

**WESTWOOD  
FINANCE AND WARRANT COMMISSION**

**WARRANT AND RECOMMENDATIONS  
FOR THE FALL TOWN MEETING**

**FALL TOWN MEETING  
MONDAY, NOVEMBER 13, 2017 - 7:30 P.M.  
WESTWOOD HIGH SCHOOL AUDITORIUM**



*WESTWOOD TOWN HALL*



(781)314-1994

Email: [jodonnell@Townhall.Westwood.MA.US](mailto:jodonnell@Townhall.Westwood.MA.US)

***Please Note:***

The Town of Westwood accommodates the needs of all physically challenged or disabled people by reasonable means in accordance with the Americans with Disabilities Act. Please contact the Finance and Warrant Commission office at (781)314-1994 to make your request known.



## TABLE OF CONTENTS

---

### THE FINANCE AND WARRANT COMMISSION

#### 2017 FALL TOWN MEETING REPORT

Message to Residents from Finance and Warrant Commission Chairperson.....	1
What Goes On at Town Meeting? .....	2
Summary of Warrant Articles .....	4
Fall Town Meeting Warrant .....	6

#### 2017- 2018 FINANCE AND WARRANT COMMISSION

Marianne LeBlanc Cummings, Chairperson  
Michael O'Hara, Vice-Chair

Julianne Bride	Wesley Matthews
Cynthia Buckley	Howard Messing
Barbara Delisle	Christopher Pfaff
James Ferraro	Jennifer Perkins
George Hertz	Michael Powers
Thomas Kilgarriff	Robert Uek
Peter Lentz	

Jane O'Donnell, Administrator

# **SAVE THE DATES!!!**

## **Finance & Warrant Commission** **2017-2018 Meeting Schedule**

December 5 (Tuesday)	Main Library - Community Mtg. Room	December Meeting
January 9 (Tuesday)	Main Library - Community Mtg. Room	January Meeting
January 22 (Monday)	Main Library - Community Mtg. Room	Annual Town Meeting Warrant Article Sponsors
January 23 (Tuesday)		Continued – Article Sponsors (if needed)
February 6 (Tuesday)	Main Library - Community Mtg. Room	Municipal & School Budget Presentations
March 5 (Monday)	Main Library - Community Mtg. Room	First Public Hearing –
March 6 (Tuesday)		Continued Public Hearing – (if needed)
March 13 (Tuesday)	Main Library - Community Mtg. Room	FinCom Subcommittee Reports
March 26 (Monday)	Main Library - Community Mtg. Room	Final Public Hearing –
March 27 (Tuesday)		Continued Public Hearing – (if needed)
May 7 (Monday)	Westwood High School - Auditorium	Annual Town Meeting

**These meetings are subject to change.**

**Please check the website:**

**<http://www.townhall.westwood.ma.us>**



## WESTWOOD FINANCE AND WARRANT COMMISSION

### A MESSAGE TO RESIDENTS

---

Dear Resident,

I hope that you will attend the Fall Annual Town Meeting on November 13.

The November 13 Town Meeting Warrant consists of 16 articles ranging in issues from Town governance to several zoning amendments. The 15 member Finance and Warrant Commission (FinCom) has spent considerable time and effort in studying these issues prior to their presentation to you at Town Meeting. The FinCom also conducted a public hearing on October 17 in order to solicit input from residents following presentations by the article sponsors.

Following the listing of each article, herein, is the FinCom recommendation as well as our comments (*italicized text*) summarizing the purpose of the article and the reasons for the FinCom's recommendation.

We urge you to review the issues to be voted on November 13 and to plan to attend and participate in the important decisions pertaining to our Town.

Sincerely,

Marianne LeBlanc Cummings, Chairperson

## ***What Goes On At Town Meeting?***



### ***A Message from the Moderator Alice E. Moore***

---

***Our Town Meeting is conducted in accordance with the Town Bylaws (Article 3) and Massachusetts Law as well as Town Meeting Time. Some major matters of procedure are summarized below.***

#### ***General Information***

- The Moderator presides at the meeting and is responsible for ruling on procedural matters, overseeing orderly debate and preserving order and decorum.
- One hundred and seventy-five (175) registered voters constitute a quorum.
- Registered voters are entitled to:
  - attend,
  - and, once recognized, address the meeting and vote.
- Guests may attend the meeting, but can address the meeting only with the approval of the Moderator.
- Warrant articles are presented and considered in numerical order. A motion to take an article out of order requires a 2/3 vote of those present and voting.

