

**Westwood Planning Board  
Meeting Minutes  
March 25, 2014  
50 Carby Street  
6:30 PM**

**Attendance & Call to Order:**

Ch. Montgomery called the meeting to order at 6:34 p.m. and asked if anyone present wished to record the meeting. *(No requests.)*

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

**University Station Roadway and Transportation Update**

*This update was given by Special Counsel Dan Bailey, Bob Dahler of TetraTech and Najib Habesch of BETA Group.*

Roadway Plan boards were presented to the Board depicting updates on the following projects:

- MassDOT Blue Hill Drive Ramp Construction Project (Shown in YELLOW.)  
Main elements: reconstruction of the I-95 southbound off-ramp to University Ave.; widening of the I-95 southbound mainline to provide an auxiliary lane between the adjacent rest area and the new off-ramp; termination of Blue Hill Dr. in a cul-de-sac; and the reconstruction of the new University Ave. intersection including traffic signal modifications.
- Mass Works University Station/Canton Street Intersection Construction Project (Shown in BLUE.)
  - Most work is occurring within the highway islands now and will continue for the next 1-2 months.
- Proponent's University Avenue, Rosemont Road and Harvard Street Construction Project (Shown in ORANGE.)
- Proponent's Off-Site Intersection Design Studies (Shown in ORANGE.)
  - Starts at rest area
  - 6-8' widening
  - Pedestrian integrated signals
  - Bicycles and pedestrians will be accommodated on a shared lane on Whitewood Rd.
  - Median between Whitewood Rd. will have a one way connector with a guardrail.
  - East Street Rotary developer funded mitigation
  - A piece of the old off-ramp will be utilized during and past the opening of the project until the new ramp is finalized.
  - Pavement binder, flashing signals are to be substantially complete for 2014 and roadway capacity
  - Parks at the Gateway to the project and around the wellhead will be planted by fall 2014 and finished with wetland basins.
  - Medians will contain trees, shrubs and mulch. (No irrigation is used here.)
- Canton/Everett/Forbes Traffic Calming Project Update
  1. *Project Goals:* Reduce Travel Speeds; Increase Travel Time Through Corridor; Reduce Cut-through Traffic
  2. *Plan Development & Measures:* Realigned Intersections; Slow Points; Advance Warning Signs
  3. *Traffic Calming Measures Identified at the Following Intersections:* Canton St. between Rotary & Blue Hill Dr. ; Canton St. at Blue Hill Dr.; Canton St.at Perry Dr. & Cushing Rd.; Canton St. at Hemlock Dr. & Hedgerow Ln.; Everett St. at Lyons Rd.; Forbes Rd. at Cushing Rd.; Forbes Rd. at Glandore Rd.; and Canton St. – Slow Point Islands.

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4. Next Steps: NCC Approval; Field Testing; Finalize Design; and Construction

*(A copy of this presentation is available with these minutes.)*

*Board Discussion/Comments & Questions:*

- The main off-ramp will be built in the 2015 construction season and completed with full roadway capacity by 2016.
- Discussed the mitigation measures planned for the East Street rotary including repaving to channel traffic.
- Discussed the future intersection work lengthening and extending the taking on the north bound side of Dedham Street to allow for two, free-flowing lanes.
- Discussed the Route 1A at Clapboardtree St and Route 1A at Everett Street and were informed that no land taking would be needed.

*Public Comments:*

C. Peckinpugh, Whitewood Rd. – asked questions about the changes planned for Blue Hill Dr. including becoming a dead-end, and the traffic impacts on Whitewood Road. (Whitewood Road will be dead-ended for a while during Blue Hill Dr. construction.)

*Motion/Action Taken:*

None needed.

**Consideration of University Station Sound Wall Plans**

*Background Information:*

Ms. Loughnane reminded the Board that the University Station Master Plan approved by Town Meeting included a sound wall between the Whitewood Road neighborhood connector and the new Blue Hill Drive off-ramp from I93. The sound wall was expected to be constructed prior to the opening of the Core Retail Area at University Station. The Proponent has since informed that the timing of the MassDOT Blue Hill Drive ramp construction will not allow for the sound wall to be constructed before the final phase of the ramp construction is complete, which is expected in 2016.

Bob Dahler of TetraTech and Paul Cincotta of NE Development gave a brief presentation to the Board to offer an option to consider an alternate location of the proposed sound wall which could allow for the installation of this sound wall prior to the opening of the Core Retail Area in 2015.

