

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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PLANNING BOARD
NOTICE OF PUBLIC HEARING

RECEIVED

By Town Clerk at 12:01 pm, Feb 04, 2020

ZONING AMENDMENTS
(February 4, 2020 Draft)

The Westwood Planning Board will hold a public hearing in accordance with the provisions of M.G.L. Chapter 40A, §5 on **Tuesday, February 25, 2020 at 7:00 p.m.** in the Champagne Meeting Room in the Carby Municipal Office Building at 50 Carby Street, Westwood, MA 02090, to consider the following proposed amendments to the Town of Westwood Zoning Bylaw. More information including the text and maps of the proposed articles is available at the Office of the Planning Board at 50 Carby Street, Westwood and on the Planning Division's webpage under Current Plans and Applications at www.westwoodpermit.org

If inclement weather necessitates canceling the public hearing, the public hearing will be postponed to a "snow date" of **Tuesday, March 17, 2020 at 7:00 pm** in the Champagne Meeting Room at 50 Carby Street, Westwood, MA. In this event, a notice will be posted on the Town's website at <http://www.townhall.westwood.ma.us> and posted on the door of the Carby Municipal Office Building at 50 Carby Street on February 25 announcing the meeting cancelation and postponement date.

Article 1 Summary: Zoning Amendments Related to Medical Uses

This proposed warrant article would address inconsistencies within the Zoning Bylaw with respect to various medical uses. The article would better align Section 2.0 [Definitions] with Section 4.1 [Table of Principal Uses].

Keeps the existing definitions for "Office of Healthcare Professional" and "Medical Centers or Clinics" and would add Medical Centers and Clinics to the use chart.

ARTICLE 1- Zoning Amendment Related to Medical Uses

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to various medical uses by amending Section 4.1.2 [Table of Principal Uses], or take any other action in relation thereto: *New language shown in underlined red font, language to be removed shown in strikethrough*

- 1) Amend Section 4.1.5 [Table of Principal Uses - Commercial Uses] by changing the title of Section 4.1.5.22 from “Office of a doctor or dentist not a resident on premises” to “Office of Health Care Professional”, and by adding new Section 4.1.5.23 “Medical Center or Clinic”, and renumber subsequent sections as appropriate:

4.1.5 COMMERCIAL USES

PRINCIPAL USE	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.1.5.22 Office of doctor or dentist not a resident on premises <u>Health Care Professional</u>	N	N	N	N	N	BA	N	Y	Y	Y	Y	Y	Y
<u>4.1.5.23 Medical Center or Clinic</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N⁸</u>	<u>N</u>	<u>N</u>

- 2) Amend Section 4.2 [Notes for Table of Principal Uses] by adding a new Note 8 to read as follows, and renumber subsequent notes as appropriate:

⁸ Except in accordance with all applicable provisions of Section 9.7 [University Avenue Mixed Use District (UAMUD)].

- 3) Amend Section 9.5.8.1.9 [Use Permitted by FMUOD Special Permit in any FMUOD] to replace “Office of doctor or dentist” with “Office of Health Care Professional” as follows:

9.5.8.1.9 ~~Office of doctor or dentist~~ Office of Health Care Professional;

- 4) Amend Section 6.1.2 [Table of Parking Requirements] to replace Section 6.1.5.3 “Office of doctor or dentist” with “Office of Health Care Professional” as follows:

6.1.5.3 ~~Office of doctor or dentist~~ Office of Health Care Professional

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

Article 2 Summary: Zoning Amendments Related to Town-owned Property on High Street in the vicinity of the Obed Baker House

This proposed warrant article would alter the zoning of parcels of land on High Street in the vicinity of the Obed Baker House in order to permit the rehabilitation and reuse of the Obed Baker House in accordance with a proposal solicited through a request for Proposals (RFP) issued by the town.

909 High St. Parcel 12, Lot 042 and High St. Parcel 21, Lot 043



Because proposals in response to the RFP have not yet been received, and proposed uses of the property are not yet known, this article has been drafted with four distinct options. Only one of these options will be presented for consideration by Town Meeting if needed to pursue the redevelopment of the Obed Baker House in accordance with a selected proposal.