#### ***Motions, Motions to Amend, and Votes Required***

- An article in the warrant states a question for the town meeting members to answer.
- The recommendation of the Finance and Warrant Commission is the first motion under an article and is the main motion for Town meeting consideration.
- Once seconded, the motion of the Finance and Warrant Commission is open for discussion by the voters.
- Motions to amend the main motion, which are within the scope of the warrant article, may be made on town meeting floor. Amendments must be submitted in writing and in advance of Town Meeting. The Moderator and Town Counsel are available to work with proponents of amendments prior to and during Town Meeting.
- Motions ordinarily require a majority or 2/3 vote of the voters present and voting to pass. Certain motions require 4/5 or even a 9/10 vote of the voters present due to provisions of Massachusetts law or the Town Bylaws. The Moderator will announce the voting requirement before each vote is taken.

#### ***Motions for Indefinite Postponement and Motions to Reconsider***

- A motion for indefinite postponement from the Finance and Warrant Commission is effectively a motion that no action be taken under the article and such motion may not be amended. The Finance and Warrant Commission's recommendation is equivalent to voting no on the article as a matter of substance.
- If the voters defeat the motion for indefinite postponement, a motion may be made to act on the article.

- A motion to reconsider an article may only occur on the same night the article was voted and shall require a two-thirds (2/3) vote of those present and voting. Any article is subject to only one motion to reconsider.

### *Rules of Debate and Vote Counting*

- A voter desiring to speak should rise, wait to be recognized by the Moderator, identify themselves when recognized by name and address and stand while speaking.
- All votes are taken in the first instance by voice vote and the Moderator determines whether the motion is approved or defeated. If the Moderator cannot decide by the sound of voices, or if his/her announcement of the vote is doubted by seven (7) or more voters raising their hands for that purpose, the Moderator shall without debate determine the vote by ordering a standing vote, electronic vote or, in her discretion, she may order a vote by secret written ballot.

### *Electronic Voting Pilot*

- During the November 13, 2017 Town Meeting, the Moderator and the Town Clerk’s office will be piloting electronic voting in real time. Turning Technologies will work with the Clerk and her staff to conduct a live demonstration. Electronic voting may be relied upon as the formal vote when used.
- Upon Check-in, only registered voters of Westwood will receive a “Response Pad Keypad” as shown below:



- This device will allow you to vote when the Moderator has requested an electronic vote in place of a standing vote.
- The electronic device is **not** linked to a specific voter. Your response pad is programmed for, and effective only, for a single use event - this Town Meeting.
- The devices use a reliable radio frequency and are secure.
- When polling is open the voter will **press 1 for yes or 2 for no** until a green light flashes on the device and a small LED screen flashes your vote.
- Devices must be returned to the Town Clerk’s staff at the conclusion of Town Meeting or when you leave the meeting hall for any reason. No proxy voting is permitted (If you observe anyone sharing their device with another person, immediately inform the Moderator).
- There will be a questionnaire distributed at check-in requesting your feedback on electronic voting and its use at future Westwood Town Meetings.

**2017 Annual Town Meeting Warrant Articles  
Fall Town Meeting: The Issues....**

	<b>Article Description</b>	<b>Sponsor</b>
1	Blue Hills Technical Regional School District – Renovation Project	Board of Selectmen
2	Accounting Housekeeping – Establish Account for Meals/Hotel Tax	Board of Selectmen
3	Accounting Housekeeping – Establish Account for School Special Education Reserve	Board of Selectmen
4	Gay Street Sidewalk Design Funding	Board of Selectmen
5	Zoning Amendment to Limit Number of Residential Dwelling Units in FMUOD6 & FMUOD7	Board of Selectmen / Planning Board
6	Petition Article – To see if the Town will vote to rescind vote on Article 29 at the annual Town Meeting on May 2, 2016	Petition – Steve Barrett, 230 School Street
7	Petition Article – To see if the Town will vote to amend the Westwood Town bylaw 138-17 by deleting section F,G, and H in their entirety and replace with “Primary vote of Town Meeting shall be by electronic voting. If the number of voters exceeds the number of voting devices, pursuant to MGL 39 Section 10, the Moderator shall designate an overflow room for vote by show of hands and shall appoint an Assistant Moderator, pursuant to MGL 39 Section 14 to preside at and regulate proceedings in overflow room or take any other action there on.	Petition – Ellen Rollings, 86 Greenhill Road
8	Petition Article – To see if the Town will vote to raise, appropriate and transfer from any available funds in the	Petition – Ellen Rollings, 86



