

**Westwood Planning Board  
Meeting Minutes  
October 8, 2013  
50 Carby Street  
6:30 PM**

**Attendance & Call to Order:**

Ch. Montgomery called the meeting to order at 6:37 p.m. and asked if anyone present wished to record the meeting. *There were no requests received of the public and WestCat TV was absent.*

*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. (Mr. Pfaff recused himself from discussions related to University Station.)

**Update on Close-out memo for University Station**

Ms. Loughnane informed the board that the revised, redline version of the close-out memo will be completed by BETA later today. This document will then be sent to Dan Bailey, Gareth Ormond and the Development team's attorneys for one last review. The Planning Board will likely be asked to accept a final close-out memo at its meeting on October 15th.

**Consideration of Approval Not Required (ANR) Plan for 76 Thatcher Street and Undeveloped Parcel Known as AP 21 Lot 348**

At the Board's last meeting on 9/24/13, this application was presented and then deemed incomplete. The Applicant was given direction on how to address the board's concerns by updating the ANR plan to include the full area of all involved lots in the locus plan, and by showing both the old area and new area for each lot on the plan.

Applicant Don Myers of Norwood Engineering presented a revised plan addressing the areas of previous concern.

- The rear parcel C1-A is being created for transfer to abutting rear lot 76 Thatcher Street. The remaining land Lot C1 is in common ownership with adjoining Lot D (67 Thatcher Street). Both lots are labeled on plan as "Not a Building Lot".
- Record Owner of Land Jeanne (Eddy) Towles of Map 21 Lot 348 submitted a letter to the Planning Board demonstrating that she is fully aware that the proposed ANR plan will decrease the area of Lot 348 below the minimum 80,000 sq. ft. minimum lot size required for lots in Single Residence E Zoning District, that the Assessor's office may combine Lot 348 with the adjacent Map 21, Lot 61 so that Lot 348 no longer exists as an independent parcel.

**Board Questions & Comments:**

- Ch. Montgomery asked Ms. Towles directly if she understood the impact of the ANR. Ms. Towles replied that she did understand that such reduction and combination may have financial implications for her as a property owner.
- In addition, Ms. Loughnane asked Ms. Towles if she has the sole authority to act as the owner of the property, and that there are no probate issues affecting her ability to do so. Ms. Towles replied that she did have sole authority to act as the owner of the property.
- Ms. Loughnane informed the board that it has the option to waive the requirement for ANR plans to fully show the fully delineated area of all lots involved in this application.

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*Motion/Action Taken:*

Motion: Upon a motion by Mr. Olanoff and seconded by Mr. Pfaff the Planning Board voted unanimously in favor to waive the full delineation requirements of the ANR plans and found the application to be complete. Board members endorsed the plans.

**Consideration of Request for Extended Hours of Lighting for Parking Area at Colburn Building – 668 High Street**

*Presentation Highlights:*

Michael Coffman from Coffman Realty and Ben Hartley were present to answer questions of the Board.

Ms. Loughnane explained that Coffman Realty would like to have one exterior light to remain on throughout the night to provide security lighting for the parking area behind the Colburn Building. She explained that the USROD Special Permit required coordination of the timing of exterior light fixtures with those at the adjacent library. The library lighting turns off at 10:00 p.m.

*Board Comments & Questions:*

- A board member suggested installing a separate, motion-detecting light directly on the building.
- What is the lighting schedule for the courtyard lights? (Mr. Coffman responded that the courtyard lights are on from dusk until dawn.)
- Ornamental lighting will be on one circuit and the two other sets of the lights will be set on a timer.
- A suggestion was made for the light fixture nearest to the drive thru at the southeast corner to remain on. (Mr. Coffman agreed and said that he would see how this works.)

*Motion/Action Taken:*

Upon a motion by Mr. Olanoff and seconded by Mr. Wiggin, the board voted unanimously in favor to authorize the town planner to approve whatever lighting situation works out the best, allowing the 20' parking lot lighting on the southeast corner of the building to remain on and can be amended if necessary without Planning Board approval.

Mr. Hartley asked an additional question about modifying the existing handicapped ramp to so that it can be directed to the courtyard.

Upon a motion by Mr. Wiggin and seconded by Mr. Pfaff, the board voted unanimously in favor to consider the handicapped ramp modification as minor in nature.

Ms. Loughnane informed Mr. Coffman that he will be required to resubmit an architectural set of plans and revised page C4 as a part of this modification.

Upon a motion by Mr. Rafsky and seconded by Mr. Wiggin the board voted unanimously in favor to approve the architectural plan that is keeping with what is being constructed and to require a modified set of plans.

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**Continuation of Public Hearing in accordance with the Provisions of M.G.L. Chapter 40A, §5, to consider the following proposed amendments to the Town of Westwood Zoning Bylaw and Official Zoning Map.**

Ch. Montgomery reopened the public hearing at approximately 7:30 p.m.

**FTM Article 1:** To see if the Town will vote to approve certain amendments to the Town of Westwood Official Zoning Map, to correct errors or omissions, or take any other action in relation thereto.

*Board Comments & Questions:*  
None.

**FTM Article 2:** To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw, Section 8.4 [Senior Residential Development (SRD)], or take any other action in relation thereto.

**8.4 SENIOR RESIDENTIAL DEVELOPMENT (SRD)**

8.4.1 **Purposes.** The purposes of Senior Residential Development (SRD) are as follows:

- 8.4.1.1 to encourage the provision of independent living accommodations in the form of senior residential communities which are located and designed in such a manner as to uniquely serve the physical and social needs of senior residents, fifty-five (55) years of age and older, with a range of income levels and physical abilities;
- 8.4.1.2 to preserve and enhance Westwood’s community character by ensuring design compatibility between new senior residential developments and existing neighborhoods; and
- 8.4.1.3 to preserve open space, protect natural and cultural resources, lessen disturbance to soils, topography and vegetation, and reduce the overall costs of developing high quality senior residential units by allowing for more efficient, compact layout than permitted under a conventional development.

8.4.12 **Special Permit Required.** A Senior Residential Development shall require the issuance of a special permit by the Planning Board in compliance with the provisions of this Section.

8.4.23 **Conditions.** A SRD shall be subject to the following conditions:

- 8.4.23.1 Occupancy shall be limited to persons who have reached the age of fifty-five (55) years and any close relative residing with such person. For purposes hereof, “close relative” shall mean a spouse, child, parent, grandparent, brother, sister, aunt, uncle, niece or nephew, and shall include a person so related by legal adoption and by the half blood.
- 8.4.23.2 There shall be not more than two (2) bedrooms in any dwelling unit, nor shall there be any den, office, bonus room, loft, attic, or similar area which could be converted for use as a third bedroom.
- 8.4.23.3 The SRD shall be developed as a Coordinated Unit, which shall mean a building or group of buildings under common management and serving a common function.
- 8.4.23.4 Maximum building height requirements shall be as set forth in Section 5.4.1 of this bylaw unless the Planning Board determines, in its discretion, that any structure may exceed maximum height requirements by up to ten (10) additional feet without having any undue negative affect on

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surrounding properties.