Option A would change the Official Zoning Map designation of the currently undeveloped parcel of land shown on Assessor's Parcel 21 as Lot 43 from Single Residence C (SRC) to Local Business A (LBA).

Option B would change the Official Zoning Map designation of the Obed Baker House property at 909 High Street shown on Assessor's Parcel 21 as Lot 42 from Local Business A (LBA) to Single Residence C (SRC).

Option C would change the Official Zoning Map designation of the currently undeveloped parcel of land shown on Assessor's Parcel 21 as Lot 43 from Single Residence C (SRC) to Local Business A (LBA), and would then overlay the two parcels of land shown on Assessor's Parcel 21 as Lots 42 and 43 with the Flexible Multiple Use Overlay District 7 (FMUOD 7/High Street Business District) and make related amendments to Section 9.7 of the Zoning Bylaw [Flexible Multiple Use Overlay District (FMUOD)], as appropriate.

Option D would change the Official Zoning Map designation of the currently undeveloped parcel of land shown on Assessor's Parcel 21 as Lot 43 from Single Residence C (SRC) to Local Business A (LBA), and would then overlay the two parcels of land shown on Assessor's Parcel 21 as Lots 42 and 43 with the Upper Story Residential Overlay District (USROD) and make related amendments to Section 9.2 of the Zoning Bylaw [Upper Story Residential Overlay District (USROD)], as appropriate.

Article 2 – Option A: Zoning Amendments Related to Town-owned Property on High Street in the vicinity of the Obed Baker House

To see if the Town will vote to approve certain amendments to the Official Zoning Map by re-zoning the currently undeveloped parcel of land shown on Assessor’s Parcel 21 as Lot 43 from Single Residence C (SRC) to Local Business A (LBA), or take any other action in relation thereto.

OR

Article 2 – Option B: Zoning Amendments Related to Town-owned Property on High Street in the vicinity of the Obed Baker House

To see if the Town will vote to approve certain amendments to the Official Zoning Map by re-zoning the Obed Baker House property at 909 High Street shown on Assessor’s Parcel 21 as Lot 42 from Local Business A (LBA) to Single Residence C (SRC), or take any other action in relation thereto.

OR

Article 2 – Option C: Zoning Amendments Related to Town-owned Property on High Street in the vicinity of the Obed Baker House

To see if the Town will vote to approve certain amendments to the Official Zoning Map and Zoning Bylaw, as follows; or take any other action in relation thereto: ***New language shown in underlined red font, language to be removed shown in strikethrough***

- 1) Change the zoning designation of the currently undeveloped parcel of land shown on Assessor’s Parcel 21 as Lot 43 from Single Residence C (SRC) to Local Business A (LBA).
- 2) Overlay Assessor’s Parcel 21, Lots 42 and 43 with the Flexible Multiple Use Overlay District 7 (FMUOD 7/High Street Business District).
- 3) Amend Section 9.5.2 [Location] to read as follows:

9.5.2 **Location.** ~~Five~~Seven distinct Flexible Multiple Use Overlay Districts - FMUOD 1, FMUOD 2, FMUOD 3, FMUOD 4 and FMUOD 5 - 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 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 Church~~ Street.

OR

Article 2 – Option D: Zoning Amendments Related to Town-owned Property on High Street in the vicinity of the Obed Baker House

To see if the Town will vote to approve certain amendments to the Official Zoning Map and Zoning Bylaw, as follows; or take any other action in relation thereto: ***New language shown in underlined red font, language to be removed shown in strikethrough***

- 1) Change the zoning designation of the currently undeveloped parcel of land shown on Assessor's Parcel 21 as Lot 43 from Single Residence C (SRC) to Local Business A (LBA).
- 2) Overlay Assessor's Parcel 21, Lots 42 and 43 with the Upper Story Residential Overlay District (USROD).
- 3) Amend Section 9.6.2 [Location] to read as follows:

9.6.2 **Location.** The USROD is herein established as an overlay district. The USROD shall include all properties fronting on High Street, between Barlow Lane and ~~Gay Church~~ Street, which were improved with one or more buildings and were either municipally-owned as of January 1, 2011 or are municipally-owned at the time of application.

