet this standard, including building color, texture, materials, scale, height, setbacks, roof and cornice lines, signs, and elements such as door and window size and location, and door and window detailing. Where the nature of the following design features is considered by the Planning Board to be significant to the preservation or enhancement of the desirable visual quality and property values of a particular area, any new structure or alteration shall be harmoniously related to nearby pre-existing structures and the street facade in terms of color, texture, materials, scale, height, setbacks, roof and cornice lines, signs and design elements such as door and window size and location and door and window detailing, including materials for sills, lintels, frames and thresholds and any other major design elements.

9) Revise the Official Zoning Map to reflect proper delineation of all FMUOD Overlay Districts. **(This was deleted and replaced with:**

Replace existing Sections 4.1.5.6 and 4.1.5.7 with a new Sections 4.1.5.6 and 4.1.5.7 to read as follows:

	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.1.5.6 Retail sales and services, less than 10,000 square feet	N	N	N	N	N	N	N	Y	Y	Y ⁵	Y	Y	N
4.1.5.7 Retail sales and services, 10,000 square feet or	N	N	N	N	N	N	N	N	N ⁴	Y ⁵	BA ³	BA ³	N

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10) Replace Note 4 under Section 4.2 with a new Note 4 to read as follows:

⁴ Except for a retail grocery store which may exceed 10,000 square feet.

11) Replace existing Section 4.1.5.12 with a new Section 4.1.5.12 to read as follows:

	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.1.5.12 Restaurant without entertainment, 10,000 square feet or more	N	N	N	N	N	N	N	BA	BA	Y	BA ⁶	BA ⁶	N

12) Change the designation of the parcels known as Assessor’s Plat 23, Lots 163 and 188 from General Residential (GR) District to Local Business B (LBB) District, and change the designation of the parcel known as Assessor’s Plat 23, Lot 215 from Industrial-Office (IO) District to Local Business B (LBB) District, or take any other action in relation thereto.

13) Replace the map entitled “Official Zoning Map, May 6, 2013” with the map entitled “Official Zoning Map, Version 2, May 5, 2014”.

Article 2: To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw and Official Zoning Map related to Section 9.6 [Mixed Use Overlay Districts (MUOD)], including the deletion of Section 9.6 in its entirety, and the deletion of all references to Section 9.6 or to any MUOD districts, within the Zoning Bylaw and/or the Official Zoning Map, or take any other action in relation thereto.

Article 3: To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Medicinal Marijuana Use, including amendments to Section 2.0 [Definitions], Section 4.1 [Principal Uses], and Section 4.2 [Notes for Table of Principal Uses], and Section 4.6 [Interim Regulations for Medicinal Marijuana Use], or take any other action in relation thereto:

1) Delete Section 2.0 definitions for “Medical Marijuana Dispensary” and “Other Marijuana Facility” and add new Section 2.0 definitions as follows:

Registered Marijuana Dispensary A non-profit entity, lawfully permitted and licensed pursuant to 105 CMR 725 that acquires, cultivates, possesses, processes (including development of related products such as edible MIPs, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. A Registered marijuana Dispensary (RMD) may sell only marijuana, marijuana-infused products (MIPs) and marijuana seeds, and other products such as vaporizers that facilitate the use of marijuana for medical purposes.

Other Marijuana Facility Any acquisition, cultivation, possession, processing, sale, dispensing, distribution, or administration of products containing or derived from marijuana, including, without limitation, food, tinctures, aerosols, oils, ointments, or smokables, and/or marijuana-related supplies or materials, other than a Registered Marijuana Dispensary.

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2) Amend Section 4.1.5.37 to read as follows:

PRINCIPAL USE	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.1.5.37 Medicinal Marijuana Facility per Section 7.4	N	N	N	N	N	N	N	N	N	N	N	N	BA

3) Add new Section 7.4 to read as follows:

SECTION 7.4 REGISTERED MARIJUANA DISPENSARIES

7.4.1 **Purpose.** The purpose of this Section is to assure that Registered Marijuana Dispensaries (RMDs) are carefully designed, located and operated in accordance with applicable state and local laws, rules and regulations, and to assure that adequate provisions are made for impacts of such facilities upon the character of the Town and upon traffic, utilities and property values therein, thereby affecting the public health, safety and general welfare thereof.