8.4.-23.5 All dwelling units shall be designed to accommodate suitable means of access and egress for people with disabilities in conformance with 521 CMR Section 9. Additionally, in cases where supplemental wheelchair ramps and/or lifts are necessary to achieve suitable means of access and egress, architectural plans for individual dwelling units shall demonstrate the location and means of incorporating such ramps and/or lifts. Such ramps and/or lifts shall be installed by the owner of any dwelling unit if required by a resident of said dwelling unit.

8.4.-23.6 In any project authorized under a SRD Special Permit which will result in the development of more than ten (10) new residential units, a minimum of fifteen percent (15%) of total housing units shall be “affordable” as defined in the Rules and Regulations, unless the Planning Board determines a proposed alternative to be at least equivalent in serving the Town’s housing needs. The affordable dwelling units authorized under the provisions of this Bylaw shall be Local Initiative Program (LIP) dwelling units in compliance with the requirements for the same as specified by the Department of Community Affairs, Massachusetts Department of Housing and Community Development (DHCD), or successor, or affordable units developed under additional programs adopted by the Commonwealth of Massachusetts or its agencies. All said units shall count toward Westwood’s requirements under Massachusetts General Law Chapter 40B, Sections 20-23, as amended.

8.4.-34 **Types of Permissible Dwellings.** The following types of dwellings may be authorized by SRD Special Permit:

8.4.-34.1 single-family detached houses;

8.4.-34.2 two-family houses;

8.4.-34.3 two-family semi-detached houses;

8.4.-34.4 townhouse-type dwelling units; or

8.4.-34.5 any combination of such housing types or other housing types determined by the Planning Board to be appropriate for a SRD.

8.4.-45 **Specific Restrictions.** A SRD shall also be subject to the following specific restrictions:

8.4.-45.1 The number of dwelling units in an SRD Project shall be determined, at the Board’s sole discretion, to allow between one (1) and ~~shall not exceed~~ ten (10) dwelling units per acre. ~~When determining To determine~~ the maximum number of dwelling units permitted for the in-the SRD Project, the Board shall take into account the amount of ~~all~~ land in the development lot or parcel which may not be reasonably suited for residential development, including but not limited to wetlands, significant rock outcroppings, and areas with slopes in excess of 15%. The Board shall also take into account ~~shall be excluded the amount of (subject to such exclusion), all land utilized necessary~~ for access and egress, parking, buffer areas and ~~or dedicated to public ownership as~~ open space ~~shall be included~~, and shall base its determination of appropriate project density on the remaining developable area. The determination of ~~compliance with this provision~~ appropriate project density shall be made by the Planning Board, which shall take into consideration the density of the surrounding properties, the visibility of the proposed development from abutting properties and public ways, and any graphic or analytic materials provided by the Applicant.

8.4.-45.2 Where proposed structures are to be developed on existing streets or direct extensions of existing streets, front yard setbacks may be reduced to not less than ~~twenty one hundred percent (30~~100%) of the front setback requirement in the underlying district. Where proposed structures are to be developed on new interior drives, front yard setbacks may be reduced to not less than ~~ten~~ twenty (20) feet. There shall be no minimum side or rear setback between structures within a proposed

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SRD, however each proposed principal and accessory structure, driveway, and interior drive shall be set back a minimum of thirty (30) feet from the sides and rear of the perimeter of the SRD.

- 8.4.-45.3 There shall be provided at least ~~one and one-half~~ one and one half (~~1 1/2~~1-1/2) off-street parking spaces per dwelling unit, one of which is reserved for the use of such dwelling unit and within one hundred fifty (150) feet thereof, and provisions shall be made for additional visitor parking spaces, in an amount deemed appropriate by the Board.
- 8.4.-45.4 The maximum permitted lot coverage for a SRD shall be fifty percent (50%), including all structures, roadways, driveways and parking areas.
- 8.4.-45.5 ~~Any SRD Project Special Permit shall incorporate by reference the site plan approval. Site Plan Approval Required~~ shall be subject to Environmental Impact and Design Review (EIDR) approval pursuant to Section 7.3 of this Bylaw, which shall be consolidated into a mandatory site plan approval component of the SRD Special Permit, and no separate EIDR Approval shall be required.

8.4.-56 **Procedures.** An application for a SRD Special Permit shall be filed in accordance with the Planning Board's Rules and Regulations for Special Permits.

8.4.-67 **Application and Submittal Requirements.** An application for a SRD Special Permit shall include plans in conformance with the Planning Board's Rules and Regulations for Special Permits.

8.4.-78 **Decision.** A SRD Special Permit shall be granted by the Planning Board, unless otherwise specified herein, only upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the Town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this Bylaw, the determination shall include consideration of each of the following:

- 8.4.-78.1 Impact on the quantity and quality of available housing choices for residents fifty-five (55) years of age and older, with a range of income levels and physical abilities, and demonstrated market for proposed age-restricted units;
- 8.4.-78.2 Proximity of the proposed development to public transportation, open space, neighborhood shopping and service facilities;
- 8.4.-78.3 Provision of appropriately designed on-site community facilities to serve the recreational and social needs of the proposed SRD Project's residents, unless the Board determines that such is unnecessary due to location of an SRD Project in close walking distance to similar off-site facilities;
- 8.4.-78.4 Impact on the natural environment;
- 8.4.-78.5 Impact on vehicular and pedestrian movement and safety, both within the development and on proximate roads;
- 8.4.-78.5 Compatibility of the proposed development with the surrounding neighborhood;
- 8.4.8.7 Suitability of the proposed design, location, and layout of the overall SRD, and of each individual dwelling unit and all proposed common facilities, to uniquely serve the physical and social needs of senior residents.

8.4.-89 **Compliance with Subdivision Rules and Regulations.** Nothing contained herein shall in any way exempt a proposed SRD involving a subdivision from compliance with the Planning Board's Rules and Regulations Governing the Subdivision of Land or the rules and regulations of any other Town board having jurisdiction. Nor shall this section in any way affect the right of the Board of Health and of the Planning Board to approve, with or

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without modifications, or disapprove a subdivision plan in accordance with the provisions of such rules and regulations and of the Subdivision Control Law.

**FTM Article 3:** To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw, Section 8.3 [Open Space Residential Development (OSRD)], or take any other action in relation thereto.

**8.3 OPEN SPACE RESIDENTIAL DEVELOPMENT**

8.3.1 **Purposes.** The purposes of Open Space Residential Development (OSRD) are as follows:

- 8.3.1.1 to conserve natural, hydrological and wetlands resources, wildlife habitat, scenic corridors and views, agriculture, horticulture and forestry operations, cultural resources and other natural and man-made features of value to the community;
- 8.3.1.2 to lessen the amount of disturbance to soils, topography and vegetation on the site, and to provide roads and infrastructure in more efficient and less intrusive ways than with conventional subdivisions;
- 8.3.1.3 to provide the opportunity for more flexibility and imagination in the design of residential developments;
- 8.3.1.4 to assure that the 4-step Design Process (as defined in 8.3.10.3.3) guides the design of an OSRD by identifying the resources and amenities to be protected, prior to laying out buildings, roadways, and lots;
- 8.3.1.5 to offer greater housing choice by allowing varied mixes of housing type, compatible with community character.

