

**Westwood Planning Board Minutes**  
**Tuesday, January 7, 2020**  
**7:00 pm**  
**Community Meeting Room**  
**600 High Street, Westwood, MA 02090**

**Call to Order:**

The meeting was called to order by Chair Gorman at approximately 7:07pm. The Chair announced that the meeting was video recorded by Westwood Media Center. Chair Gorman explained the meeting procedures.

**Present:**

Planning Board members present: Chair Brian D. Gorman, David L. Atkins, Jr., Christopher A. Pfaff, Deborah J. Conant and William F. Delay. Staff members present: Abigail McCabe Town Planner, Pat Ahern Town Counsel and Jessica Cole who recorded the meeting minutes.

**Staff Comments:**

Ms. McCabe gave an update to the agenda; she stated that the Applicant requested that Item #4 the public hearing for 85 Burgess Ave. Earth Movement Application asking for more time until the next meeting on January 21<sup>st</sup> and Item # 5 Continued Public Hearing for the Open Space and Recreation Plan on the agenda be moved to Tuesday January 21st 7pm at 50 Carby Street.

**Action Taken:**

Upon a motion made by Mr. Gorman and seconded by Ms. Conant, the Planning Board voted 5-0 to continue Item #4 the hearing for 85 Burgess Avenue for earth material movement to Tuesday January 21st 7pm at 50 Carby Street.

The Board voted to continue the public hearing for the Open Space and Recreation Plan to January 21, 2020 at 7pm at 50 Carby Street.

**Comprehensive Plan Update** – Members of the Comprehensive Plan Committee will present a first draft of findings and draft recommended goals and implementing actions for the Economic Development and Town Center elements of the Comprehensive Plan update. A brief presentation will be followed by planning board and public questions, comments, and discussion. This will complete the initial presentations of the first draft of the Comprehensive Plan Update and the Committee will seek any additional requests to be incorporated into the next revision.

Mr. Jack Wiggin, Chair of the Steering Committee, was present to introduce the draft presentations and committee members.

Economic Development - Presented by Peter Neville, Steering Committee member

Mr. Neville discussed the benefits of economic development and the signs of our success: University Station, Islington Center and Route 1. He talked about the five commercial areas, managing the commercial tax rate, which is double that of the residential taxes. He then went on to discuss the Draft Goals & Objectives for Economic Development.

**Board Comments:**

- Looking into the goals, some are similar to the previous Comprehensive Plan. *The 2000 plan was impressive and they executed a lot. It was suggested to have an Ambassador Program.*
- Do we know if businesses are getting enough foot traffic to sustain them?—*Unsure of the answer.*
- How to increase foot traffic?
- Any incentives to bring in new businesses?
- Ambassador Program, creating an organization of existing businesses, i.e. a group around Dedham Town Square. -*There is a local chamber of Commerce, downtown center business group.*
- A lot could be done with the composition of the current development, i.e. Roche Bros, properties to become more useful. Improve what we have, do a facelift before new construction.
- A board member was concerned about offering TIFs (Tax Increment Financing) for businesses.

- #3 Increase Town tax revenue.
- #7 on High Street, we need to address the traffic on 109 first before we do any new development. There has to be a way to improve the traffic.

Public Comments: Chair Gorman asked for public comments to which there were none.

Town Centers - Presented by John Rogers and Kate Wynne, Steering Committee members

Mr. Rogers presented the Town Centers section. He mentioned that the majority of comments were on the Town Center sections. So much has happened since the 2000 Comprehensive Plan that the Town has accomplished also with a change in the way people's shopping habits and online shopping. Mr. Rogers went over the Goals and Objectives and Implementing Actions.

Board Comments:

- Is University a Town Center? *-Not setting anything in stone, things may change and we wanted to include University Station.*
- Love the idea of outdoor benches, outdoor seating and more trees.
- #14, Public Art, a lot of opportunities in town: murals, the train crossing at Everett Street, maybe on High Street too.
- #19 Figure out local business's needs and encouraged talking directly with businesses.
- #1 Concern with recommendation to expand overlay district on commercial properties, might not be desirable necessarily.
- #5 Would like to see electric charging stations for cars and solar panels.
- #6 Crosswalks, solar sign crosswalks that light up, especially at dark crossings.
- Ideas are on point, are they something that we can really do, can we afford it?
- How do we stimulate private property in our Town Centers?