	treasury, the sum of \$20,000 to purchase an electronic voting system for use at Town Meeting, with 350 hand held units	Greenhill Road
9	Petition Article – To see if the Town will vote to amend the Town Bylaw 138-15 D (1) by inserting the following language after the working: considered the main motion, excluding citizen petitions. The sponsor of a citizen petition shall make the first motion and said motion shall be considered the main motion of the article	Petition – Deborah Contant, 21 Strasser Avenue
10	Zoning Amendment Related to Accessory Uses in Highway Business	Planning Board
11	Zoning Amendment Related to Medical Uses	Planning Board
12	Housekeeping – Zoning Articles	Planning Board
13	Adopt Massachusetts General Laws - Registration - Chapter 41, Section 110A	Town Clerk
14	General Bylaw Amendment - MGL c. 140, §139 (c) - waive Dog License Fee for Seniors	Town Clerk
15	Street Acceptance – Thompson Avenue (Westview Estates Subdivision)	Board of Selectmen
16	ARC of South Norfolk – Grant of Easement for a Permanent Sidewalk across Town Land	Board of Selectmen



The Commonwealth of Massachusetts  
Norfolk ss:

To either of the Constables of the Town of Westwood in said County, GREETING:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify the inhabitants of said Town of Westwood qualified to vote in elections and town affairs to meet in the Westwood High School Auditorium, 200 Nahatan Street, in said Westwood on Monday November 13, 2017 at 7:30 in the evening, there and then to act on the following Articles:

**ARTICLE 1**

To see if the Town will vote to approve the Eighty Four Million, Eight Hundred and Sixty Two Thousand, Seven Hundred and Sixty Eight Dollars (\$84,862,768) borrowing authorized by the Blue Hills Regional Technical High School District for the purpose of paying costs of renovating, reconstructing and making extraordinary repairs to the Blue Hills Regional Technical High School, located at 800 Randolph Street, in Canton, Massachusetts 02021, and for the payment of all other costs incidental and related thereto, (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the School Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-five and eighty-nine hundredths percent (55.89%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

**(Board of Selectmen)**

**The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.**

*The intent of this article is to see if Town Meeting will vote to support the renovation plan for the Blue Hills Regional Technical School (BHRTS). BHRTS is a regional school district that serves students from nine member communities: Avon, Braintree, Canton, Dedham, Holbrook, Milton, Norwood, Randolph and Westwood. The total cost of the project is \$84.8m with 55.89% (\$47.4m) being reimbursed by the Massachusetts School Building Authority (MSBA).*

*Westwood's estimated contribution is between \$13,161 - \$17,440 per year for 30 years. Total enrollment for FY18 is 857 students; Westwood has 8 enrolled students this year and has averaged 7.5 students at BHRTS over the past 40 years. Contribution amounts for each member community is based on the average number of students from each town over the past 4 years; Westwood's share, the smallest of the nine member towns, is approximately 0.9% of the overall renovation cost. Randolph has the largest number of students (265 in FY18) and thus the largest contribution share of the project (31%), ranging from \$481,294 - \$637,740 per year.*

*The scope of the much-needed major renovation includes: improved ADA compliance; improved life safety systems; new HVAC and plumbing; new electrical systems; new windows and entries; improved roof; improved network and telecommunications; improved environment and climate; new and improved locker rooms and lockers. The renovation approach is much less costly than building a new vocational school, which other districts have opted to do, and is supported by Westwood's School Superintendent and Mr. Charles Flahive, Westwood's representative on the nine member BHRTS District School Committee and previously a long time school administrator in Westwood.*

*The Finance and Warrant Commission unanimously recommends this warrant article as we believe the Blue Hills Regional Technical School to be an excellent option for those students looking for a vocational career path, at a very reasonable cost to the Town, and because the proposed renovations are necessary for the safety, education and accessibility for its students.*

## **ARTICLE 2**

To see if the Town will vote to establish, under Chapter 40, Section 5B of the Massachusetts General Laws, a new stabilization fund, the Meals/Hotel Reserve Fund, for the purpose of reserving dedicated funds from local option meals and hotel tax revenues into the Fund for future Town Meeting appropriation; and dedicate 100% of local option hotel and 100% of local option meals excise tax revenues into the Fund, or take any other action thereon.