8.3.2 **Definitions.** For the purposes of this Section, the following terms are defined:

- 8.3.2.1 **Single-family Attached Dwelling Units.** Single-family attached dwelling units shall mean buildings where two (2) or more individual single-family dwellings units are physically connected to like dwellings for at least a portion of one or more of their exterior walls. Single-family attached dwelling units may include townhouses in traditional row or other configuration or shape; or individual single-family dwellings units meeting at a common lot line. Single-family attached dwelling units shall not include any building where any dwelling unit is located above or below any other dwelling unit.
- 8.3.2.2 **Cluster.** Cluster shall mean a distinct area or “pod” of housing within an OSRD development, separated physically and visually from other clusters of housing by open space and/or other facilities or common areas.
- 8.3.2.3 **Tract.** Tract shall mean the boundaries and area of the original parcel of land proposed for the OSRD, prior to further division.

8.3.3 **Eligible Districts.** An OSRD shall be permitted only within the Single Residence B (SRB), Single Residence C (SRC), and Single Residence E (SRE) districts, pursuant to the requirements of this Section.

8.3.4 **Minimum Tract Requirements.** The minimum tract of land for an OSRD shall consist of one parcel or two or more contiguous parcels, with a minimum area of 120,000 square feet in SRB, ~~460,000~~ 200,000 square feet in SRC, and ~~200,000~~ 400,000 square feet in SRE, prior to further division. The Planning Board may make a finding that two or more parcels separated by a road or other infrastructural element are effectively contiguous if such is consistent with

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the purposes of this Section.

8.3.5 **Uses Allowed As of Right.** The following uses are allowed as of right in an OSRD:

8.3.5.1 Detached single-family dwelling units.

8.3.6 **Special Permit Uses.** The following uses are only allowed by OSRD Special Permit in an OSRD:

8.3.6.1 Single-family attached dwelling units;

8.3.6.2 Density bonus dwelling units.

8.3.7 **Facilities and Amenities.** The following facilities and amenities are allowed in an OSRD:

8.3.7.1 Common open space areas for active or passive recreation, preservation of habitat and natural resources, maintenance of scenic amenities, buffering between uses, both within the site and from abutting properties, connecting greenways to abutting protected open space, lawn and landscaped areas within the site, pedestrian and bicycle trails, and similar features;

8.3.7.2 Recreational amenities primarily for residents of the OSRD, including but not limited to: a community center, swimming pool, beach, tennis court, or children's playground;

8.3.7.3 Accessory uses necessary to the operation and maintenance of the development, including but not limited to detached structures for parking, sheds for equipment and tool storage, structures housing heating/ventilating and air conditioning, pumping stations or similar facilities, and energy generating facilities allowed by this bylaw.

8.3.8 **Planning Board Approvals Required.**

8.3.8.1 **Subdivision Approval Required.** When applicable under M.G.L. c. 41, § 81K through § 81GG and the Westwood Rules and Regulations Governing the Subdivision of Land, an OSRD shall require a Definitive Subdivision Plan approval. No building permit shall be issued for any new structure within an OSRD subdivision prior to the recording of an endorsed Definitive Subdivision Plan with the Norfolk Registry of Deeds.

8.3.8.2 **Site Plan Approval Required.** An OSRD **Project** shall be subject to Environmental Impact and Design Review (EIDR) approval pursuant to Section 7.3 of this bylaw, and no building permit shall be issued for any structure within the OSRD prior to the recording of the **OSRD-EIDR Approval** in the office of the town clerk.

8.3.8.3 **Uses Requiring Special Permit.** An OSRD containing one or more structures of single-family attached housing, and/or one or more density bonus dwelling units, shall require an OSRD Special Permit issued by the Planning Board ~~in addition to the required EIDR Approval, and no building permit shall be issued for any structure within the OSRD prior to the recording of the OSRD Special Permit and EIDR Approval in the office of the town clerk.~~ The OSRD Project shall be subject to EIDR approval pursuant to Section 7.3 of this Bylaw, which shall be consolidated into a mandatory site plan approval component of the OSRD Special Permit, and no separate EIDR Approval shall be required. No building permit shall be issued for any structure within the OSRD prior to the recording of the OSRD Special Permit in the office of the town clerk.

8.3.9 **Density and Dimensional Requirements.**

8.3.9.1 **Base Density from Underlying District.** The base number of dwelling units allowed in an OSRD shall be determined by the minimum lot size in the underlying district, SRB, SRC, and SRE, except as provided in Section 8.3.4.4 herein in regard to allowed density bonuses.



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8.3.9.2

**Yield Calculation.** The maximum base number of dwelling units to which an OSRD is entitled shall be determined by the Planning Board following the submission of a Yield Calculation, as set forth below. The Yield Calculation shall be submitted as part of the [OSRD-EIDR](#) or [OSRD Special Permit](#) application, but may be submitted on a preliminary basis to the Planning Board, as part of an informal pre-application meeting, as provided for in Section 8.3.5.1 herein.

The Yield Calculation is determined by the following steps:

- Step One:** Subtract from the total original area of the development tract 100% of all wetlands and all such other land as may be determined by the Board to be unsuitable for development, including but not limited to, significant rock outcroppings and areas with slopes in excess of 15%.
- Step Two:** Reduce that result by 10%, as an infrastructure factor.
- Step Three:** Divide that result by the minimum lot size required in the underlying district.
- Step Four:** For results less than 2, eliminate any fractional part, and for results greater than 2, round up to the next whole number for fractions of .5 or greater, and down for fractions less than .5.
- Step Five:** The result shall then be adjusted by the addition of the following number of units, to attain general parity with that of a conventional subdivision:

<u>Yield</u>	<u>Added Units</u>
1 to 3 units	0
4 to 8 units	1
9 to 13 units	2
14 to 18 units	3
Over 18 units	4

**Yield:** The result is the maximum base number of dwelling units allowed, provided that all other conditions required in Section 8.3 are met.