7.4.2 **Special Permit Required.** No RMD shall be constructed or operated except pursuant to a special permit therefor granted by the Board of Appeals in accordance with Section 7.4. **ALL IN RED WAS DELETED.**

7.4.2 Application Requirements. An application for a special permit for a RMD shall be accompanied by the following submittal items, except as specifically waived by the Board of Appeals:

- 7.4.2.1 Site Plan. The site plan shall be prepared by a Registered Professional Engineer, Registered Landscape Architect and/or Registered Professional Land Surveyor and shall show the following information, except to the extent waived by the Planning Board:**
 - 7.4.2.1.1 Existing and proposed planting, landscaping and screening, which shall show the location, dimension and arrangement of all open spaces and yards, including type and size of planting materials, methods to be employed for screening and proposed grades and a plan for maintenance;**
 - 7.4.2.1.2 Location, type, size and dimension of existing trees, rock masses and other natural features with designations as to which features will be retained;**
 - 7.4.2.1.3 Dimension and location of existing and proposed buildings and structures;**
 - 7.4.2.1.4 Existing topography, including any proposed grade changes;**
 - 7.4.2.1.5 Parking areas and facilities, traffic circulation, driveways, loading areas, access and egress points;**
 - 7.4.2.1.6 Storm drainage, including direction of flow and means of ultimate disposal. Stormwater drainage runoff calculations used for the drainage system design shall be prepared by a Registered Professional Engineer and must support the sizing of all drainage structures and pipes and demonstrate compliance with the stormwater management standards adopted and as amended from time to time by the Massachusetts Department of Environmental Protection;**

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- 7.4.2.1.7 Provisions for sanitary sewerage and water supply, including fire protection measures; and**
- 7.4.2.1.8 Location of all utilities, signage, outdoor storage and trash disposal areas.**
- 7.4.2.2 Exterior Lighting Plan.** The Exterior Lighting Plan shall show the information as required in Section 6.4.4 of this Bylaw, except to the extent waived by the Planning Board.
- 7.4.2.3 Traffic Study.** The traffic study shall be prepared by a Registered Professional Engineer consistent with study guidelines adopted and from time to time amended by the Planning Board, except to the extent waived by the Planning Board.
- 7.4.2.4 Drawings/Renderings.** A drawing or rendering of the proposed building, including color and type of surface materials showing front, rear and side elevations.
- 7.4.2.5 Photographs.** Photographs showing any existing structures to be altered, the proposed building site and surrounding properties. Applications for alterations and additions shall include photographs showing each existing structure to be altered and its relationship to adjacent properties.
- 7.4.2.6 Security Plan.** The Security Plan shall include, at a minimum, the following items:
 - 7.4.2.6.1 The provision of satisfactory security measures, including a duress alarm, panic alarm, or holdup alarm connected to local public safety or law enforcement.**
 - 7.4.2.6.2 The provision of a satisfactory surveillance system and evidence that access to surveillance areas will be limited to persons that are essential to surveillance operations, including law enforcement authorities acting within their lawful jurisdiction.**
 - 7.4.2.6.3 A description of the proposed hours of operation and confirmation that after-hours contact information has been made available to enforcement officials.**
 - 7.4.2.6.3 A complete description of a satisfactory procedure for the transportation of marijuana and marijuana-related products to and from the facility.**
 - 7.4.2.6.4 A complete description of satisfactory procedures for timely reports to law enforcement officials, including the following:**

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- a) **Report of any vehicle accidents, diversions, losses or unusual discrepancy in weight or inventory, or any other reportable incidents by the RMD.**
- b) **Report of any diverted marijuana to law enforcement officials.**
- c) **Report of any criminal action involving the RMD or a dispensary agent to local law enforcement.**
- d) **Report of any suspicious act involving the sale, cultivation, distribution, processing, or production of marijuana by any person.**
- e) **Report of any unauthorized destruction of marijuana.**
- f) **Report of any loss or unauthorized alteration of records related to marijuana, registered qualifying patients, personal caregivers, or dispensary agents.**
- g) **Report of any alarm activation or other event that requires response by public safety personnel.**
- h) **Report of any failure of any security alarm system due to a loss of electrical power or mechanical malfunction that is expected to last longer than eight hours.**
- i) **Report of any breach of security.**

7.4.3 Referral of Application to Board of Health. Within ten (10) days after receipt of the application, the Board of Appeals shall transmit a copy thereof to the Board of Health, whereupon said Board may, at its discretion, review the proposed RMD project and report in writing its recommendations to the Board of Appeals. The Board of Appeals shall not take final action on such application until it has received a report thereon from the Board of Health, or until said Planning Board has allowed sixty-five (65) days to elapse after receipt of such application without submission of a report

7.4.4 Referral of Application to Planning Board. Within ten (10) days after receipt of the application, the Board of Appeals shall transmit a copy thereof to the Planning Board, whereupon said Board may, at its discretion, review the proposed RMD project and report in writing its recommendations to the Board of Appeals. The Board of Appeals shall not take final action on such application until it has received a report thereon from the Planning Board, or until said Planning Board has allowed sixty-five (65) days to elapse after receipt of such application without submission of a report. Said Planning Board report indicate the status of the proposed RMD's Environmental Impact and Design Review (EIDR) application which is required pursuant to Section 7.3 of this Bylaw. If the Board of Appeals shall vote to grant a RMD Special Permit prior to the Planning Board's issuance of an EIDR Approval for the RMD project, the Board of Appeals decision shall be conditional upon the granting of such EIDR Approval by the Planning Board and subject to any conditions thereof.