**(Board of Selectmen)**

**The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.**

*This article would establish a formal stabilization fund, to be named the Meals/Hotel Reserve Fund, to segregate accumulated Meals and Hotel tax receipts. At the 2014 Town Meeting, Westwood adopted an incremental .75% meals tax, and further voted that this revenue would be reserved in an account for future transfer in accordance with a future Town Meeting vote. As of September 30, 2017, \$784,150 has accumulated in this account. The Long Range Financial Planning Committee will be advising the Board of Selectmen and Town Meeting regarding appropriations from this account for the FY2019 budget.*

**ARTICLE 3**

To see if the Town will vote to accept M.G.L. Chapter 40, Section 13E, to establish a reserve fund known as the Special Education Reserve Fund, for the purpose of reserving funds to be used in the upcoming fiscal years, to pay, without further appropriation, for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation; and to accept future Medicaid reimbursement into the Fund; and to transfer from available funds the sum of Five Hundred Seventy-Six Thousand Dollars (\$576,000) to the Special Education Reserve Fund established in accordance with M.G.L. Chapter 40, Section 13E, or take any other action thereon.

Purpose	Amount	Funding Source
Special Education Reserve Fund	\$576,000	Free Cash

**(Board of Selectmen)**

**The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.**

*This article would establish and fund the Special Education Reserve Fund, as required by newly adopted state law. Each year the Town receives Medicaid reimbursement for services provided to students. These monies are passed through to the School Department. Massachusetts General Law now requires a Special Education Reserve Fund to be established as the mechanism for these monies to be distributed. Distribution requires a majority vote of both the School Committee and the Board of Selectman. The School Committee voted in favor of the Reserve Fund at its October 11, 2017 meeting. As this fund had not been established for FY2017, the Medicaid funds were included in Free Cash. This vote would establish the Reserve Fund and fund it from Free Cash for the amount of Medicaid received in FY2017.*

**ARTICLE 4**

To see if the Town will vote to raise and appropriate and/or borrow and/or transfer a sum of money to pay for the design of sidewalk improvements along Gay Street and other locations to be submitted to the Complete Streets Program and/or other state or federal program for approval and Notice to Proceed; to authorize the Board of Selectmen to enter into contracts for expenditure of any funds allocated or to be allocated by the Commonwealth and/or federal agency for the design of said sidewalks; and to meet said appropriation, appropriate the sum of Two Hundred and Twenty Five Thousand Dollars (\$225,000) from Free Cash or take any other action thereon.

**(Board of Selectmen)**

**The Finance and Warrant Commission, by a vote of 13 in favor and 1 opposed, recommends that the Town so vote.**

*This article would approve funding for the design of proposed sidewalks along Gay Street and is NOT to approve the commencement of any proposed sidewalk construction. The Commission recognizes both the advantages and disadvantages of any proposed change to the Gay Street area; the desire for a safe thoroughfare for pedestrians and cyclists and the creation of a link between Westwood "center" on High Street and Islington "center" on Washington Street needs to be balanced with concerns about aesthetic degradation and environmental preservation. The vast majority of the Commission has concluded that funding the sidewalk design project would allow the Town to have a better understanding of the full project costs (net of any potential grants from the Complete Streets or other state or federal programs) and will allow the Town to have a more informed debate on the merits of construction of sidewalks along Gay Street.*

**ARTICLE 5**

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw to add definitive caps on the number of residential dwelling units which may be constructed in Flexible Multiple Use Overlay Districts 6 and 7 by amending Section 9.5 [Flexible Multiple Use Overlay District (FMUOD)], or take any other action in relation thereto:

Add a new Section 9.5.13.1 [Maximum Number of Residential Units] to read as follows, and renumber subsequent sections as appropriate

**9.5.13.1 Limit on Number of Residential Dwelling Units in FMUOD6 and FMOUD7.**  
**The aggregate number of residential dwelling units for all projects allowed by special permit within the FMUOD6 and FMUOD7 districts shall not exceed a maximum of 90**

dwelling units per district. Said maximum shall include all residential dwelling units previously approved by FMUOD special permit or by Upper Story Residential Overlay (USROD) special permit.

**(Board of Selectmen/Planning Board)**

**The Finance and Warrant Commission by unanimous vote of those present, recommends that the Town so vote.**

*This article, jointly proposed by the Planning Board and the Board of Selectmen, proposes a limit on the number of residential dwelling units that could be developed in the FMUOD6 (Islington Center) and FMUOD7 (High Street) Districts.*

*The first of six stated purposes of the FMUOD bylaw is:*

*"9.5.1.1 - to provide a desirable mix of land uses, including office, retail, service and residential uses, that will serve Town and regional interests in housing, employment, conservation and net tax revenue."*

*Currently, a residential cap exists for all mixed-use developments within FMUOD6 and FMUOD7, with residential floor area limited to no more than 50% of the total gross floor area of any project. That is to say that no more than 50% of a development may be constructed for residential purposes. The Planning Board and Selectmen have found that this formulaic approach to the residential cap may have led to some misunderstanding about the total number of residential units that could be developed along Washington and High Streets. Economic Development Staff worked with the Planning Board and the Board of Selectmen to develop a proposed article for Town Meeting to be considered in order to clarify this issue. This article is intended to clarify the full extent of the existing 50% limit on residential project floor area by establishing a numerical limit on the total number of residential units that might be built in each district by special permit.*

