

AGENDA

FINANCE AND WARRANT COMMISSION JANUARY 2022 MEETING

Tuesday, January 18, 2022

REMOTE MEETING – ZOOM WEBINAR

6:00 P.M.

Pursuant to Chapter 20 of the Acts of 2021, On June 16, 2021, Governor Baker signed into law an Act Extending Certain COVID-19 Measures Adopted during the State of Emergency. This Act includes an extension, until April 1, 2022, of the remote meeting provisions of his March 12, 2020, Executive Order. This meeting will be conducted via remote means. Members of the public who wish to access the meeting may do so by using the Webinar link below. Every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, for reasons of economic hardship and despite best efforts, we will post on the Town website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

The meeting will be live streamed by Westwood Media Center and the public can view the meeting there. Our government channels will be broadcasting the meeting on Comcast channel 12 and Verizon channel 42.

The public is encouraged to watch our meeting via Westwood Media Center live stream and join via Zoom webinar as instructed below. The public will be allowed to make comments, if they wish to do so, during the portions of the meeting designated for public comment.

JOIN ZOOM MEETING:

You are invited to a Zoom webinar.

When: Jan 18, 2022 06:00 PM Eastern Time (US and Canada)

Topic: Finance and Warrant Commission

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84783257398?pwd=YVlqK29aOFVoWHdHRkFKd21nY2tSdz09>