Public Comments:

J. Cassidy, 628 High Street, was present and encouraged accessible crossings at traffic lights.

Ms. Wynne responded that the intention by the committee was universal design cross walks, which includes design that is inclusive and responsive to various disabilities.

C. O'Brien, 175 Alder Road, was present and had a concern with the parking lot by Arch Dental. He thinks it needs work, it has a dilapidated chain link fence and the abutter recently cleared out some vegetation.

#14, the art, instead of adding, what can be edited down especially on 109, the telephone poles, channel efforts toward that instead of trees and benches, he is worried about clutter. He had a creative thought, an iconic sign like the Hollywood sign, imagine the road cut by the passageway, Welcome To Westwood, a passageway to Home. A feature that no one else has, a great place to have art. All carved metal on all of the islands throughout town. Add modern art, but protect the rural character.

Mr. Wiggin had final comments, the Committee will make edits, add graphics and will propose a couple Open Houses so the public can make comments, and he will be back in spring 2020. Any updates will be given to the Planning Board ahead of any Open Houses.

Public Comment Received:

Ms. McCabe informed the Board that a letter from Ms. Milosavljevic-Fabrizio, was provided in to the Board in late November and included in their packet, the Board should provide feedback in response and let the Comprehensive Plan Committee know of other ways to do outreach. The letter talks about the survey and how it not was not restricted, so residents could have filled the survey out multiple times.

**Zoning Amendment Article Discussion** - The Planning Board will review and discuss zoning amendment warrant article requests submitted for Annual Town Meeting scheduled for May 2020.

Staff Comments:

Ms. McCabe stated that this is a work session and that the Annual Town Meeting warrant closed last night with the Select Board. Ms. McCabe explained that the Planning Board will have the zoning amendment public hearing at the Board's February 25th meeting and the Board will then go through the Fin Com process and keep the public hearing opened. Ms. McCabe informed the Board of the Town Meeting schedule and that because of the legal notice requirements we need the full language tonight because the full language is due to the newspaper by the end of January because there is a one month deadline for advertisement. Chair Gorman noted that Ms. McCabe provided samples of the article language from past zoning amendments.

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.

Staff and Board Comments:

- Add a definition for long term; add a definition for short term.
- Setting a mark for a minimum number of nights.
- Setting a Registration and licensing process?
- Should there be an application fee?
- It's an infringement on the property owners' rights.
- Might be worth exploring it, concerned with safety.
- Is it really a problem?
- Ms. McCabe stated that currently the Bylaw states no more than three unrelated people in a home for renting of rooms.
- Three members were in support to move this article forward and two members were not.

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.

Staff and Board Comments:

- It includes the softball field behind Roche Bros, Fire Station and the snack shack.
- Just don't want to see it developed.
- Maybe more protected by the FMUOD, only the Town can build on it. FMUOD is a special permit process where as Local Business B is by-right development.

Article 3: Zoning Amendment Relative to Prohibitive Zoning Bylaw Add language to make the Zoning Bylaw a prohibitive bylaw for uses not mentioned. This would include adding language to specify that uses not specifically mentioned are prohibited or establish specific criteria for uses not mentioned. Amendments to the Purpose (Section 1.0), Use Regulations (Section 4.0).

Staff and Board Comments:

- Ms. McCabe suggested adding language if not defined; add a matrix of steps for the building commissioner to go through.
- The Building Commissioner could follow the process if established.
- Want to make sure we are clarifying the amendment.
- Mr. Ahearn replied that his concern is with the Law of unintended consequences. It is a challenging situation if a use not currently thought of arises.
- It's all in the wording to get this right.

Article 4: Zoning Amendments Relative to Fire Arms Considering 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.