8.3.9.3

**OSRD Dimensional Requirements.** The following dimensional requirements shall apply within an OSRD, in place of the requirements set forth in Section 5.2, Table of Dimensional Requirements:

<b>Minimum Dimensional Requirements in OSRD</b>		
	<b>Detached single-family dwelling units</b>	<b>Single-family attached dwelling units</b>
8.3.9.3.1 Lot Size	10,000 sq. ft.	7500 sq. ft.
8.3.9.3.2 Lot Frontage <a href="#">on existing street</a>	<del>75'</del> 100% of lot frontage requirement in underlying	<del>75'</del> 100% of lot frontage requirement in



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	district	underlying district
8.3.9.3.3 Lot Frontage on an interior drive	75'	75'
8.3.9.3.34 Front Setback on existing street	<del>50</del> 100% of front setback requirement in underlying district	<del>50</del> 100% of front setback requirement in underlying district
8.3.9.3.45 Front Setback on an interior drive	20'	10'
8.3.9.3.6 Side setback for principal structure	10'	10'
8.3.9.3.7 Rear setback for principal structure	10'	10'
8.3.9.3.8 Side and rear setbacks for accessory structures	5'	5'

8.3.9.3.9 **Lot Frontage and Lot Width Reduction.** The Planning Board may reduce the minimum frontage and lot width requirements if dwelling unit dimensions, location on curved frontage or a street terminus, or other conditions justify doing so, provided the reduction is consistent with the intent of this Section. Reduced frontage lots shall be located on streets and interior site drives fronting within the interior of the OSRD tract, unless the Planning Board finds that location on a way exterior to the tract is not detrimental to the neighborhood.

8.3.9.3.10 **Front Setback in Multiple Districts.** In cases where an OSRD lies in more than one eligible district, if the tract lies 2/3 or more in one district, the front setback for that district shall apply in total. In cases where the OSRD lies less than 2/3 in one district, the frontage shall be the average of the required minimum front setbacks in the two districts.

8.3.9.3.11 **Side Yard Setback Reduction.** This setback requirement shall apply to detached single-family dwelling units and end units of structures containing single-family attached dwelling units. The Planning Board may reduce the side yard requirement if dwelling unit dimensions or other conditions justify doing so, provided the reduction is consistent with the intent of this Section.

8.3.9.3.12 More than one principal structure may be allowed on one lot.

8.3.9.4 **Density Increases Allowed by Special Permit.** The Planning Board may grant one or more density bonus units beyond the maximum base number of units allowed pursuant to the Yield Calculation using one or more of the following options:

8.3.9.4.1 **Open Space.** For each additional five (5) percent of the tract set aside as common open space above the minimum required below in Section 8.3.7.1, a bonus of ten (10) percent of the Yield Calculation of units may be allowed.

8.3.9.4.2 **Affordable Housing.** For every one (1) dwelling unit restricted in perpetuity as affordable

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housing, as defined in this bylaw, two (2) additional market rate dwelling units may be allowed.

- 8.3.9.4.3 **Moderate Income Housing.** For every one (1) dwelling unit restricted in perpetuity as moderate income housing, as defined in this bylaw, one (1) additional market rate dwelling unit may be allowed.
- 8.3.9.4.4 **Historic Preservation.** For a historically significant building or a major structure, including a barn or other accessory use preserved as part of the OSRD, one (1) additional market rate unit may be allowed. The determination of historical significance shall be made by the Planning Board, which may choose to consult with the Westwood Historical Commission.
- 8.3.9.4.5 **Aggregate Yield.** A density bonus shall be based on any combination of the bonuses listed above, provided that in no event shall the density bonus for the OSRD exceed, in the aggregate, fifty (50) percent of the dwelling units allowed in the Yield Calculation, and provided that all other conditions required in Section 8.3 are met.

**8.3.10 Procedures.**

- 8.3.10.1 **Pre-application Meetings.** All OSRD applicants are encouraged to meet informally with the Planning Board prior to submitting an EIDR or Special Permit application, and to accompany this discussion with a Sketch Plan under the provisions of Section 8.3.5.2. The purposes of a pre-application review are to solicit guidance from the Planning Board at the earliest possible stage in the process, in order to identify site design issues and to establish an approximate number of allowed residential dwelling units, thereby keeping the applicant's costs for landscape design, site engineering and other technical expertise to a minimum. At the request and expense of the applicant, the Planning Board may engage technical experts to review the applicant's informal plans and to facilitate submittal of a formal EIDR application.
- 8.3.10.2 **Sketch Plan.** A sketch plan shall be submitted as part of the EIDR application, defined as a minimally detailed, schematic drawing of the proposed OSRD that contains sufficient information in regard to existing and proposed conditions to allow the Planning Board to understand the nature and physical impact of the development on the land. Site constraints that figure into the analysis may be delineated from existing secondary sources such as local wetlands maps, Massachusetts Department of Environmental Protection Wetlands Conservancy Program maps, Natural Heritage maps, MA Geographic Information system resources, USDA soils maps, information from deed documentation, and other governmental, institutional and private sources. Applicants are encouraged to submit sketch plans in advance of filing for formal application as the basis of pre-application discussions with the board.
- 8.3.10.3 **Environmental Impact and Design Review for OSRD.**
  - 8.3.10.3.1 **General.** All OSRD applications shall be subject to the EIDR process in Section 7.3 of this bylaw. The Planning Board may waive particular submission requirements for OSRD's if they are determined to be inapplicable or unnecessary for EIDR review purposes, provided that doing so is consistent with the purposes of this Section.
  - 8.3.10.3.2 **Public Hearing and Decision.** A public hearing shall be conducted by the Planning Board within sixty-five (65) days of submission of the application and plans. Decisions shall be rendered within ninety (90) days of the close of said hearing. Failure to take action within the 90 day period shall be deemed to constitute constructive approval of the EIDR application.
  - 8.3.10.3.3 **OSRD 4-step Design Process.** The application shall contain graphic and written material sufficient to demonstrate to the Planning Board that the four-step design process set forth

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below was performed by a registered landscape architect, or a team which includes a registered landscape architect, in establishing the layout of open space, housing units and clusters, streets, and lots.

**Step One: Identification of Conservation Areas.** The first step in the design process shall be to identify, analyze, and incorporate in the plans the natural, hydrological and wetlands resources, wildlife habitat, scenic corridors and views, agriculture, horticulture and forestry operations, cultural resources and other natural and man-made features of value to the community that exist on the OSRD tract and immediate vicinity. In addition, the OSRD concept design shall be considered in the larger context of neighborhood character, transportation and transit services, district land use patterns, cultural issues and other factors that might affect, or be affected by, the OSRD. The outcome of Step One is both to identify likely open space protection areas, and to identify in a preliminary way the potentially developable parts of the OSRD tract.

**Step Two: Location of Housing Sites (Clusters).** The second step shall be to locate the approximate siting of residential structures within the potentially developable areas, including the delineation of private yards and shared amenities so as to reflect an integrated community. The number of dwelling units with direct access to the natural and man-made amenities of the OSRD should be maximized.

**Step Three: Alignment of Streets, Interior Drives, and Trails.** The third step shall be to align streets and interior drives in order to provide access to the housing clusters and residential structures. New trails should be laid out to create internal and external connections to existing and/or potential streets, interior drives, sidewalks, and trails.

**Step Four: Drawing of Lots and Easement Lines.** The final step shall be to draw in the lot lines depicting the subdivision of the OSRD tract, including all easements and deed restrictions shown on the plan. In the case of condominium or cooperatives without individual lot ownership, assumed lot lines for illustrative purposes may be depicted on the plans.