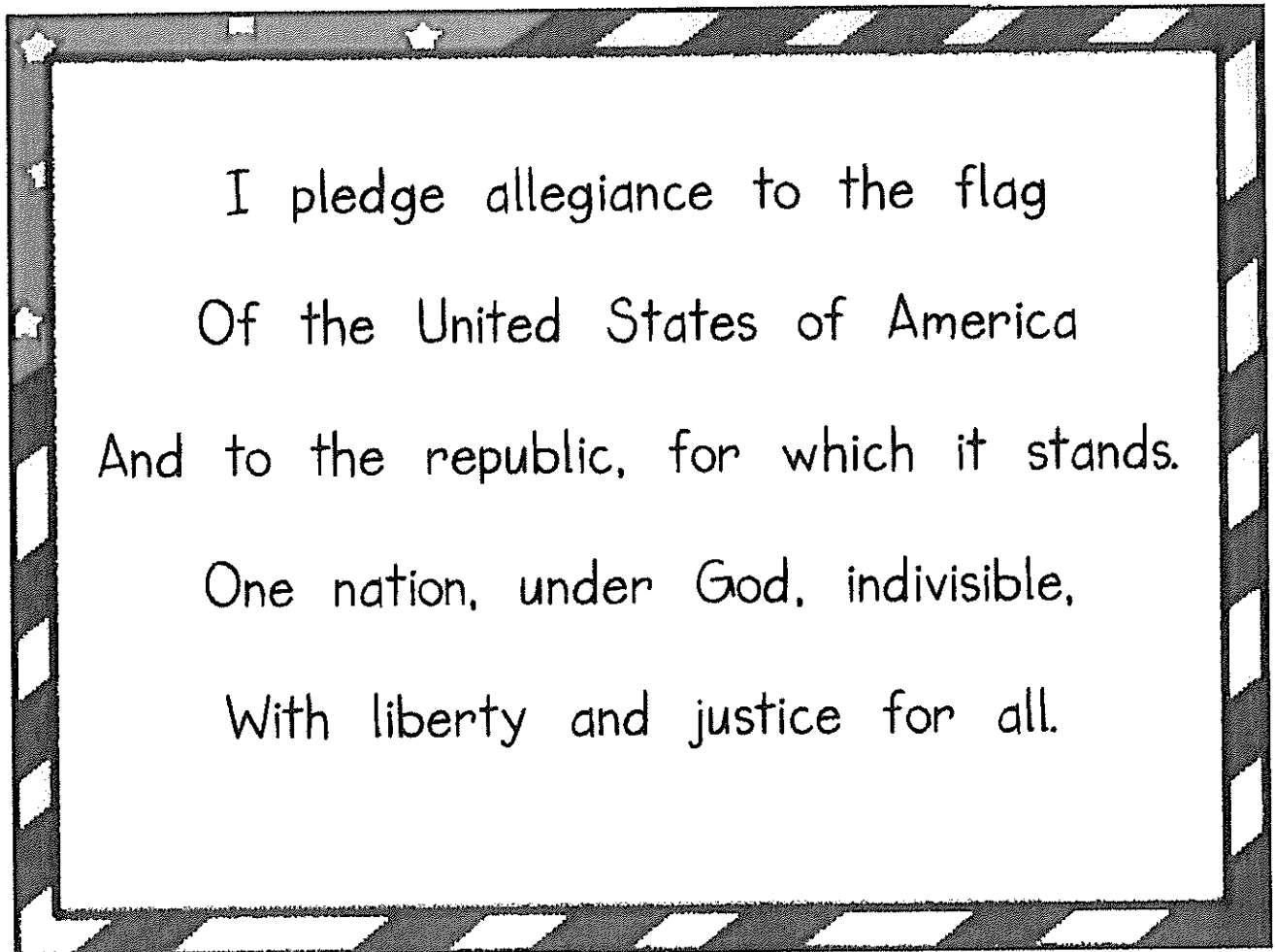
Passcode: 985930

Or Telephone:

877 853 5257 (Toll Free) or 888 475 4499 (Toll Free) or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free)

Webinar ID: 847 8325 7398

Topic:	Responsible:	Time:
<p>Meeting Opening: - Call to Order.</p> <p>Grant Permission to Westwood Media Center to live stream and record the meeting. Ask if anyone else would like to record.</p> <p><u>Chair:</u> Introductory Comments and Welcome to all participants including remote members, presenters and members of public and press.</p> <p>Instructions for remote participation.</p>	Chair	5 Minutes
Announce Members Remote Participation with Member Roll-Call.	Jane	2 Minutes
Pledge of Allegiance.	All	
Update on Recent Select Board Meetings:	Chair	10 Minutes
Peter Ittig, Resident 108 Bay Colony Drive	Citizens Petition Articles on Senior Property Tax Exemptions (1&2)	15 Minutes
MEMBERS QUESTIONS/FEEDBACK	Chair	10 Minutes
Chris Coleman – Town Administrator, Pam Dukeman – Assistant Town Administrator/Finance Director, John Hickey & Rob Gotti –Select Board, Patrick Ahearn - Town Counsel	Summary Preview of 2022 ATM Warrant Articles	20 Minutes
MEMBERS QUESTIONS/FEEDBACK	Chair	15 Minutes
Abby McCabe – Town Planner, Chris Pfaff – Planning Board Chair, Members of the Planning Board	Summary Preview of 2022 ATM Warrant Articles	20 Minutes
MEMBERS QUESTIONS/FEEDBACK	Chair	15 Minutes
Questions from Public and Press	Chair	5 Minutes
<p>Other:</p> <ul style="list-style-type: none"> • New Business – • Assignment of Articles Discussion. • Budget Process Discussion. • 2022 Sub-Committee Assignments • Old Business – Approval of December 2021 Meeting Minutes • Public and Press - • Adjournment - with Member Roll-Call. 	All	15 Minutes



Senior Property Tax Exemption Articles
Citizen Petitions submitted with certified required signatures

1. October 2021

“The Town of Westwood shall accept and adopt the property tax exemptions in MGL Chapter 59, Section 5, Clause 41C1/2 for those over age 65 to the full extent permitted.

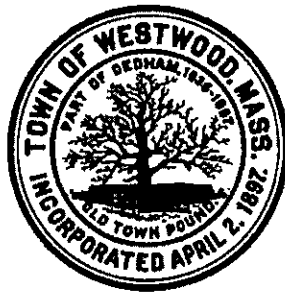
For those over age 70 and for surviving spouses the Town will accept and adopt the exemptions in Clauses 17D, 17E and 17F, including the inflation adjustments (COLAs) determined by DOR for both the estate limit and for the exemption amount, to the full extent permitted.”

2. May 2021

“The Town of Westwood shall accept and adopt the property tax exemptions permitted by state law for senior citizens in Massachusetts General Laws Chapter 59.”

Peter T. Ittig, Ph.D.
Article Sponsor
Member, Westwood Finance & Warrant Commission
January 18, 2022

Please Brin



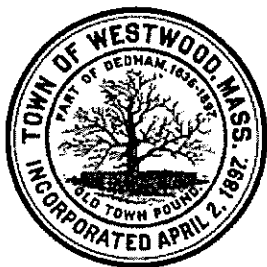
2000 Annual Town Meeting
Warrant Summary

Westwood Finance Commission
Public Hearing Schedule

March 6, 7
April 3

High School Music Room
Nahatan Street
7:30 P.M.