- Alternate sound wall would require a 50% increase in the height of the sound wall from 8' to 12' in order to maintain effectiveness if the wall is moved further away from the noise source, outside the State property and on the Westwood Marketplace Holdings, LLC property.
- Sound wall will no longer serve as a visual barrier between the Whitewood Road neighborhood connector and the highway off-ramp.
- Sound wall will provide a temporary sound dampening benefit during the initial construction period but would ultimately result in a less aesthetically pleasing option for the Whitewood Road neighborhood.

*Board Discussion/Comments & Questions:*

- This sound wall will not mitigate noise from the project, only construction of the off-ramp.
- This alternate sound wall plan would require a minor modification to the Master Development Plan.
- Planning Board members agreed with the location of the alternate sound wall.

*Public Comments:*

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None.

*Motion/Action Taken:*

None.

**Public Hearing for Consideration of EIDR Application for Exterior Alterations to Stagecoach Plaza – 725-745 High Street**

Ch. Montgomery opened the public hearing by reading the legal notice at approximately 8:11 p.m.

*Presentation*

Greg Salvatore and Scott Moriyama of Salvatore Capital Partners appeared before the board to discuss the proposed exterior alterations.

- Primarily aesthetic improvements of the façade including a new roof, removal of existing front overhang, construction of a new portico, installation of fabric window awnings, goose-neck light fixtures and decorative wall sconces.
- Addition of landscaping planters.
- Installation of an exterior grease trap as required by the Westwood Sewer Commission.

*Public Comments:*

- B. Jacobs, 59 Hartford St., commented that he is concerned about current drainage issues and suggested that the DPW lower the sewer line at this location.
- J. Brackett, 35 Hartford St., commented that there always excess trash on the property that blows onto her property. The dumpster on the property is a nuisance as it is not emptied on as frequently as it should be. In addition, she has noticed illegal dumping. She also asked why trees were removed on the border of the property and the unsightly area.

*Board Discussion/Comments & Questions:*

- Will there be any changes to the lighting in the rear of the property? (No.)
- Lighting in the rear of the property should not be higher than 15' and the fixtures should be shielded and meet current lighting standards.
- The dumpster must be enclosed with fencing.
- Work with the DPW to clean up the landscaped border of the property, which the owner claims is owned by the Town, although he removed the trees there.

*Motion/Action Taken:*

Upon a motion by Mr. Rafsky and seconded by Mr. Wiggin, the board voted unanimously in favor to approve the EIDR with the standard conditions of approval, as well as the conditions discussed above.

Upon a motion by Mr. Rafsky and seconded by Mr. Wiggin, the board voted unanimously in favor to close this hearing.

**Public Hearing to Consider Application by AT&T Wireless, for Modification of the Special Permit for the Existing Wireless Communication Facility Pursuant to Sections 7.3 & 9.4 of the Westwood Zoning Bylaw – Morrison Park at 300 Washington Street**

*Presentation*

Attorney Michael Dolan from Brown Rudnick was present on behalf of AT&T Wireless. Highlights of the modifications to the existing wireless communication monopole at 300 Washington Street:

- Rebuild the top 30' of the existing 90' above ground level to a diameter of 36", replace

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existing panel antennas within the tower, with three new panel antennas at the centerline height of 86' together with related amplifiers, cables, fiber and other associated antenna equipment, including remote radio heads, surge arrestors, and global positioning system antennas with associated electronic equipment for new network service upgrade with associated electronic equipment within the existing equipment shelter.

*Board Discussion/Comments & Questions:*

- There was a brief exchange of questions and answers between the applicant and some members of the board.

*Public Comments:*

None.

*Motion/Action Taken:*

Upon a motion by Mr. Olanoff and seconded by Mr. Wiggin the board voted unanimously in favor to approve the modification of the Special Permit for the Existing Wireless Communication Facility at Morrison Park, 300 Washington Street with the conditions discussed.

Upon a motion by Mr. Olanoff and seconded by Mr. Pfaff, the board voted unanimously in favor to close this hearing.

**Public Hearing to Consider Application by AT&T Wireless, for Modification of the Special Permit for the Existing Wireless Communication Facility Pursuant to Sections 7.3 & 9.4 of the Westwood Zoning Bylaw – Westwood Business Centre – 690 Canton Street**

*Presentation*

Attorney Michael Dolan from Brown Rudnick was present on behalf of AT&T Wireless. Highlights of the modifications to the existing wireless communication at Westwood Business Centre – 690 Canton Street include:

- Replace 6 panel antennas (2 per sector) with 9 panel antennas (3 per sector) together with related amplifiers, cables, fiber and other associated antenna equipment, including remote radio heads, surge arrestors, and global positioning system antennas with associated electronic equipment, and other appurtenances for the new network service upgrade with associated electronic equipment within AT&T's existing equipment room within the existing Building (the Facility).