*Town staff determined that FMUOD6 (Islington) and FMUOD7 (High St.) might physically be capable of having a maximum of 149 and 119 units, respectively, built on available acreage that might be combined within these districts. However, these estimates did not apply all of the discretionary limitations that could be imposed by the Planning Board in its review of special permit applications. Actual special permit applications would result in lower numbers of residential units due to reasonable development constraints associated with requirements for parking, buffer zones, landscaping, etc. When these constraints are factored in, and when current productive use and varied ownership of existing parcels is considered, the maximum number of units likely to result from FMUOD development is reduced to approximately 90 residential units per district.*

*The proposed definitive cap of 90 residential units in FMUOD6 and 90 residential units in FMUOD7 is not intended to reduce the number of developable units beyond the number that could reasonably be developed under the existing FMUOD bylaw. Rather, the proposed cap is*

*intended to set a clear limit that both town residents and developers would understand. By imposing a definitive numerical cap, residents and developers will each know the maximum limit on residential dwelling units in each district.*

*While some residents may want the Town to consider reducing the numerical cap to some lesser value, doing so could put the article at risk of non-approval by the Attorney General's Office. The proposed cap of 90 residential units per district is based on the approximate number of residential units that could reasonably be approved by Planning Board special permit for projects that otherwise meet the performance and design criteria set forth in the FMUOD bylaw. A reduction in this cap to some lesser number could result in a situation where property owners would not be treated equally under the bylaw. If a reduced cap were to be imposed, an applicant who might otherwise be entitled to a special permit for residential units as part of a well-planned and beneficial mixed-use project could be denied approval for some or all of these residential units once the arbitrary cap has been reached. This would likely be seen as unfair treatment toward a landowner wishing to develop his or her land utilizing all the features afforded them through the Zoning By-law.*

*The Finance and Warrant Commission voted unanimously in favor of the article. FinCom is in agreement that the clarity that would be provided by this article to residents regarding the maximum "end result" of adding residential units would be helpful in the process of land development within FMUOD6 and FMUOD7.*

## **ARTICLE 6**

To see if the Town will vote to rescind the vote taken on Article 29 at the annual Town Meeting on May 2, 2016, or take any other action there on.

**(Steve Barrett, 230 School Street)**

**The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town vote Indefinite Postponement.**

*In his statement to the FinCom, the Petitioner articulated the goal of this article as giving Town Meeting the chance to debate the merits of footnote no. 1 to Zoning Bylaw 9.5.9.1. The Petitioner believes that this footnote was not thoroughly understood by town meeting voters when it was included, among other matters, in Warrant Article No. 29 presented to the Annual Town meeting in the Spring of 2016. The 2016 warrant article was proposed and supported by the Planning Board, and was passed by Town Meeting with a vote of at least 2/3rds voting.*

*Initially, it should be noted that the warrant article the Petitioner proposes to rescind contains substantive law beyond the scope of the Petitioner's stated objection, including provisions set in place as part of a settlement of litigation between the Town and a*

*landowner. A vote in favor of the Petitioner's article would therefore have consequences beyond those he intends. For this reason alone, FinCom does not believe this Article should be adopted.*

*The FinCom also believes this warrant article should not be adopted by Town Meeting on other procedural grounds, and for substantive reasons. Procedurally, Town Counsel, after conferring with the Massachusetts Attorney General's office, has advised FinCom that the Article is out of order because it is a de facto amendment to a Zoning Bylaw, which requires formal hearings before the Planning Board. Because this important step was not taken, Town Counsel believes that a vote in favor of the Petitioner's article would, be a "nullity" and would not be approved by the Attorney General.*

*In addition to this, Westwood Zoning Bylaw 10.5.1 specifically states that no proposed amendment to a Zoning Bylaw which was unfavorably acted on by Town Meeting may be considered by Town Meeting within two years of the unfavorable action unless the Planning Board specifically recommends it to Town Meeting. Town Meeting re-considered the substance of the Petitioner's concerns in great detail during our last Annual Town Meeting in May 2017 when it was raised by another petitioner, Ms. Deborah Conant. That petitioner article, which specifically sought to amend Zoning Bylaw 9.5.9.1 by removing the footnote that offends the Petitioner as to FMUOD 6 and 7, was presented to Town Meeting as Article 23 and was not adopted by town meeting after much substantive and thoughtful debate. The substantive issue the Petitioner wishes to re-visit relates to the Planning Board's common practice of considering contiguous parcels as a single parcel when reviewing a unified, multi-parcel special permit application. The footnote to the Zoning Bylaw in question does not mandate merging contiguous parcels, but rather permits it in the context of a broader Planning Board Special Permit review. While the FinCom joins with neighboring residents in urging the Planning Board to pay extraordinary attention to the impact on neighbors of merging contiguous parcels during board review, we continue to agree with the Planning Board that removing this common practice as a development option is not merited given other, less absolute safeguards already in place.*