Staff and Board Comments:

- The board discussed removing the fire arms sales use from High Street and Washington Avenue (local business districts) and keeping it where currently allowed in the Industrial and Highway Business zones.
- Only in Highway and Industrial Zones, alter the Table.
- Mr. Ahearn stated that it may or may not get passed by the Attorney General review as previously it was advised that it is considered a retail sales use and should be allowed in the same zones that allow retail sales.
- Be mindful of the University Avenue neighborhood.

Article 5: Zoning Text & 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 4.1.2 [Table of Principal Uses] and zoning map amendments. 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.

Staff and Board Comments:

- We need a final location, it is an important article to clean up the zoning bylaw for all medical uses not mentioned and not included in the table of uses.
- We need four definitions and where they can be allowed.
- Ms. McCabe questioned if there is enough time to get this article done. It is an important article so that uses are defined and zoned.
- The Planning Board agreed to work on this article more.
- Maybe split the ARO's for this zoning article and consider the UAMUD.
- Mr. Ahearn suggested putting it in the University Avenue Overlay District, and could have some control over it. Within the University Ave District there is a master development plan that contemplates and accounts non-profit uses.

Article 6: Zoning Amendments Related to Energy Efficiency Zoning Bylaw Amendments to include requirements for sustainable practices and energy efficiency in Planning Board application reviews for Environmental impact and Design Review in Section 7.3 and various special permit uses.

Staff Comments:

- Mr. Ahearn stated that WEAC (Westwood Environmental Action Committee) has proposed a similar Article for non-binding warrant article for net zero public buildings.
- Mr. Atkins recommended the Board can support WEAC's efforts and withdraw the Planning Board's article now.
- Other board members felt this should be kept as a placeholder.

Article 7: New Affordability Requirement Establish a new affordable housing requirement for the development of new residential subdivisions or when a certain threshold of new single-family houses in a development is proposed to stay above the statutory requirements.

Staff and Board Comments:

- How can we stay within the affordability?
- Biggest issues are the subdivisions. How can we best counteract this?
- We want to stay above 10% affordable for the housing stock.
- We need to be creative.

- Mr. Ahearn has some concerns about the legal aspects and how to impose an affordability requirement but will try to answer board questions and concerns.

Article 8: New Residential Construction Temporary Moratorium to impose a temporary moratorium on the construction of new residences and residential zoning changes until the results of the 2020 census is released.

Staff and Board Comments:

- A Board member said that some towns have passed a similar moratorium.
- Mr. Ahearn stated that this is not the first time that moratoriums in general have been discussed, and he has some concerns about it and where it is proposed in the Zoning Bylaw, which needs to be determined by the Board. He noted that when moratoriums are proposed it often attracts new applications trying to be submitted prior to any such moratorium is implemented and thus has the opposite effect.

Article 9: Amendments to Open Space Residential Development Bylaw to add language to clarify how the open space area is calculated and those backyards are not to be included in the open space calculation in Section 8.3 [Open Space Residential Development] of the Zoning bylaw.

Board Comments:

- Mr. Gorman said he will follow up with Steve Olanoff on more specific article language

Public Comments:

J. Galkowski, 320 Dover Road, was present and stated for the record that he was upset with waiting for the public comments at the end of all the articles. He supports Open Space and WEAC items.

On Article #3, he agrees with Mr. Pfaff, and is concerned with infringements on private/personal property.

Article #1 troubles him a lot, refugees...would be longer term, we are discussing short term rentals?

Chair Gorman responded that we are talking about 1-2 nights, those situations would be longer for Article #1. Making short term rentals longer than 2 days.

**270 Farm Lane** – Earth Material Movement (EMM) EIDR\* Public Hearing. Applicant proposing to import ~500 cubic yards of earth to regrade property after demolition of the existing house to construct a new single-family house.

Applicant:

The applicant, Mr. Paparazzo, was present for the Earth Movement Application, and said that there is a misunderstanding of the dirt coming in. His engineer said there is under 200 cubic feet, but suggested he go to Town Hall to make sure there are no issues. Conservation approved, there is actually 195 cubic feet being brought in.