*Board Discussion/Comments & Questions:*

- There was a brief exchange of questions and answers between the applicant and some members of the board.

*Public Comments:*

None.

*Motion/Action Taken:*

Upon a motion by Mr. Olanoff and seconded by Mr. Pfaff, the board voted unanimously in favor to approve the Modification of the Special Permit for the existing Wireless Communication Facility at 690 Canton Street with the standard conditions.

Upon a motion by Mr. Olanoff and seconded by Mr. Pfaff, the board voted unanimously in favor to close this hearing.

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**Continuation of Public Hearing to Consider Amendments to the Town of Westwood Zoning Bylaws for Recommendation to Annual Town Meeting**

Ms. Loughnane provided the board with the final version of the proposed zoning amendment articles for the Town Meeting Warrant Booklets.

The proposed non-zoning article, requesting Town Meeting endorsement of the *Dedham and Westwood Bicycle and Pedestrian Network Plan*, can be voted for recommendation following the Planning Board's consideration of that plan for adoption at its hearing in April.

**TOWN OF WESTWOOD**  
Commonwealth of Massachusetts

Bruce H. Montgomery, Chairman  
Steven M. Rafsky, Vice Chairman  
Steven H. Olanoff, Secretary  
John J. Wiggin  
Christopher A. Pfaff



Nora Loughnane, Town Planner  
Janice Barba, Planning & Land Use  
Specialist

**PLANNING BOARD**

**PB 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, and to approve certain amendments to Section 4.1.5 [Table of Principal Uses - Commercial Uses] and Section 4.2 [Notes for Table of Principal Uses], 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.
- 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

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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 6, 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 7, 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;
- 9.5.8.1.7 Ice cream shop;
- 9.5.8.1.8 Municipal use;
- 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;
- 9.5.8.1.13 Restaurant with or without entertainment, less than 10,000 sq. ft.;
- 9.5.8.1.14 Retail sales and services establishment, less than 10,000 sq. ft.;
- 9.5.8.1.15 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, provided such establishment is within an office or other non-retail building and is accessed through that building's lobby, atrium or

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interior corridor, and provided such establishment does not have a direct entrance from the exterior of the building or a drive-thru;

- 9.5.8.2.2 Hotel;
- 9.5.8.2.3 Kennel, commercial;
- 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, 10,000 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 within an office or other non-retail building and is accessed through that building's lobby, atrium or interior corridor, and provided such establishment does not have a direct entrance from the exterior of the building or a drive-thru;
- 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 within an office or other non-retail building and is accessed through that building's lobby, atrium or interior corridor, and provided such establishment does not have a direct entrance from the exterior of the building or a drive-thru;;
- 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 within an office or other non-retail building and is accessed through that building's lobby, atrium or interior corridor, and provided such establishment does not have a direct entrance from the exterior of the building or a drive-thru;
- 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 within an office or other non-retail building and is accessed through that building's lobby, atrium or interior corridor, and provided such establishment does not have a direct entrance from the exterior of the building or a drive-thru;
- 9.5.8.6.2 Research and development facility;

**9.5.8.7 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

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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:  
 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.

		<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 Project Area	10 acres	5 acres	10 acres	5 acres	5 acres	1 acre	1 acre
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 <sup>1</sup>	80 feet	45 feet	45 feet	45 feet	36 feet	36 feet
9.5.9.4	Maximum Floor Area Ratio, not including area of parking structure	1.0 <sup>2</sup>	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	100 feet	20 feet	50 feet	50 feet	50 feet	20 feet	20 feet
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



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<sup>1</sup> 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.

<sup>2</sup> 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 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 9.5.13 with a new Section 9.5.15.13 to read as follows:

9.5.13        **Percentage of Residential Units.** Pre-existing and new housing units, where permitted, shall occupy no more than fifty percent (50%) of the total gross floor area of any project authorized under a FMUOD Special Permit. The maximum allowable number and type of residential units shall be determined by the Board, in its sole discretion, following the Board's acceptance of a fiscal impact report demonstrating that said residential units will have no negative fiscal impact on the town . The Planning Board shall have the authority to approve, in its sole discretion, phased

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construction of the residential components of a project, independent of the phased construction of the non-residential components of the same project, as long as the total gross floor area of the residential components of all phases does not exceed fifty percent (50%) of the total gross floor area of the project authorized under the FMUOD Special Permit, and as long as no portion of the total land area approved for non-residential components is developed for residential use.

9) 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.