**8.3.11 Common Open Space Requirements.**

8.3.11.1 **Minimum Open Space Requirement.** In the SRC and SRE districts, the OSRD shall protect in perpetuity at least fifty (50) percent of the total tract as common open space, or sixty (60) percent where the OSRD must employ shared or individual septic systems or other on-site treatment, because no public sanitary sewer collection system is available. In the SRB district, the OSRD shall protect in perpetuity at least sixty (60) percent of the total tract as common open space. The common open space shall not be further divided or subdivided, and a restriction to such effect shall be noted on the EIDR plans recorded at the Registry of Deeds.

8.3.11.2 **Limitations on Composition of Open Space.** In no case shall more than seventy-five (75) percent of the land area used to satisfy the minimum open space requirement consist of wetlands or other non-buildable land area.

8.3.11.3 **OSRD Open Space Standards.** The landscape shall be preserved in its natural state. When necessary for utilities, roadways and similar purposes which cannot be avoided, or where desirable improvements to the landscape will be made, disturbances shall be minimized, by keeping to a minimum the removal of tree and forest vegetation, the excavation and removal of soil and the major alteration of existing topography. The massing and shape of the open space shall be designed to maximize its functionality for wildlife habitat and conservation, passive recreation, agriculture, horticulture, forestry, and equestrian use. Cultural and historical resources and scenic amenities may also be incorporated into the open space.

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The open space shall be contiguous to the maximum extent possible. Connectivity between open space areas within the development tract, and to open space areas external to it, shall be incorporated wherever possible. No open space area shall be less than 50 feet in its smallest dimension. Open space traversed by a roadway may be considered by the Planning Board to be connected. Not more than five (5) percent of the open space areas may be covered by pavement or paved roads and allowable accessory structures.

Structures located within the common open space shall only include those structures used to support proper use of the open space, including but not limited to equipment storage, temporary shelters, sanitary facilities, and trail information stations. New or existing trails or walkways shall be constructed or retained, as applicable, for the purpose of providing reasonable access to the open space. No cluster, at its nearest point, shall lie farther than three-hundred (300) feet from the closest point of the open space, with the exception of minor adjustments allowed by the Planning Board where compliance with this standard is impractical. Underground utilities, stormwater management facilities, and shared wastewater treatment systems serving the site may be located within the common open space. Surface collection systems such as retention and detention ponds shall not count toward the minimum common open space requirement. Existing or proposed utility easements shall not be counted as common open space unless allowed by the Planning Board.

**8.3.11.4 Ownership, Protection and Maintenance of the Open Space.**

8.3.11.4.1 **Conveyance.** The common open space may be conveyed to any of the following entities:

- 1)The Town of Westwood or its Conservation Commission.
- 2)A non-profit organization whose primary purpose is to conserve and maintain open space.
- 3)A corporation or trust owned jointly or in common by the owners residing in the OSRD. When the open space is conveyed to said corporation or trust, maintenance of the open space shall be guaranteed in perpetuity. The corporation or trust shall provide for mandatory assessments of each lot and unit for maintenance purposes. Each individual deed, and the deed or trust or articles of incorporation, shall include provisions to affect these requirements. Documents creating such homeowners association, trust or corporation shall be submitted to the Planning Board for approval, and shall thereafter be recorded.

8.3.11.4.2 **Conservation Restrictions.** When common open space is not conveyed to the Town or to its Conservation Commission, a conservation restriction or agricultural or forest preservation restriction enforceable by the Westwood Conservation Commission or other board under M.G.L. c. 184, § 31, is required, in compliance with the standards of the Massachusetts Executive Office of Energy and Environmental Affairs, Division of Conservation Services, or Department of Agricultural Resources, or their successor agencies. Said restriction shall be recorded in the manner provided by statute. The Board of Selectmen is hereby authorized to accept such restrictions if the Conservation Commission declines to do so. The common open space shall be perpetually kept in an open state, shall be preserved exclusively for the purposes set forth in this Section, and shall be maintained in a manner which will ensure its suitability for its intended purposes.

8.3.11.4.3 **Conservation Covenants.** Any common open space that does not qualify for inclusion in a conservation restriction or agricultural preservation restriction, or that is rejected from inclusion in these programs by the Commonwealth of Massachusetts, shall be subject to a restrictive covenant, which shall be approved by the Planning Board and Board of Selectmen, and which shall be duly recorded at the Registry of Deeds and subject to the

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Extension of Period provisions in Sections 27 and 28 of M.G.L. chapter 184. The Town of Westwood shall retain the right to enforce such covenants.

8.3.11.4.4 **Special Maintenance Provisions.** The Town shall be granted an easement over the common open space in all cases, to ensure its perpetual maintenance as open space consistent with the purposes of this Section. Such easement shall provide that in the event the corporation, trust, or other owner fails to maintain the open space in good functional condition, the Town may, after notice to the owners and a public hearing, enter the common open space to provide reasonable maintenance, in order to prevent or abate a nuisance. The cost of such maintenance shall be assessed against the properties within the development and/or to the owner of the common open space. The Town may file a lien against the lot or lots to ensure payment of such maintenance.

8.3.12 **Design Standards.** The following minimum design standards shall apply to any OSRD site plan and shall guide the design of the site as an OSRD:

8.3.12.1 **Landscape Preservation.** Insofar as practicable, an OSRD shall preserve the landscape in its natural state by minimizing tree and vegetative cover removal and alterations to the pre-development natural topography. Mature trees of six (6) inch caliper or greater, measured four feet above average grade level, shall in particular be retained to the maximum practical extent. The location and orientation of housing sites or clusters shall be such as to maintain maximum natural topography. This design-with-the-land approach shall be employed in all site planning, wherein retention of natural topographic and vegetative features, views and natural drainage courses shall be treated as fixed determinants of housing cluster locations or interior drive layouts, rather than altering the site to accommodate a fixed development plan.

8.3.12.2 **Roadway and Infrastructure Design.** The standards for all OSRDs, whether involving a definitive plan approval or not, shall be those of the Westwood Rules and Regulations Governing the Subdivision of Land, in regard to the alignment, width, and design of streets and interior drives in an OSRD, as well as all related infrastructural elements within and along rights of way. Streets and interior drives in an OSRD shall be designed to be in compliance with the locational and dead end standards in those Rules and Regulations. Related infrastructural elements shall include, but not be limited to, the following: sewage collection, water distribution, stormwater management, power and energy transmission, and telecommunications. However, applicants are encouraged to consider alternate designs for interior drives and other infrastructural elements that might involve variations to those standards, including but not limited to narrower rights of way and paved travel lanes, as long as adequate grade, width and construction are maintained. The Planning Board may grant design waivers in accordance with prescribed procedures.

In all cases, streets and interior drives shall be designed and located in such a manner as to maintain and preserve natural topography, significant landmarks, and trees; to minimize cut and fill; and to preserve and enhance views into and within the development site.

8.3.12.3 **Pedestrian and Bicycle Circulation.** Where appropriate, walkways and/or multi-purpose trails shall be provided within the OSRD to connect dwellings with parking areas, recreation facilities and open space, and adjacent land uses.