Article 3: Zoning Amendment Related to the Renting of Rooms for Residential Properties

<u>4.3.3.7 Renting of rooms for fewer than five (5) consecutive days</u>	N	N	N	N	N	N	N	N	N	N	N	N	N
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Article 4: Zoning Amendment Related to Prohibitive Uses

To see if the Town will vote to approve certain amendments to Section 1.4 [Applicability] in order to clarify that uses not listed and expressly permitted in the Zoning Bylaw or otherwise permitted in a district or listed in the Use Regulations Section 4.0 shall be deemed prohibited; or take any other action in relation thereto: ***New language shown in underlined red font, language to be removed shown in strikethrough***

1) Amend Section 1.4 as follows:

1.4 **APPLICABILITY.** All buildings or structures hereinafter erected, reconstructed, altered, enlarged or moved, and the use of all premises in the Town, shall be in conformity with the provisions of the Zoning Bylaw. No building, structure or land shall be used for any purpose or in any manner other than is expressly permitted within the district in which such building, structure or land is located. Any use not listed herein or otherwise permitted in a district shall be deemed as prohibited. Where the application of this Bylaw imposes greater restrictions than those imposed by any other regulations, permits, restrictions, easements, covenants or agreements, the provisions of this Bylaw shall control.

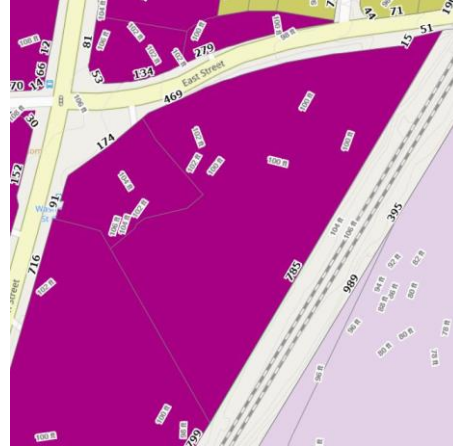
Article 5: Zoning Map Amendment Relative to Morrison Park and Field

To see if the Town will vote to approve certain amendments to the Zoning Bylaw and Official Zoning Map affecting the approximately 3.06-acre parcel containing 440, 470, and 480 Washington Street, which is shown on Assessors’ Map 23 and Lot 216, and commonly referred to as Morrison Park and Field, as follows; or take any other action in relation thereto:

1) Remove said parcel from the overlay district FMUOD-6 (Flexible Multiple Use Overlay District-6), so that said parcel including the Morrison Park including basketball court, baseball field, DPW facilities, snack shack, softball field, and parking lot, remains within the Local Business B (LBB) District and remains within the Wireless Communications Overlay District (WCOD).

Morrison Park – Existing LBB & FMUOD

Proposed LBB only



2) Amend Section 9.5 of the Zoning Bylaw to remove any reference to said parcel.

Article 6: Zoning Amendment Relative to Fire Arms/Explosives Sales and Services

To see if the Town will vote to approve certain amendments to the Zoning Bylaw to the Table of Principal Uses [4.1.2] affecting Section 4.1.5.41 Fire Arms/Explosives Sales and Services as follows; or take any other action in relation thereto: *New language shown in underlined red font, language to be removed shown in strikethrough*

1) Amend Section 4.1.5.41 as follows:

PRINCIPAL USE	DISTRICTS													
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO	
4.1.5.41 Fire Arms/Explosives Sales and Services	N	N	N	N	N	N	N	<u>BA</u>	<u>BA</u>	BA	<u>BA</u>	N	N	

The complete text and material relative to the proposed amendments are available for viewing on the Town’s website under the Planning Division “Zoning Amendments” at www.townhall.westwood.ma.us and www.westwoodpermit.org or at the office of the Planning Board at 50 Carby Street between 8:30 a.m. and 4:30 p.m. Monday through Thursday and 8:30 a.m. and 1:00 p.m. on Fridays. Interested persons are encouraged to attend the public hearing and make their views known to the Planning Board.

Westwood Planning Board

Transcript & Bulletin Advertising Dates: Thursday, February 6, 2020 and Thursday, February 13, 2020