10) 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:

	<b>SRA</b>	<b>SRB</b>	<b>SRC</b>	<b>SR D</b>	<b>SR E</b>	<b>GR</b>	<b>SR</b>	<b>LB A</b>	<b>LB B</b>	<b>HB</b>	<b>I</b>	<b>IO</b>	<b>ARO</b>
4.1.5.6 Retail sales and services, less than 10,000 square feet	N	N	N	N	N	N	N	Y	Y	Y <sup>5</sup>	Y	Y	N
4.1.5.7 Retail sales and services, 10,000 square feet or more	N	N	N	N	N	N	N	N	N <sup>4</sup>	Y <sup>5</sup>	BA <sup>3</sup>	BA <sup>3</sup>	N

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

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

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.

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

**PB 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.

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**PB 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 4.6 [Interim Regulations for Medicinal Marijuana Use], and the addition of a new Section 7.4 [Registered Marijuana Dispensaries (RMD)]:

- 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 (RMD) 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, and/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.

- 2) Amend Section 4.1.5.37 to read as follows:

	SR A	SR B	SR C	SR D	SR E	G R	SR	LB A	LB B	HB	I	IO	AR O
4.1.5.37 Registered Marijuana Dispensary 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 (RMD)**

- 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.
- 7.4.2 **Application Requirements.** An application for a special permit for a RMD shall be accompanied by a site plan and all other application materials required by the rules and regulations of the Board of Appeals.
- 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

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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 Police Chief.** Within ten (10) days after receipt of the application, the Board of Appeals shall transmit a copy thereof to the Police Chief, whereupon said Police Chief may, at his or her discretion, review the proposed RMD project and report in writing 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 Police Chief, or until said Police Chief has allowed sixty-five (65) days to elapse after receipt of such application without submission of a report.
- 7.4.5 **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.
- 7.4.6 **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 Town.

4) Remove Section 4.6 in its entirety.

**PB 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], and Section 4.2 [Notes for Table of Principal Uses]:

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

**Restaurant** An establishment where the primary activity is the preparation, service and sale of meals for consumption on the premises while seated either inside a completely enclosed building, or in a designated outdoor seating area adjacent to the building in cases where such outdoor seating area has been allowed by a special permit issued by the Planning Board. The term “restaurant” shall not include “fast order food establishment”, “coffee shop” or “ice cream parlor” as herein separately defined.

2) Amend Sections 4.1.5.11, 4.1.5.12, and 4.1.5.13 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 <sup>6</sup>	Y <sup>6</sup>	Y <sup>6</sup>	Y <sup>6</sup>	Y <sup>6</sup>	N

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4.1.5.12 Restaurant without entertainment, 10,000 square feet or more	N	N	N	N	N	N	N	N	PB <sup>6</sup>	PB <sup>6</sup>	Y <sup>6</sup>	PB <sup>6</sup>	PB <sup>6</sup>	N
4.1.5.13 Restaurant with entertainment	N	N	N	N	N	N	N	N	PB <sup>6</sup>	PB <sup>6</sup>	PB <sup>6</sup>	N	N	N

3) Amend Note 6 under Section 4.2 to read as follows:

<sup>6</sup> Outdoor seating associated with a Restaurant permitted under this section, with or without entertainment, shall require a special permit issued by the Planning Board pursuant to Section 10.3.

**PB 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:

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 as the front lot line by the Building Commissioner, following a review of relevant criteria including street address and orientation of existing structures, 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 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.

**PB 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]:

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

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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.

**PB 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:

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

**5.2 TABLE OF DIMENSIONAL REQUIREMENTS<sup>1</sup>**

	DISTRICT	DIMENSIONAL REQUIREMENTS								
		Minimum Lot Area (sq ft)	Minimum Lot Frontage (feet)	Minimum Lot Width (feet)	Minimum Nonwetland Area <sup>2</sup> (sq ft)	Minimum Front Setback <sup>3</sup> (feet)	Minimum Side Yard Setback <sup>4</sup> (feet)	Minimum Rear Yard Setback <sup>4</sup> (feet)	Maximum Building Coverage (%)	Maximum Impervious Surface (%)
5.2.1	<b>SRA</b>	12,000	90	90	12,000	25	15 <sup>5</sup>	30 <sup>6</sup>	25	50
5.2.2	<b>SRB<sup>13</sup></b>	20,000	90	90	15,000	25	15 <sup>5</sup>	30 <sup>6</sup>	25	50
5.2.3	<b>SRC<sup>13</sup></b>	40,000	125	125	30,000	40	20 <sup>7</sup>	30 <sup>8</sup>	25	50
5.2.4	<b>SRD</b>	15,000	90	90	12,000	25	15 <sup>5</sup>	30 <sup>6</sup>	25	50
5.2.5	<b>SRE<sup>13</sup></b>	80,000	175	175	60,000	40	20 <sup>7</sup>	30 <sup>8</sup>	25	50
5.2.6	<b>GR</b>	12,000	90	90	12,000	25	15 <sup>5</sup>	30 <sup>6</sup>	25	50
5.2.7	<b>SR</b>	80,000	175	175	60,000	40	20 <sup>7</sup>	30 <sup>8</sup>	25	50
5.2.8	<b>LBA</b>	4,000	40	40	4,000	10	15 <sup>9</sup>	15	25	80
5.2.9	<b>LBB</b>	4,000	40	40	4,000	0	15 <sup>9</sup>	15	25	80
5.2.10	<b>HB</b>	10,000	100	100	10,000	50	15	15	50	80
5.2.11	<b>I</b>	40,000	200	200	12,000	50	15 <sup>10</sup>	15 <sup>11</sup>	50	80