8.3.12.4 **Visibility of Open Space.** Open space in the OSRD shall be designed to add to the visual amenities of the area by maximizing its visibility for persons passing the site or overlooking it from nearby properties.

8.3.12.5 **Architectural Design and Neighborhood Compatibility.** In overall scale, architectural detailing, building massing, height, exterior materials, and roofline articulation, residential structures in an OSRD shall be reasonably compatible with existing structures in surrounding residential areas, when there is a functional or visual relationship between the surrounding structures and the proposed structures. The Planning Board may limit and/or redistribute the number of dwelling units contained in a single structure, if it determines that the proposed structure would otherwise compromise or obstruct desired views from abutting properties or from public ways, or if the proposed configuration has a negative environmental

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impact upon any abutting property.

- 8.3.12.6 **Cultural Resources.** The removal or disruption of historic or archaeological resources or traditional or significant uses, structures, or architectural elements shall be minimized.
- 8.3.12.7 **Stormwater Management.** To the extent practicable, the use of low impact development and soft drainage techniques shall be employed in the design of an OSRD, subject to compliance with all applicable local and state standards and requirements.
- 8.3.12.8 **Off-street Parking.** All off-street parking in an OSRD shall comply with the requirements of Section 6.0 in this bylaw.
- 8.3.12.9 **Mix of Housing Types.** Any mix of one or more of the allowed housing types, shall be permitted in an OSRD, up to the maximum number of dwelling units permitted under this Section.
- 8.3.13 **OSRD- EIDR Decision.** Approval shall be granted by means of a written OSRD-EIDR decision, based upon a determination by the Planning Board that the OSRD application meets the criteria below.
  - 8.3.13.1 Consistency with the purposes of this Section.
  - 8.3.13.2 Demonstration of proper and complete application of the OSRD 4-step design process.
  - 8.3.13.3 General consistency with all applicable elements of the EIDR standards in Section 7.3.7.
  - 8.3.13.4 Responsiveness to all applicable elements of the Design Standards in Section 8.3.12.
  - 8.3.13.5 Establishment of measures sufficient to provide for effective protection and maintenance of the common open space.
- 8.3.14 **OSRD Special Permit Decision for Single-family Attached Housing.** Approval shall be granted by means of a written OSRD Special Permit decision, based upon a finding by the Planning Board that the OSRD application demonstrates consistency with the standards below:
  - 8.3.14.1 Consistency with the purposes of this Section.
  - 8.3.14.2 Demonstration of proper and complete application of the OSRD 4-step design process.
  - 8.3.14.3 General consistency with Section 10.3 [Special Permits] of the Zoning Bylaw.
  - 8.3.14.4 Compatibility with the scale, visual character and amenities of the neighborhood.
  - 8.3.14.5 Compatibility of the single-family attached housing with the other housing types and clusters within the OSRD, using site design, architectural elements, building massing, and open space and landscaping, thereby creating a unified development that succeeds in establishing a harmonious residential environment.
- 8.3.15 **OSRD Special Permit Decision for Density Bonus Units.** Approval shall be granted by means of a written OSRD Special Permit decision, based upon a finding by the Planning Board that the proposed density bonus meets one or more of the allowed bonuses in Section 8.3.9.4.
  - 8.3.15.1 **Limit on Density Yield.** The Planning Board shall further find that the density bonus for the OSRD project will not exceed, in the aggregate, fifty (50) percent of the Yield Calculation of dwelling units.

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- 8.3.16 **Special Conditions and Performance Guarantee.** The Planning Board may impose reasonable conditions as part of any OSRD-EIDR or OSRD Special Permit approval and may require suitable performance guarantees to assure compliance with those conditions.
- 8.3.17 **Regulations.** The Planning Board may adopt OSRD rules and regulations consistent with this Zoning Bylaw and the laws of the Commonwealth.

**FTM Article 4:** To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw, Section 8.1 [Conversion of One-Family Dwelling], or take any other action in relation thereto.

**8.1 CONVERSION OF ONE-FAMILY DWELLING**

8.1.1 **Purposes.** The purposes of this section are as follows:

- 8.3.1.1 to preserve culturally, historically, or architecturally significant residential structures of value to the community;
- 8.3.1.2 to encourage the preservation of community character through the maintenance of existing residential properties and their surrounding landscapes;
- 8.3.1.3 to offer greater housing choice by allowing varied mixes of housing type, compatible with community character.

8.1.2 **Special Permit Required.** Upon the grant of a special permit by the Board of Appeals, the conversion and/or use of a one-family dwelling to a dwelling for not more than two (2) families may be authorized, provided that such one-family dwelling was constructed on or before December 31, 1938, and provided that the exterior character of the property remains consistent with that of a single-family dwelling, and provided that no accessory apartment is in existence on the same property pursuant to Section 4.4.2 of this Bylaw.

8.1.3 **Alterations, Relocations, or Additions.** The Board of Appeals may allow for the alteration or relocation of a structure proposed for conversion under this section, and may allow for the construction of one or more additions to said structure, if in the Board's determination, the proposed alteration, relocation, or addition does not significantly change the exterior character of the property.

8.1.4 All applications for a special permit pursuant to this Section shall be acted upon in the order in which they are filed. The maximum number of special permits to be issued and in effect shall not exceed one percent (1%) of the current number of single-family and two-family dwelling units in Town.

**FTM Article 5:** To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw to distinguish between pet care facilities and commercial kennels, including amendments to Section 2.0 [Definition], Section 4.1 [Principal Uses], and Section 6.1 [Off-Street Parking], or take any other action in relation thereto.

Ms. Loughnane distributed the following supplemental report to the board for its consideration:

**Supplemental Report - Kennels and Pet Care Facilities**



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The Planning Board was asked to consider amending the Zoning Bylaw so that residents who own more than 3 dogs would not have to apply to the ZBA for a special permit to operate a kennel.

MGL Chapter 140, Section 137 requires licensing of all dogs over the age of six months. MGL Chapter 140, Section 137A requires the licensing of kennels. MGL Chapter 140, Section 136A includes the following definitions:

Kennel - a pack or collection of dogs on a single premise, including a commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, personal kennel or veterinary kennel.

Commercial boarding or training kennel - an establishment used for boarding, holding, day care, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal; provided, however, that "commercial boarding or training kennel" shall not include an animal shelter or animal control facility, a pet shop licensed under section 39A of chapter 129, a grooming facility operated solely for the purpose of grooming and not for overnight boarding or an individual who temporarily, and not in the normal course of business, boards or cares for animals owned by others.

Commercial breeder kennel - an establishment, other than a personal kennel, engaged in the business of breeding animals for sale or exchange to wholesalers, brokers or pet shops in return for consideration.