FINANCE COMMISSION

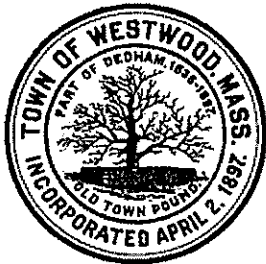


Please Bring

Board of Selectmen Articles

9. Application for and acceptance of state funds to be received as reimbursement for continuing the Town's road improvement program.
10. Grant easements to utility companies – High Street.
11. Land taking and/or easements necessary to accomplish the reconstruction of High Street.
12. Intermunicipal agreement with Dedham providing for the connection of properties in the Westwood Terrace area.
13. Request to abandon and subsequently sell to Arro Properties a triangular parcel of land formerly within the old East Street right of way.
14. Amendment to General Bylaw, Article 10 Police Regulations, providing the Building Commissioner non criminal disposition of bylaw violations.
15. Potential amendment to Zoning Bylaw relating to Building Commissioner.
16. Petition State legislature to enact a special act providing senior citizen tax relief.
17. Zoning amendment – signage for athletic fields.
18. Blue Hills Regional Vocational School capital improvement request.
19. Appropriation - purchase of land, a portion of which abuts Lowell Woods and a portion of which abuts a Town-owned parcel in the Winter Street area.
20. Appropriation for the purpose of reducing the tax rate.
21. Appropriation (\$25,000) request into the Town's Stabilization Account.

FINANCE COMMISSION





WESTWOOD FINANCE COMMISSION

2000 ANNUAL REPORT

WARRANT AND RECOMMENDATIONS FOR THE

ANNUAL TOWN MEETING

TOWN MEETING

**MAY 1, 2000 – 7:30 P.M.
WESTWOOD HIGH SCHOOL GYMNASIUM**

**PLEASE BRING THIS REPORT
TO TOWN MEETING FOR REFERENCE**

The focus of this change is to encourage a more diverse membership and to bring renewed energy and stimulation to the board and to perhaps broaden the scope of the COA.

The proposal calls for a nine member Board of Directors to be appointed by the Board of Selectmen for a three year overlapping term. A member can serve two consecutive terms. However, a member cannot be re-appointed to a third term without at least a one-year absence from the board. This assures a board with new members each year.

ARTICLE 14

To see if the Town will vote to authorize the Board of Selectmen to petition the great and general court to enact the following special act:

1. Notwithstanding the provisions of Chapter 59 of the General Laws or any other law pertaining thereto, the Board of Assessors of the Town of Westwood shall upon application, reduce the property tax of any resident who is 65 years of age as of July 1 of the year of application or older and whose income, exclusive of social security income, does not exceed \$31,000 and in the case of husband and wife whose income, exclusive of social security income, does not exceed \$39,000, by 30% of the tax attributable to the first \$300,000 in assessed valuation.

(Board of Selectmen)

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

The Finance Commission supports this article which provides the Board of Selectmen the means to petition the State Legislature to enact a special act to provide senior citizen tax relief. The special act considers a tax abatement to those senior citizens qualifying based upon the above established criteria germane to age and income demographics.

Discussion of the article centered on the rationale for approaching the State legislature on behalf the Town's seniors. The Finance Commission viewed the potential abatement as a visible and proactive offset to the increased tax burden of Westwood senior citizens while favorably considering their consistent and positive support of town initiatives, most notably school improvements and enhancements.

The Finance Commission feels it important to note that the article does not provide immediate tax relief to senior citizens but only for the Board of Selectmen to petition the State legislature for the abatement. This fact implies a due diligence and approval process from the initial petition and proposal to the State's analysis, review and final recommendation. Hence, the article begins an undertaking that may eventually culminate in the future.

AID TO THE ELDERLY AND DISABLED TAX FUND

The Aid to the Elderly and Disabled Tax Fund Committee is now accepting applications for tax relief for Fiscal Year 2022. Applications are available at the Tax Collector's Office at Town Hall, the Senior Center on Nahatan Street and the Library. The application is also available online at the Town of Westwood web page.