#### **ARTICLE 7**

To see if the Town will vote to amend the Westwood Town bylaw 138-17 by deleting sections F, G, and H in their entirety and replace with "Primary vote of Town Meeting shall be by electronic voting. If the number of voters exceeds the number of voting devices, pursuant to MGL 39 Section 10, the Moderator shall designate an overflow room for vote by show of hands and shall appoint an Assistant Moderator, pursuant to MGL 39 Section 14 to preside at and regulate proceedings in overflow room or take any other action there on."

**(Ellen Rollings, 86 Greenhill Road)**



**The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town vote Indefinite Postponement.**

*The Petitioner's Article requests an amendment to the Town By-Laws to allow electronic voting devices to be used at Town Meeting. Separate from the Petitioner's article, the Town Clerk has expressed an interest in electronic voting and has been working with the By-Law Committee to explore the use of electronic voting in Westwood. The Town Clerk has expressed plans to advance the research and vetting processing of electronic voting including the use of a pilot program to provide public education and demonstration, along with an assessment of the technical issues involved. For these reasons, FinCom concluded that the Petitioner's article was premature and voted for indefinite proposal.*

#### **ARTICLE 8**

To see if the Town will vote to raise, appropriate and transfer, from any available funds in the treasury, the sum of \$20,000 to purchase an electronic voting system, for use at Town Meeting, with 350 hand held units or take any other action there on.

**(Ellen Rollings, 86 Greenhill Road)**

**The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town vote Indefinite Postponement.**

*The Petitioner's Article requests funds to purchase electronic voting devices to be used at Town Meeting and perhaps for other town purposes. However, there does not yet exist a mechanism or by-law to permit electronic voting, nor has the feasibility of electronic voting been thoroughly vetted. Separate from the Petitioner's article, the Town Clerk has expressed an interest in electronic voting and has been working with the By-Law Committee to explore the use of electronic voting into Westwood. The Town Clerk has expressed plans to advance the research and vetting processing of electronic voting, including the use of a pilot program to provide public education and demonstration, along with an assessment of the technical issues involved. For these reasons, FinCom concluded that the Petitioner's request for funding was premature and voted for indefinite postponement.*

## **ARTICLE 9**

To see if the Town will vote to amend the Westwood Town Bylaw 138-15D (1) by inserting the following language after the wording: considered the main motion, excluding citizen petitions. The sponsor of a citizen petition shall make the first motion and said motion shall be considered the main motion of that article or take any other action there on.

**(Deborah Conant, 21 Strasser Avenue)**

**The Finance and Warrant Commission, by a vote of 12 in favor and 2 opposed, recommends that the Town vote Indefinite Postponement.**

*This article seeks to amend the Town by-law regarding the first motion on the floor of Town Meeting when considering a Petitioner Article. In towns with open town meetings and Finance and Warrant Commissions ("FinCom") in Massachusetts, it is common for the FinCom to make the first motion on all proposed warrants, regardless of the source. This petitioner article seeks to change this, but only for articles from the public, not for articles presented by town bodies.*

*Changing this by-law would mean that when town meeting is considering an article brought forth by a Westwood resident, the Finance and Warrant Commission would provide an advisory recommendation only and the petitioner would be allowed to make the first motion on the floor of town meeting. Whereas a motion by FinCom is generally understood to be objective and studied, one could assume that any motion put forward by a petitioner (from the general population or from a town board) would necessarily be in favor of the warrant and the opening motion would therefore lack objectivity.*

*Unlike articles sponsored by Town boards, which undergo their own separate vetting and public hearing processes, Petitioner articles are usually vetted only by the FinCom, requiring extensive discussion and careful consideration.*

*This article, if passed, would remove an important part of the checks and balances built into the Town Meeting process. As an independent, appointed board, FinCom's charge pursuant to the by-laws is to advise the Town on all matters before it at Town Meeting. FinCom discharges this duty by studying Warrant articles at its public meetings and hearings. As this article seeks to establish a different procedure for the consideration of Petitioner articles at Town Meeting, distinct from all other articles on the Warrant, the overwhelming majority of FinCom members believe that such a by-law change would result in a degradation of the long-established role of FinCom in providing checks and balances for the Town and would likely serve to create confusion among residents as to Town Meeting procedure.*

**ARTICLE 10**

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to permitting cafeterias, snack bars, gift shops and vending machines as accessory uses in the HB (Highway Business) zoning district by amending Section 4.3.1 [Table of Accessory Uses], or take any other action in relation thereto.