Staff and Board Comments:

Ms. McCabe did not realize this as the application says 500 cubic yards and under 200 cubic yards is under the threshold. The Planning Board suggested saying that it is 200 cubic feet just to be safe to complete the application because the application was filed with over the 200 cubic yards.

Mr. Gorman summarized the waivers requested by the applicant.

Waivers:

- 1) Presentation Model
- 2) Exterior Lighting Plan
- 3) Traffic Impact Study
- 4) Drainage Report. – Roof runoff is proposed to be infiltrated via two dry wells. Staff does not anticipate impact to abutters.

*Action Taken:*

Upon a motion made by Ms. Conant and seconded by Mr. Pfaff, The Planning Board voted (5-0) to approve the four requested waivers because they are not required with this earth material movement application.

**Public Comments:**

Chair Gorman asked for public comments to which there was none.

Ms. McCabe summarized the suggested conditions of approval to the Applicant, and the Applicant agreed to them.

*Action Taken:*

Upon a motion made by Ms. Conant and seconded by Mr. Pfaff, The Planning Board voted 5-0 to approve the Earth Material Movement for 270 Farm Lane with the conditions as stated by Ms. McCabe to the Applicant.

Upon a motion made by Ms. Conant and seconded by Mr. Pfaff, The Planning Board voted 5-0 to close the public hearing for 270 Farm Lane.

**85 Burgess Avenue** – Earth Material Movement (EMM) EIDR\* Public Hearing. Applicant seeking approval for an earth material movement to import fill to re-grade yard.

**APPLICANT REQUESTED A CONTINUANCE TO JANUARY 21ST MEETING voted on earlier.**

**Open Space and Recreation Plan** - Continued Public Hearing. The Open Space and Recreation Plan were conditionally approved by MA Division of Conservation and Recreation (DCR) in July 2019. Staff request further continuance to allow more time to make the edits requested by MA DCR edits are in progress. This hearing was continued to allow time to make changes.

**REQUEST CONTINUANCE TO JANUARY 21ST MEETING**

**Other Business:**

Select April & May Meeting dates: April 7, April 27 & May 12

*Approval of Minutes:*

Upon a motion made by Mr. Gorman and seconded by Ms. Conant, the Planning Board voted 5-0 to accept the minutes as amended from October 22, 2019.

Upon a motion made by Mr. Gorman and seconded by Ms. Conant, the Planning Board voted 5-0 to accept the minutes as amended from November 5, 2019.

**Adjournment:**

Upon a motion made by Ms. Conant and seconded by Mr. Gorman the Planning Board members voted in favor (5-0) to adjourn the meeting at approximately 9:35 pm.