Please send the completed application to:

The Aid to the Elderly and Disabled Tax Fund Committee
Collector's Office
580 High Street
Westwood, MA 02090

The Committee confidentially considers all applications from elderly or disabled residents. The general eligibility guidelines include but are not limited to the following:

- Home value less than the town average (about \$660,000)
- 65 years of age or older
- Annual income of less than \$55,000 verified by last filed federal income tax return
- Home must be primary residence

The above are the general guidelines for the program. Please note that the Committee will consider all applications.

Any applicants that do not fit the general guidelines should provide detail of any special circumstances that may pertain.

The applications are due by October 1, 2021.

Please direct any questions regarding this application to Albert Wisialko, Tax Collector at 781-320-1017. (Leave a message on his voice mail and your call will be returned.)

APPLICATION FOR TAX RELIEF ELDERLY AND DISABLED

Fiscal Year: 2022

Assessor's Map/Lot _____

Marital Status _____

Date of Birth _____

Name of Owner(s) _____

Address of Property _____

Number of years residing in Westwood _____ Telephone Number _____

Is the Real Estate listed above your principal place of domicile? _____

Do you own other real estate? _____ If so, indicate the value and where the property is located _____

Have you received any other tax relief from the Town of Westwood? _____
If so, please explain _____

Attach a complete copy of your last filed Federal Income Tax Return with this application and a copy of the tax return of any other household members residing at this address.

Have you contacted the Council on Aging for fuel assistance? _____

Indicate the amount of out of pocket medical expenses (prescription drugs) and other out of the ordinary household expenses _____

Subscribed this _____ day of _____ 2021.

Signature of applicant(s) _____
(You are signing this applications under the penalties of perjury).

Westwood's Real Estate Tax Assistance Programs

These State option programs have been accepted as local option by Westwood Town Meeting with the following guidelines.

Senior Tax Work- Off Program	<p>A program in which senior residents (age 60 or older) commit to work a specific number of hours for various Town departments in exchange for a yearly property tax bill reduction up to \$1500. The program is limited to 100 participants.</p> <p style="text-align: center;">Please contact the Council on Aging Office at 781-329-8799 for further details.</p>
Veterans Work-Off Program	<p>A program entitling qualified veterans to work a specific number of hours for various Town departments in exchange for a yearly property tax bill reduction up to \$1,000. The program is limited to 10 participants.</p> <p style="text-align: center;">Please contact the Veterans' Office at 781-320-1008 for further details.</p>
Aid to the Elderly & Disabled Tax Fund	<p>Fund established by the Town in 1999 to provide real estate tax relief assistance to qualifying, low income Westwood elderly and disabled residents. The program is funded through donations and a Town match. The funds are distributed directly to the recipient's real estate tax bill. The general eligibility guidelines include 65 years of age or older and annual income of less than \$55,000 verified by last filed federal income tax return; however all applications are considered.</p> <p style="text-align: center;">Please contact the Collector's Office at 781-320-1015 for further details.</p>

Property Tax Deferrals

Senior Tax Deferral	<p>This program allows seniors (65 or over) to defer the payment of property taxes until the home is sold or owner is deceased, with interest accruing at 3%. Income is subject to State approved level, currently \$58,000 or less.</p> <p style="text-align: center;">Please contact the Assessor's Office at 781-326-1904 for further details.</p>
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PERSONAL REAL ESTATE EXEMPTIONS

<u>Clause</u>	<u>Basic Qualifications</u>	<u>Maximum Income</u>	<u>Maximum Assets</u> (Other than domicile)	<u>Exemption Amount</u>
<u>Elderly</u>				
17D	Age 70 or older	N/A	\$40,000	\$175
41C	Age 65 or older-single	\$20,000	\$40,000	\$1,000
41C	Age 65 or older-married	\$30,000	\$55,000	\$1,000
<u>Veterans</u>				
22a	10% Wartime Service Disability or Purple Heart	N/A	N/A	\$400
22A	Loss of foot, hand, or eye	N/A	N/A	\$750
22B	Loss of two limbs or eyes	N/A	N/A	\$1,250
22C	100% disability with specially adapted housing	N/A	N/A	\$1,500
22E	100% Disability/10% Service	N/A	N/A	\$1,000
22P	Paraplegic due to war injury	N/A	N/A	100%
<u>Others</u>				
37a	Legally Blind	N/A	N/A	\$500
17D	Surviving spouse of orphaned minor child	N/A	\$40,000	\$175
42/43	Surviving spouse orphaned minor of Police Officer or Fire Fighter killed in line of duty	N/A	N/A	100%
18	Extreme Hardship – Seek further info at the Assessor's office.			Varies
<u>Deferred Tax Payment</u>				
41A	Age 65 or older Deferred taxes accumulate with simple interest at 3%, as a lien on the property until it is sold or the owner(s) is deceased.	\$58,000	N/A	Varies