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5.2.12	<b>IO</b>	40,000	200	200	12,000	50	15 <sup>10</sup>	15 <sup>11</sup>	50	80
5.2.13	<b>ARO</b>	80,000	175	175	60,000	50	30 <sup>12</sup>	30	30	50

**PB 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:

- 1) Replace the map entitled “Official Zoning Map, May 6, 2013” with the map entitled “Official Zoning Map, May 5, 2014”.

**PB Article 9:** To see if the Town will vote to endorse the *Dedham and Westwood Bicycle and Pedestrian Network Plan* following adoption of the same by the Westwood Planning Board, or take any other action in relation thereto.

**PB Article 10:** To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Section 6.2 [Signs]:

- 1) Amend Section 6.2.2.10 by deleting the second sentence so that Section 6.2.2.10 reads as follows:

6.2.2.10      Flag A sign, frequently constructed of fabric or other flexible material and frequently displayed on a pole or staff which can be freestanding or attached to a building or structure, and temporary in nature.

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

6.2.4      **Municipal Signs.** Notwithstanding any 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.

- 3) 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.

- 4) Amend Section 6.2.4.4, 6.2.5.5 and 6.2.6.5 to read as follows:

6.2.4.4      Notwithstanding the above limitations on number and total area of signs, standard-sized directional signs and parking restriction signs shall be permitted as approved by the Building Commissioner.

6.2.5.5      Notwithstanding the above limitations on number and area of signs, standard-sized directional signs and parking restriction signs shall be permitted as approved by the Building Commissioner.

6.2.6.5      Notwithstanding the above limitations on number and area of signs, standard-sized directional signs and parking restriction signs shall be permitted as approved by the Building Commissioner.

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- 5) Replace existing Section 6.2.7 with a new Section 6.2.7, which includes amendments to subsections 6.2.7.2 and added 6.2.7.6, so that the new Section 6.2.7 reads 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.
- 6.2.7.4 Signs, 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 as authorized by the Town Administrator.

*Board Discussion/Comments & Questions:*

None.

*Public Comments:*

None.

*Motion/Action Taken:*

Upon a motion by Mr. Pfaff and seconded by Mr. Wiggin, the board voted unanimously in favor to recommend the nine proposed zoning articles to Town Meeting.

Upon a motion by Mr. Wiggin and seconded by Mr. Pfaff, the board voted unanimously in favor to continue this public hearing until May 5<sup>th</sup> at 7:30 p.m.

**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*



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Ms. Loughnane informed the board that Phil Paradis has a draft ready for its consideration but recommended that it is considered at a future hearing session due to a full agenda tonight.

*Board Discussion/Comments & Questions:*

- Board members did not have any new comments on the draft revisions.

*Public Comments:*

None.

*Motion/Action Taken:*

Upon a motion by Mr. Olanoff and seconded by Mr. Pfaff, the board voted unanimously in favor to continue this hearing without testimony until Monday, April 28<sup>th</sup> at 7:30 p.m.

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

**Adjournment**

Upon a motion by Mr. Wiggin and seconded by Mr. Pfaff the board voted unanimously in favor to adjourn the meeting at approximately 9:50 p.m.

**Upcoming Meetings:**

Tues., Apr. 8 <sup>th</sup>	7:30 p.m.	Planning Board Meeting, MS Cafeteria, 850 High Street
Mond., Apr. 28 <sup>th</sup>	7:30 p.m.	Planning Board Meeting, CMR, 50 Carby Street

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**List of Documents:**

Final Draft of Zoning Bylaws 03-25-14	PDF
Canton/Everett/Forbes Traffic Calming Update – Presentation	PDF