**List of Documents:**

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| <p><b>Comprehensive Plan Update</b><br/> Cover Letter from Chair, From: Jack Wiggin, To: Westwood Planning Board, 10/15/2019, 2 pages<br/> Public Presentation Schedule 2019-2020, From: Comprehensive Plan Steering Committee, 10/2/2019, 1 page<br/> Economic Development DRAFT 12-23-2019, 6 pages<br/> 2000 Plan - Economic Development Section, 5 pages<br/> Town Centers Draft 01-02-2020 REVISED, 4 pages<br/> Town Centers Draft 01-02-2020 Revisions Highlighted, 4 pages<br/> Town Centers Draft 12-30-2019, 4 pages<br/> 2000 Plan Town Center Section, 2 pages<br/> A Preliminary Vision, From: Community Circle with Barrett Planning Group, LLC, 6/19/2019, 26 pages<br/> Visioning Session Summary, From: Community Circle with Barrett Planning Group, LLC, 5/18/2019, 27 pages<br/> Survey Results 04-17-2019, Survey Monkey, 26 pages<br/> Open Ended Survey Comment Responses, 22 pages<br/> Letter from Ms. Milosavljevic-Fabrizio to Planning Division and Members of the Planning Board, dated</p> | <p>PDF</p> |
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| <p>November 26, 2019<br/>Town Planner Response to Ms. Milosavljevic-Fabrizio</p>   |            |
| <p><b>Public Meeting Items</b><br/> ATM Warrant Open 2020, From: Town of Westwood, 2 pages<br/> Article Request to Select Board, From: Brian Gorman &amp; Planning Board Members, To: Christopher Coleman &amp; Select Board Members, 1/2/2020, 2 pages<br/> Fin Com 2019-20 Meeting Schedule, 1 page<br/> Draft Zoning Articles – Conant<br/> Draft Zoning Articles – Gorman<br/> Fin Com 2019-2020 Meeting Schedule<br/> Fin Com Initial Warrant Review Fall Town Meeting 2015-09-16 (Sample)<br/> PB Articles Initial Fin Com Review 2017-01-24 (Sample)<br/> PB Memo to Fin Com Initial Article Sponsor Meeting (Sample)<br/> Fin Com Summaries 01-22-2019 (Sample)<br/> PB Memo to Fin Com Initial Article Sponsor Meeting (Sample)<br/> Fin Com Article Sponsor Meeting – Article Intentions<br/> Staff Memo to PB Zoning 03-12-2019 (Medical Use Article)<br/> SAMPLE: Public Hearing Legal Notice Article 3 Medical Uses</p>                             | <p>PDF</p> |
| <p><b>270 Farm Lane-EMM EIDR</b><br/> Hearing Notice-270 Farm Lane, From: Westwood Planning Board, 12/12/2019, 1 page<br/> Application, Project Description-270 Farm Lane, From: H&amp;N Construction Homes, To: Westwood Planning Board, 12/5/2019, 1 page<br/> Proposed Plan Revised 270 Farm Ln, RIM Engineering Company, Inc.,8/28/2019, 1 page<br/> Permit Plan Set-270 Farm Lane, McKay Architects, 10/17/2019, 20 pages<br/> Waiver Requests-270 Farm Lane, From: H&amp;N Custom Homes, To: Westwood Planning Board, 12/5/2019, 2 pages<br/> Existing Conditions Plan<br/> Existing conditions photo #1-270 Farm Lane, 1 page<br/> Existing conditions photo #2-270 Farm Lane, 1 page<br/> Existing conditions photo #3-270 Farm Lane, 1 page<br/> Engineering Comments Review Comments, From: BETA, To: Todd Korchin &amp; Abigail McCabe, 12/19/2019, 3 pages<br/> Staff Review Comments-270 Farm Lane, 1 page<br/> Farm Ln 270 Aerial View, 1 page</p> | <p>PDF</p> |
| <p><b>85 Burgess Avenue-EMM</b><br/> Public Hearing Notice, From: Westwood Planning Board, 11/8/2019, 1 page<br/> Application, Project Description Summary, From: Phillip Eramo, 10/23/2019, 1 page<br/> Site Plan, From: Colonial Engineering, Inc., 10/17/2019, 1 page<br/> Engineering Review Comments, From: BETA, To: To: Todd Korchin &amp; Abigail McCabe, 12/3/2019, 2 pages<br/> Staff Review Comments-85 Burgess Avenue, 1 page<br/> 2018 Planning Board EMM Approval, From: Westwood Planning Board, 2/20/2018, 4 pages</p>   | <p>PDF</p> |
| <p><b>Open Space &amp; Recreation Plan (OSRP) Continued Public Hearing</b><br/> Westwood OSRP - Adopted by Planning Board 02-26-2019, From: Open Space and Recreation Plan Committee, 162 pages<br/> MA DCR Conditional Approval Letter 071019, From: The Commonwealth of Massachusetts, To: Nora Loughnane, 7/10/2019, 2 pages</p>  | <p>PDF</p> |
| <p>Memo from Abigail McCabe, to Planning Board Members, re: Meeting Summary for January 7 Planning Board Meeting, date: January 3, 2020, revised January 6, 2020.</p>  | <p>PDF</p> |

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| Draft Minutes 11-05-2019 and 10-22-2019<br>Summary of Conflict of Interest Law for Municipal Employees 2019<br>Summary of Conflict of Interest | PDF |
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