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Commonwealth of Massachusetts



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Memorandum

To: Jane O'Donnell, Finance and Warrant Commission Administrator
Finance and Warrant Committee Members

From: Brian Gorman, Planning Board Chair
Planning Board Members
Abby McCabe, Town Planner

Date: January 22, 2020

Re: Planning Board Zoning Bylaw Warrant Articles for Annual Town Meeting

At the Planning Board's meeting on January 21st, the Board voted to remove four articles previously submitted for Annual Town Meeting. The Planning Board's revised list of five sponsored articles is summarized below. The Planning Board will hold a public hearing on all zoning amendments on **Tuesday, February 25 at 7:00 pm at 50 Carby Street.**

Any zoning amendment proposal that may be necessary as a result of the response to the upcoming bid related to the Obed Baker House will also require a public hearing with the Planning Board.

Article 1: Zoning Amendment to Regulate Short Term Rentals
Zoning Bylaw Amendment to include new definition (Section 2) and regulations for short term rentals. Amendments to the table of accessory uses (Table 4.3), use regulations (Section 4.0), and minimum time limitations for rentals. Add a definition for a long-term rental as a property that is rented for greater than or equal to 30 consecutive days. Add a definition for a short-term rental as a property that is rented for less than 30 consecutive days. Add text that short-term rentals must be rented for a minimum of 5 consecutive days.

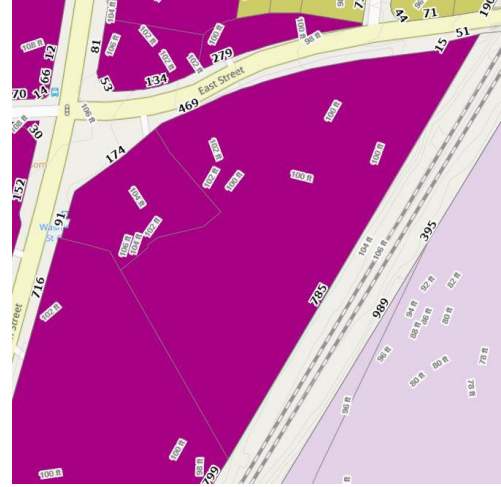
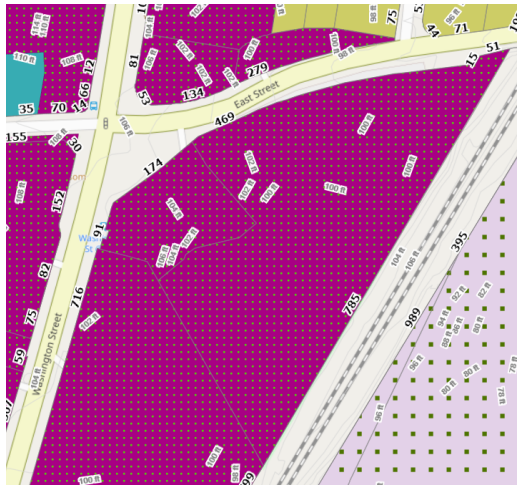
Article 2: Zoning Map Amendment Relative to Morrison Park & Field
Amend the Official Zoning Map to remove 300 Washington Street (Assessor's Map 23, Lot 216) Morrison Park and Field from the FMUOD (Flexible Multiple Use Overlay District). To see if the Town will vote to remove Assessor's Map 23 Lot 216, Morrison Park including basketball courts, baseball field, DPW facilities, snack shack, softball field, and parking lot, totaling 3.76 acres, from sec 9.5, FMUOD 1. The underlying zoning of the property is LBB (Local Business

B) and this article proposes the removal of the FMUOD to update the Official Zoning Map to reflect changes or take any other action thereon.

This amendment proposes to remove the Morrison Park and Field from the overlay district.

Existing: FMUOD Zoning shown in green dots

Proposed: LBB zoning shown in pink



Article 3: Zoning Amendment Relative to Prohibitive Zoning Bylaw

Review Zoning Bylaw Section 1.4 [APPLICABILITY] to consider revising or adding language to make the Zoning Bylaw a prohibitive bylaw for uses not mentioned or add language for process of considering uses not mentioned in the Zoning Bylaw. This may include adding language to establish specific criteria for uses not mentioned. Amendments to the Purpose and Authority (Section 1.0) and Use Regulations (Section 4.0) of the Zoning Bylaw.

Add language for permitted and prohibited uses stating that any use not specifically permitted by right or by special permit in a zoning district by these regulations shall be deemed to be prohibited within such district and establish a process for review of similar type use.

Article 4: Zoning Amendments Relative to Fire Arms

To consider Zoning Amendments to the Table of Uses for Fire Arms/Explosives Sales and Services (Section 4.1.5.41). The Board wishes to evaluate where these uses are allowed. Presently allowed by Special Permit from the ZBA in the LBB, LBA, I, and HB zones. Modify “4.1.5.41 Fire Arms/Explosives Sales and Service” in the Table of Principal Uses such that Districts LBA and LBB are changed from BA to N. As proposed, Fire Arm and Explosives Sales would only be allowed upon grant of a special permit from the Zoning Board of Appeals (ZBA) in the I (Industrial) and HB (Highway Business) Districts and not be allowed in the Local Business Districts (LBB and LBA) which includes the High Street and Washington Street business districts.

Article 5: Zoning Text & Official Zoning Map Amendments Relative to Medical Uses

Zoning Bylaw Amendments related to various medical uses by amending and adding to Section

2.0 [Definitions] and amending Section 4.2 [Table of Principal Uses] and add a new Section 9.8 (Medical Facility Overlay District (MFOD)) and add the new zoning overlay district to the Official Zoning Map. The purpose of this article is to clarify distinctions among various types of medical uses and to specify where those uses may be permitted in Town. The Zoning Bylaw presently references differing terms for medical uses, some of which are not clearly defined and some of which are not presently included in the Use Table such as Office of Health Care Professional, Hospital, Medical Center or Clinic, and Substance Rehabilitation Treatment Facility.

As proposed, this article amends the existing definitions for Medical Centers and Clinics and Office of Health Care Professionals; adds new definitions for Hospitals and Substances Rehabilitation or Treatment Centers; establishes a new Medical Facility Use Overlay District (MFUD) in a new Section 9.8 and on the Official Zoning Map that permits medical uses only by special permit at six specific parcels (three on University Avenue, Lowder Brook Road, and Longwood Drive) based on strict criteria for review. The primary purpose of this article is to zone for non-profit and higher intensity medical uses not currently zoned in Westwood. Without indicating where these uses are and are not allowed, the Town is vulnerable to a challenge of these uses proposed in undesirable locations.

Revisions since January 14 Finance and Warrant Commission:

The zoning articles related to energy efficiency requirements, a new affordability requirement, the temporary residential moratorium, and updating the open space residential development open space calculation have been withdrawn. The Board will continue to work on these ideas and return at a later time.

Select Board Article Place Holder 7:

The Select Board have submitted a place holder request for any possible zoning changes that may be necessary based on proposal received in response to the Town’s bid and potential disposition of the Obed Baker House property located on High Street (Assessor’s Map 21, Lots 42 and 43) which are presently zoned LBA and SRC (Single Residence C). The Planning Board is required to hold a public hearing and make a recommendation on all zoning amendments. Any zoning amendments associated with this property will require a public hearing.