1) Amend Section 4.3.5 to read as follows:

**4.3.5 ACCESSORY USES IN INDUSTRIAL, HIGHWAY BUSINESS AND ARO DISTRICTS**

ACCESSORY USE	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.3.5.1 Retail uses, such as cafeterias, snack bars, gift shops and vending machines dispensing food, soft drinks and incidental merchandise items; provided that any such uses shall be conducted primarily for the convenience of employees and the clientele of the principal use of the premises and shall be wholly within a building and have no exterior advertising display.	N	N	N	N	N	N	N	N	N	Y	Y	Y	BA

**(Planning Board)**

**The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.**

*The FinCom voted in favor of this article as it will support business development along Route One's Highway Business District. The intent is to allow businesses to provide on-site food services, primarily cafeteria dining, for employees. Such food services will not be open to the*

*public and external signs or advertisements are not allowed. Food sold in a business cafeteria is subject to the Massachusetts State meals tax.*

**ARTICLE 11**

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to various medical uses by amending Section 2.0 [Definitions] and Section 4.1.2 [Table of Principal Uses], or take any other action in relation thereto:

- 9) Revise definitions in Section 2.0 [Definitions] for “Medical Center or Clinic” and “Office of Health Care Professional” to read as follows:

**Medical Center or Clinic** A building designed and used for the diagnosis and treatment of human patients that is not a Hospital or Substance Rehabilitation or Treatment Facility.

**Office of Health Care Professional** An office for a medical doctor, dentist, psychologist, chiropractor, acupuncturist, or similar physical or mental health care professional, including clinical and laboratory analysis activities directly associated with such medical office use, but excluding offices within Medical Centers or Clinics, Hospitals, or Substance Rehabilitation or Treatment Facilities.

- 9) Add new definitions to Section 2.0 [Definitions] for “Hospital” and “Substance Rehabilitation or Treatment Facility” as follows:

**Hospital** A building designed and used for the diagnosis and treatment of human patients that includes overnight care facilities.

**Substance Rehabilitation or Treatment Facility** A building designed and used for the diagnosis and treatment of human patients for substance rehabilitation and/or treatment facilities.

- 9) Amend Section 4.1.5 [Table of Principal Uses – Commercial Uses] by revising new definitions to Section 2.0 [Definitions] for “Hospital” and “Substance Rehabilitation or Treatment Facility” 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”, new Section 4.1.5.24 “Hospital”, and new Section 4.1.5.25 “Substance Rehabilitation Facility” as follows, 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 Health Care Professional	N	N	N	N	N	BA	N	Y	Y	Y	Y	Y	Y
4.1.5.23 Medical Center or Clinic	N	N	N	N	N	N	N	N	N	N	BA	BA	BA
4.1.5.24 Hospital	N	N	N	N	N	N	N	N	N	N	N	N	BA
4.1.5.25 Substance Rehabilitation or Treatment Facility	N	N	N	N	N	N	N	N	N	N	N	N	BA

4) Amend Section 9.5.8.1.9 [Use Permitted by FMUOD Special Permit in any FMUOD] by revising new definitions to Section 2.0 [Definitions] for “Office of Health Care Professional” from “Office of a doctor or dentist” as follows:

9.5.8.1.9 Office of Health Care Professional;

**(Planning Board)**

**The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.**

*The purpose of this article is to update current language in the zoning by-laws in an effort to provide greater clarity for zoning issues related to medical uses. The FinCom voted unanimously to recommend these amendments, concluding that they are in the best interest of the Town and necessary to preserve the accuracy of the zoning laws.*

**ARTICLE 12**

To see if the Town will vote to approve certain 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.

- 1) Add “Access Approval Overlay District (AAOD)” to the list of overlay districts in Section 3.1.3 [Overlay Districts]
- 2) Amend Alternative Dimensions Table 9.5.9 to change the Section reference from 9.5.14.2.4.3 to read as follows:

Minimum Public Amenity Areas or other public amenities required under Section 9.5.15.2.4.3

- 3) Delete the words "Section 8.4, Senior Residential Development (SRD)" in the second paragraph under Section 9.7.12.5 [Relationship to Underlying Districts and Regulations].
- 4) Amend the second paragraph in Section 9.7.12.5 [Relationship to Underlying District Regulations] to correct the Section reference referring to Section 8.5, Residential Retirement Community (RRC) to Section 8.4.