7.4.5 Findings. No RMD Special Permit shall be granted unless the Board of Appeals finds that operations conducted under such special permit, subject to the conditions imposed thereby, will not be contrary to the best interests of the

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Town.

- 4) Remove Section 4.6 in its entirety.

ADDED Articles 4,5,6 8,10:

Article 4: To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to restaurants, including amendments to Section 2.0 [Definitions], Section 4.1 [Principal Uses], Section 4.2 [Notes for Table of Principal Uses], and Section 4.3 [Accessory Uses], or take any other action in relation thereto:

- 1) Amend Section 2.0 definition for “Restaurant” to read as follows:

Restaurant, Accessory A restaurant establishment located within an office or research and development building, which occupies no more than 25% of the gross floor area of said building, where the primary activity is the preparation, service and sale of meals for consumption on the premises while seated inside a completely enclosed building, and where the customers do not generally have the option to consume their meals outside such building. The term “restaurant, accessory” shall not include “fast order food establishment”, “coffee shop” or “ice cream parlor” as herein separately defined.

- 2) Add new Section 4.3.5.2 to read as follows, and renumber subsequent sections as appropriate:

	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.3.5.2 Restaurant, accessory	N	N	N	N	N	N	N	N	N	N	Y	Y	BA ¹

- 3) Amend Section 4.14.11 and Section 4.1.5.12 to read as follows:

	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.1.5.11 Restaurant without entertainment, less than 10,000 square feet	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N
4.1.5.12 Restaurant without entertainment, 10,000 square feet or more	N	N	N	N	N	N	N	BA	BA	Y	BA	BA	N

- 4) Delete Note 6 under Section 4.2 and renumber subsequent notes accordingly.

Article 5: To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Section 2.0 [Definitions], to add, delete, or amend various definitions, or take any other action in relation thereto:

- 1) Replace definitions for “Lot, Corner” and “Height, Building” to read as follows:

Lot, Corner A lot on a corner fronting on two (2) intersecting streets. In the case of a corner lot, one lot line shall be designated a front lot line, and the opposite lot line shall be designated a rear lot line, for setback and yard requirements.

Height, Building Measured at the vertical distance from the average natural ground elevation adjoining the building at all exterior walls (grade plane) to the average height of the highest roof surface, except that in residential districts, height is measured from the highest finished ground elevation adjoining the building at all exterior walls. The limitations of height shall not apply to chimneys, ventilators, skylights, tanks, bulkheads, penthouses, amateur radio antennas and other necessary features usually carried above the roof line, provided such features do not cover more than twenty-five percent (25%) of the area of the roof of the building or other structure and are used in no way for

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human occupancy.

- 2) Add a new definitions to Section 2.0 to read as follows, and re-alphabetize definitions as appropriate:

Entertainment Any form of amusement, distraction or similar activity intended to entertain the customers or clientele of a business, including any live or audio-visual presentation regardless of duration.

Establishment Any private or public entity, for-profit or non-profit organization, institution, proprietorship, or partnership regularly engaged in a particular activity.

Article 6: To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Section 4.5 [Non-conforming Uses and Structures], or take any other action in relation thereto:

Replace Section 4.5.8 with a new Section 4.5.8 to read as follows:

4.5.8 Single and Two-Family Reconstruction after Catastrophe or Voluntary Demolition. Any single and two-family nonconforming structure may be reconstructed after a catastrophe or after voluntary demolition in accordance with the following provisions:

- 4.5.8.1 Reconstruction of said premises shall commence within one (1) year after such voluntary demolition, or within two (2) years after such catastrophe, which time period may be extended by the Building Commissioner for good cause.
- 4.5.8.2 The building as reconstructed shall:
 - 4.5.8.2.1 be located on the same footprint as the original structure, and shall only be as great in volume or area as the original nonconforming structure; or
 - 4.5.8.2.2 comply with all current setback, yard and building coverage requirements and shall have a maximum building height of twenty-five (25) feet if constructed on a lot that does not comply with current lot area and lot frontage requirements.
- 4.5.8.3 In the event that the proposed reconstruction does not meet the provisions of Sections 4.5.8.1 and 4.5.8.2, a special permit shall be required from the Board of Appeals for such demolition and reconstruction.