Personal kennel - a pack or collection of more than 4 dogs, 3 months old or older, owned or kept under single ownership, for private personal use; provided, however, that breeding of personally owned dogs may take place for the purpose of improving, exhibiting or showing the breed or for use in legal sporting activity or for other personal reasons; provided further, that selling, trading, bartering or distributing such breeding from a personal kennel shall be to other breeders or individuals by private sale only and not to wholesalers, brokers or pet shops; provided further, that a personal kennel shall not sell, trade, barter or distribute a dog not bred from its personally-owned dog; and provided further, that dogs temporarily housed at a personal kennel, in conjunction with an animal shelter or rescue registered with the department, may be sold, traded, bartered or distributed if the transfer is not for profit.

Veterinary kennel - a veterinary hospital or clinic that boards dogs for reasons in addition to medical treatment or care; provided, however, that "veterinary kennel" shall not include a hospital or clinic used solely to house dogs that have undergone veterinary treatment or observation or will do so only for the period of time necessary to accomplish that veterinary care.

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For the sake of consistency, the Planning Board may want to use similar definitions for the Zoning Bylaw:

Pet care facility - a commercial establishment which caters to the needs, comfort, and/or benefit of pets, or which offers pet-oriented services including the grooming of dogs or domesticated animals, but which does not engage in the housing, breeding, boarding, training, or sales of such animals, and does not provide animal daycare.

Kennel - a pack or collection of dogs on a single premise, including a commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, personal kennel or veterinary kennel.

Commercial boarding or training kennel - an establishment used for boarding, holding, day care, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal; provided, however, that "commercial boarding or training kennel" shall not include an animal shelter or animal control facility, a pet shop licensed under MGL Chapter 129, Section 39A, a grooming facility operated solely for the purpose of grooming and not for overnight boarding or an individual who temporarily, and not in the normal course of business, boards or cares for animals owned by others.

Commercial breeder kennel - an establishment, other than a personal kennel, engaged in the business of breeding animals for sale or exchange to wholesalers, brokers or pet shops in return for consideration.

Personal kennel - a pack or collection of more than 4 dogs, 3 months old or older, owned or kept under single ownership, for private personal use; provided, however, that breeding of personally owned dogs may take place for the purpose of improving, exhibiting or showing the breed or for use in legal sporting activity or for other personal reasons; provided further, that selling, trading, bartering or distributing such breeding from a personal kennel shall be to other breeders or individuals by private sale only and not to wholesalers, brokers or pet shops; provided further, that a personal kennel shall not sell, trade, barter or distribute a dog not bred from its personally-owned dog; and provided further, that dogs temporarily housed at a personal kennel, in conjunction with an animal shelter or rescue registered with the department, may be sold, traded, bartered or distributed if the transfer is not for profit.

Veterinary kennel - a veterinary hospital or clinic that boards dogs for reasons in addition to medical treatment or care; provided, however, that "veterinary kennel" shall not include a hospital or clinic used solely to house dogs that have undergone veterinary treatment or observation or will do so only for the period of time necessary to accomplish that veterinary care.

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The board may then want to propose the following amendments to the Use Charts:

**4.1.5 COMMERCIAL USES**

PRINCIPAL USE	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<b>4.1.5 COMMERCIAL USES</b>													
<u>4.1.5.17 Pet Care Facility</u>	N	N	N	N	N	N	N	Y	Y	Y	BA	BA	N
<u>4.1.5.178 <del>Kennel, Commercial</del> Commercial boarding or training kennel; Commercial breeder kennel; Veterinary kennel</u>	N	N	N	N	N	N	N	N	N	Y	BA	BA	N

**4.3 ACCESSORY USES**

PRINCIPAL USE	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<b>4.3.3 ACCESSORY USES IN RESIDENTIAL DISTRICTS</b>													
<u>4.3.3.9 Personal kennel for 6 or fewer dogs</u>	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N
<u>4.3.3.10 Personal kennel for more than 6 dogs</u>	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N
<u>4.3.3.911 <del>Veterinary</del> kennel or animal clinic or hospital, if located on the same premises as a dwelling unit and conducted by a resident thereof</u>	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N

Corresponding amendments to the Parking Requirements would be:

**6.1.5 PARKING REQUIRMENTS FOR COMMERCIAL USES**

**6.1.5 COMMERCIAL USES**

<u>6.1.5.9 Pet Care Facility</u> <u>6.1.5.910 <del>Kennel, Commercial</del> Commercial boarding or training kennel; Commercial breeder kennel; Veterinary kennel</u>	One (1) space for each two hundred fifty (250) square feet of floor area or fraction thereof devoted to selling, storage, service and all other activities related to such use, exclusive of cellar and basement areas used only for storage or services incidental to the operation or maintenance of the premises
---	---

This would require residents who house more than 6 dogs to apply to the ZBA for a special permit to operate a “Personal kennel”, although anyone with more than 4 dogs would still need to obtain a state license for a “Personal kennel”. If the board wishes to keep the licensing and special requirement triggers both at more than 4 dogs, then the amendments to the Accessory Use Chart could be as follows:

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**4.3 ACCESSORY USES**

PRINCIPAL USE	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<b>4.3.3 ACCESSORY USES IN RESIDENTIAL DISTRICTS</b>													
<u>4.3.3.9 Personal kennel</u>	<u>BA</u>	<u>BA</u>	<u>BA</u>	<u>BA</u>	<u>BA</u>	<u>BA</u>	<u>BA</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
4.3.3.9 <del>10</del> <u>Veterinary</u> kennel or animal clinic or hospital, if located on the same premises as a dwelling unit and conducted by a resident thereof	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N

Finally, since the definition for “Commercial boarding or training kennel” specifically excludes “pet shop licensed under MGL Chapter 129, Section 39A”, the board may want to address the “Pet shop” use at a subsequent town meeting.

This is the amended version of Article 5:

**PROPOSED PET CARE AMENDMENTS:**

**2.0 DEFINITIONS**

Kennel ~~Any pack or collection of more than three (3) dogs three (3) months old or over, owned or kept on a lot irrespective of the purposes for which they are maintained. A pack or collection of dogs on a single premise, including a commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, personal kennel or veterinary kennel.~~

Commercial boarding or training kennel - an establishment used for boarding, holding, day care, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal; provided, however, that "commercial boarding or training kennel" shall not include an animal shelter or animal control facility, a pet shop licensed under MGL Chapter 129, Section 39A, a grooming facility operated solely for the purpose of grooming and not for overnight boarding or an individual who temporarily, and not in the normal course of business, boards or cares for animals owned by others.

Commercial breeder kennel - an establishment, other than a personal kennel, engaged in the business of breeding animals for sale or exchange to wholesalers, brokers or pet shops in return for consideration.

Personal kennel - a pack or collection of more than 4 dogs, 3 months old or older, owned or kept under single ownership, for private personal use; provided, however, that breeding of personally owned dogs may take place for the purpose of improving, exhibiting or showing the breed or for use in legal sporting activity or for other personal reasons; provided further, that selling, trading, bartering or distributing such breeding from a personal kennel shall be to other breeders or individuals by private sale only and not to wholesalers, brokers or pet shops; provided further,

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that a personal kennel shall not sell, trade, barter or distribute a dog not bred from its personally-owned dog; and provided further, that dogs temporarily housed at a personal kennel, in conjunction with an animal shelter or rescue registered with the department, may be sold, traded, bartered or distributed if the transfer is not for profit.