**(Planning Board)**

**The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.**

*This article proposes to correct errors and/or inconsistencies in the zoning by-laws as follows:*

- 1) Add "Access Approval Overlay District (AAOD)" to the list of overlay districts in Section 3.1.3 [Overlay Districts]
- 2) Amend Alternative Dimensions Table 9.5.9 to change the Section reference from 9.5.14.2.4.3 to read as follows:  
*Minimum Public Amenity Areas or other public amenities required under Section 9.5.15.2.4.3*
- 3) Delete the words "Section 8.4, Senior Residential Development (SRD)" in the second paragraph under Section 9.7.12.5 [Relationship to Underlying Districts and Regulations].
- 4) Amend the second paragraph in Section 9.7.12.5 [Relationship to Underlying District Regulations] to correct the Section reference referring to Section 8.5, Residential Retirement Community (RRC) to Section 8.4.

*The FinCom voted unanimously to recommend these amendments, concluding that they are in the best interest of the Town and necessary to preserve the accuracy of the zoning laws.*

**ARTICLE 13**

To see if the Town will vote to accept Chapter 41, Section 110A of the Massachusetts General Law, or take any other action thereon.

**(Town Clerk)**

**The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.**

*This article seeks to amend voter registration deadlines, so as to avoid a deadline falling on a Saturday as per Massachusetts General Laws Chapter 41. Section 110A .*

*The deadline for a voter to register is 20 days before an election. In the case of Special Elections within the Town, that deadline may fall on a Saturday. Adopting this section of Massachusetts General Laws will allow for the deadline to be one day earlier, thus a Friday, instead. This would be a cost savings to the Town as the Town Clerk's office would not have to open on Saturday but would stay open late on the deadline day. As there are several options for residents wishing to register to vote (i.e., internet and when obtaining a driver's license). The Town Clerk reports that there are very few walk-ins during the voter registration period. Registration deadlines will continue to be well-publicized.*

#### **ARTICLE 14**

To see if the town will vote to amend § 184-10. Licensing; dogs worrying, maiming or killing livestock. C.(1) of the Town bylaws by adding §184-10. C. (2):

(2) Effective January 1, 2018 any person seventy (70) years of age or older, upon proof of age, shall be exempt from the annual fee for one dog, per household, per year. The owner of a kennel license, age seventy (70) years of age or older shall be excluded from this exemption. Dogs must still be licensed on or before March 31<sup>st</sup> of any given year per town bylaws § 184-10. C. (1)

or take any other action thereon.

**(Town Clerk)**

**The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.**

*The Finance and Warrant Commission unanimously voted to recommend the approval of this article. The article's applicability is limited to one dog per household and does not apply to kennels. It is estimated that approximately \$1,500 in dog license fees would be waived as a result of this article's enactment. The Commission understands the difficulty that some seniors may have in meeting the needs of applying for and purchasing a dog license. Given the significant contributions our seniors have made to the community, and the de minimis fiscal impact this article would have if enacted, FinCom believes this waiver is appropriate.*

**ARTICLE 15**

To see if the Town will vote to accept as Town Ways the streets listed below as laid out by the Selectmen

Thompson Avenue

or take any other action thereon.

**(Board of Selectmen)**

**The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.**

*As this street has been certified as a complete street by the Town Engineer, the Finance and Warrant Commission unanimously votes in favor of the acceptance of Thompson Avenue (Westview Estates Subdivision), as a Town Way.*

**ARTICLE 16**

To see if the Town will vote to authorize the Board of Selectmen to execute a Grant of Location and Easement across a portion of Town land known as Assessors Map 22, Lot 052 on Clapboardtree Street for the purpose of a 5 foot wide sidewalk connection from the property at 789 Clapboardtree Street to the Mercer property in Norwood, which crosses over approximately 50 feet of a Town-owned undeveloped lot, or take any other action thereon.

**(Board of Selectmen)**

**The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.**

*This article would authorize the Board of Selectmen to execute a Grant of Location and Easement across a portion of Town land known as Assessors Map 22, Lot 052 on Clapboardtree Street for the purpose of a 5 foot wide sidewalk connection from the property at 789 Clapboardtree Street to the Mercer property in Norwood, which crosses over approximately 50 feet of a Town-owned undeveloped lot, or take any other action thereon. The FinCom unanimously recommends this article, as we believe it falls within public safety compliance.*



## 2017 FALL TOWN MEETING

*Notes....*