Article 7: To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Section 5.0 [Dimensional Requirements], including amendments to the Table of Dimensional Requirements, or take any other action in relation thereto:

Replace existing Section 5.2 with a new Section 5.2 to read as follows:

5.2 TABLE OF DIMENSIONAL REQUIREMENTS¹

DISTRICTS		DIMENSIONAL REQUIREMENTS						
Minimum Lot Area (sq ft)	Minimum Lot Frontage (feet)	Minimum Lot Width (feet)	Minimum Nonwetland Area ² (sq ft)	Minimum Front Setback ³ (feet)	Minimum Side Yard Setback ⁴ (feet)	Minimum Rear Yard Setback ⁴ (feet)	Maximum Building Coverage (%)	Maximum Impervious Surface (%)

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5.2.1	SRA	12,000	90	90	12,000	25	15 ⁵	30 ⁶	25	50
5.2.2	SRB ¹³	20,000	90	90	15,000	25	15 ⁵	30 ⁶	25	50
5.2.3	SRC ¹³	40,000	125	125	30,000	40	20 ⁷	30 ⁸	25	50
5.2.4	SRD	15,000	90	90	12,000	25	15 ⁵	30 ⁶	25	50
5.2.5	SRE ¹³	80,000	175	175	60,000	40	20 ⁷	30 ⁸	25	50
5.2.6	GR	12,000	90	90	12,000	25	15 ⁵	30 ⁶	25	50
5.2.7	SR	80,000	175	175	60,000	40	20 ⁷	30 ⁸	25	50
5.2.8	LBA	4,000	40	40	4,000	10	15 ⁹	15	25	80
5.2.9	LBB	4,000	40	40	4,000	0	15 ⁹	15	25	80
5.2.10	HB	10,000	100	100	10,000	50	15	15	50	80
5.2.11	I	40,000	200	200	12,000	50	15 ¹⁰	15 ¹¹	50	80
5.2.12	IO	40,000	200	200	12,000	50	15 ¹⁰	15 ¹¹	50	80
5.2.13	ARO	80,000	175	175	60,000	50	30 ¹²	30	30	50

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.

Article 10: To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Section 6.2 [Signs], or take any other action in relation thereto:

- 1) Add a new Section 6.2.4 to read as follows, and renumber subsequent sections as appropriate:

6.2.4 **Municipal Signs.** Notwithstanding and provisions to the contrary in Section 6.2 or elsewhere in this Bylaw, municipal signs of any type, number, size, and material are permitted in all districts as authorized by the Town Administrator.

- 2) Delete the words “,except municipal signs” from Section 6.2.4.2, so that Section 6.2.4.2 reads as follows:

6.2.4.2 The maximum area of each sign shall not exceed one (1) square foot.

- 3) Delete Sections 6.2.4.5, 6.2.5.5 and 6.2.6.5 related to municipal signs.

- 4) Replace existing Section 6.2.7 with a new Section 6.2.7 to read as follows:

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.

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, and properly displayed official flags of governmental jurisdictions and decorative flags on residences 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.

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- 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.
- 6.2.7.6 Notwithstanding the above provisions, municipal signs of all types shall be permitted in all districts.

Public Comments:

None.

Motion/Action Taken:

None needed.

Continuation of Public Hearing regarding the revision of various sets of existing Planning Board rules, regulations, standards and guidelines, and the adoption of new sets of rules, regulations, standards and guidelines.

Presentation

Ms. Loughnane informed the Board that Phil Paradis is still awaiting board members’ comments on proposed revisions to the Subdivision Regulations.

Board Discussion/Comments & Questions:

Board members said that they would email Phil to inform him that they have either no comments or will send individual comments.

Public Comment:

None.

Motion/Action Taken:

Upon a motion by Mr. Wiggin and seconded by Mr. Olanoff, the Board voted unanimously in favor to continue this public hearing until Tuesday, February 25th, at 7:30 p.m., in the Champagne Meeting Room, 50 Carby Street.

New Business – Reserved for topics not reasonably anticipated to be discussed.

None.

Adjournment

Upon a motion by Mr. Wiggin and seconded by Mr. Olanoff, the board voted unanimously in favor to adjourn the meeting at approximately 9:45 p.m.

Upcoming Meetings:

Thurs., Feb. 27 th	6:30 pm	MassDOT Hearing, Downey School, 250 Downey Street
Tues., Mar. 4 th	7:30 pm	Public Safety Facilities Task Force Joint Public Meeting, Middle School Cafeteria

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List of Documents:

Schematic Exterior Elevations, Egress Plan and Site Plans for 725-745 High St. - Westwood Shopping Plaza	PDF
Copy of Photometric plan marked up by Deputy Director Chris Gallagher following light meter reading.	PDF
Colburn School Plans: C-4 Layout & Materials Plan	PDF
Amendments 1-10 Legal Notice Long Draft 021114	PDF