Veterinary kennel - a veterinary hospital or clinic that boards dogs for reasons in addition to medical treatment or care; provided, however, that "veterinary kennel" shall not include a hospital or clinic used solely to house dogs that have undergone veterinary treatment or observation or will do so only for the period of time necessary to accomplish that veterinary care.

~~Kennel, Commercial - A commercial establishment in which more than three (3) dogs or domesticated animals are housed, groomed, bred, boarded, trained or sold.~~

Pet care facility - a commercial establishment which caters to the needs, comfort, and/or benefit of pets, or which offers pet-oriented services including the grooming of dogs or domesticated animals, but which does not engage in the housing, breeding, boarding, training, or sales of such animals, and does not provide animal daycare.

**4.1.5 COMMERCIAL USES**

PRINCIPAL USE	DISTRICTS													
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO	
<b>4.1.5 COMMERCIAL USES</b>														
<u>4.1.5.17 Pet Care Facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>BA</u>	<u>BA</u>	<u>N</u>	
<del>4.1.5.178 Kennel, Commercial</del>														
<u>Commercial boarding or training kennel;</u>	N	N	N	N	N	N	N	N	N	Y	BA	BA	N	
<u>Commercial breeder kennel; Veterinary kennel</u>														

**4.3 ACCESSORY USES**

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PRINCIPAL USE	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<b>4.3.3 ACCESSORY USES IN RESIDENTIAL DISTRICTS</b>													
4.3.3.9 <u>Personal kennel, Veterinary kennel, or animal clinic or hospital, but only</u> if located on the same premises as a dwelling unit and conducted by a resident thereof	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N

**6.1.5 PARKING REQUIRMENTS FOR COMMERCIAL USES**

**6.1.5 COMMERCIAL USES**

6.1.5.9 Pet Care Facility

6.1.5.910. ~~Kennel, Commercial~~ Commercial boarding or training kennel; Commercial breeder kennel; Veterinary kennel

One (1) space for each two hundred fifty (250) square feet of floor area or fraction thereof devoted to selling, storage, service and all other activities related to such use, exclusive of cellar and basement areas used only for storage or services incidental to the operation or maintenance of the premises

**FTM Article 6:** 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.

**PROPOSED HOUSEKEEPING AMENDMENTS:**

**Section 2.0 DEFINITIONS**

Essential Services Services provided by a public service corporation or by governmental agencies through erection, construction, alteration or maintenance of gas, electrical, steam or water transmission or distribution systems and collection, communication, supply or disposal systems whether underground or ~~overhand~~ overhead, but not including wireless communications facilities. Facilities necessary for the provision of essential services include poles, wires, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment in connection therewith.

**Section 4.1 PRINCIPAL USES**

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**DISTRICTS**

PRINCIPAL USE	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<b>4.1.3 RESIDENTIAL USES</b>													
4.1.3.4 Senior Residential Development per Section 8.54	PB	PB	PB	PB	PB	PB	PB	N	N	N	N	N	N
4.1.3.5 Residential Retirement Community per Section 8.65	N	N	N	N	N	N	N	N	N	N	N	N	BA
<b>4.1.5 COMMERCIAL USES</b>													
4.1.5.26 General Services Establishment	N	N	N	<del>YN</del>	N	N	N	N	N	BA	N	N	N
4.1.5.27 Campground, wildlife preserve, fishing grounds operated not for profit	Y	Y	Y	<del>NY</del>	Y	Y	Y	Y	Y	Y	Y	Y	Y

**Section 6.2 SIGNS**

6.2.8.2 **Sign Height Requirements.** No part of any sign, or light fixture illuminating said sign, shall be at a height greater than the maximum height permitted pursuant to Section 5.24 of this bylaw for the building or structure to which the sign pertains. No part of any sign, or light fixture illuminating said sign, shall be higher than the highest point of any building or structure on the same premises. In the case of a sign located on a lot where there is no other structure, no part of said sign, or light fixture illuminating said sign, shall exceed a height of ten (10) feet above ground.

**Section 6.2 SIGNS**

6.2.14 **Special Permit.** The Board of Appeals may grant a special permit for a sign that does not comply with sign area, height, or setback requirements set forth herein, or which exceeds the maximum ~~permitted~~ number of signs permitted, provided that said sign is otherwise in compliance with all other provisions of this section, and provided further that the Board of Appeals makes the following findings:

- 6.2.14.1 Applicant has adequately demonstrated that compliance with the provisions of this Section will be an undue hardship.
- 6.2.14.2 Sign scale is determined to be in reasonable relation to the scale of the building or structure and the sizes of signs on nearby structures.
- 6.2.14.3 Sign size, shape and placement serves to define or enhance architectural elements of the building or structure such as columns, sill lines, cornices and roof edges.
- 6.2.14.4 Sign design is harmonious with other signage on the same or adjacent structures and provides reasonable continuity in mounting location and height, proportions and materials.
- 6.2.14.5 Sign materials, colors, lettering style, illumination and form are reasonably compatible with building design, and surrounding neighborhood.
- 6.2.14.6 Sign size, location, design and illumination do not present a safety hazard to vehicular or pedestrian traffic.



**Westwood Planning Board  
Meeting Minutes  
October 8, 2013  
50 Carby Street  
6:30 PM**

*Motion/Action Taken:*

Upon a motion by Mr. Rafsky and seconded by Mr. Wiggin, the board voted unanimously in favor to continue this hearing until, Tuesday, October 15<sup>th</sup>, at 7:30 p.m. in the Champagne Meeting Room, 50 Carby Street.

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

**FTM Article 7:** To see if the Town will vote to approve certain amendments to the Town of Westwood Official Zoning Map, to change the designation of a parcel, known as Assessor's Plat 21, Lot 43, from Single-family Residential C (SRC) District to Local Business A (LBA) District, or take any other action in relation thereto.

- 1) Replace the map entitled "Official Zoning Map, May 6, 2013" with the map entitled "Official Zoning Map, Version 2, November 18, 2013".

Ch. Montgomery opened this hearing by reading the legal notice of public hearing.

There was no discussion nor amendments made to this article.

*Motion/Action Taken:*

Upon a motion by Mr. Rafsky and seconded by Mr. Wiggin, the board voted unanimously in favor to continue this hearing until, Tuesday, October 15<sup>th</sup>, at 7:30 p.m. in the Champagne Meeting Room, 50 Carby Street.

**Adjournment:**

Upon a motion by Mr. Wiggin and seconded by Mr. Olanoff, the board voted unanimously in favor to adjourn this meeting at approximately 8:30 p.m.

**Next Meeting:**

Tuesday, October 15<sup>th</sup> at 7:30 p.m., in the Champagne Meeting Room at 50 Carby Street.