**TABLE 4. Exempt Persons –Financial Means
Seniors under Clauses 41, 41B, 41C and 41C½**

	Clause 41	Local Option Clause 41B	Local Option Clause 41C	Local Option Clause 41C½												
<p>Gross Receipts Limit</p> <p><u>Deductions:</u> <u>(1) Applicant</u> – Minimum Social Security/ Retirement Allowance (set by DOR annually)¹</p> <p><u>(2) Applicant & Co-owner not Spouse</u> - Business expenses or losses (<i>i.e.</i>, only net profits/rental income included)</p> <p>If applicant/non-spousal co-owner is married, combined income of applicant and spouse/co-owner and spouse cannot exceed married limit²</p>	<p><u>Applicant & Each Co-owner not Spouse</u> \$6,000 Single \$7,000 Married</p>	<p><u>Applicant & Each Co-owner not Spouse</u> \$10,000 Single \$12,000 Married</p>	<p><u>Applicant & Each Co-owner not Spouse</u> \$13,000 Single \$15,000 Married</p> <p><u>Allowable adjustment Applicant Only</u> Up to \$20,000 Single Up to \$30,000 Married</p>	<p><u>Applicant Single/Married</u> Income limit under “circuit breaker” state income tax credit for single person who is not head of household</p> <p><u>Allowable adjustment Applicant & Other Household Members</u> Combined gross receipts of household members cannot exceed limit under “circuit breaker” state income tax credit for (1) married couple if household is couple, and (2) head of household if household is applicant and person other than applicant’s spouse</p>												
<p>Whole Estate Limit³</p> <p><u>Deductions:</u> <u>Applicant & Co-owner not Spouse</u> - Registered vehicles, cemetery plots, household furniture/effects at domicile and clothing</p> <p>If applicant/non-spousal co-owner is married, combined assets of applicant and spouse/co-owner and spouse cannot exceed married limit</p>	<p><u>Applicant Deducts own Home (Except Any Income Producing Portion) & Each Co-owner not Spouse Includes own Home</u></p> <table border="0"> <tr> <td><u>Applicant</u></td> <td><u>Each Co-owner not Spouse</u></td> </tr> <tr> <td>\$17,000 Single</td> <td>\$12,000 Single</td> </tr> <tr> <td>\$20,000 Married</td> <td>\$15,000 Married</td> </tr> </table> <p><u>Applicant & Co-owner not Spouse each Includes own Home</u></p> <table border="0"> <tr> <td><u>Applicant</u></td> <td><u>Each Co-owner not Spouse</u></td> </tr> <tr> <td>\$40,000 Single</td> <td>\$12,000 Single</td> </tr> <tr> <td>\$45,000 Married</td> <td>\$15,000 Married</td> </tr> </table>	<u>Applicant</u>	<u>Each Co-owner not Spouse</u>	\$17,000 Single	\$12,000 Single	\$20,000 Married	\$15,000 Married	<u>Applicant</u>	<u>Each Co-owner not Spouse</u>	\$40,000 Single	\$12,000 Single	\$45,000 Married	\$15,000 Married	<p><u>Applicant & Co-owner not Spouse each Deduct own Home (Except Income Producing Portion)</u></p> <p><u>Applicant & Each Co-owner not Spouse</u> \$20,000 Single \$23,000 Married</p>	<p><u>Applicant & Each Co-owner not Spouse each Deduct own Home (Up to 3 Family)</u></p> <p><u>Applicant & Each Co-owner not Spouse</u> \$28,000 Single \$30,000 Married</p> <p><u>Allowable adjustment Applicant Deducts Home (Up to 4 Family)</u></p> <p><u>Applicant Only</u> \$40,000 Single \$55,000 Married</p>	<p>No Limit</p>
<u>Applicant</u>	<u>Each Co-owner not Spouse</u>															
\$17,000 Single	\$12,000 Single															
\$20,000 Married	\$15,000 Married															
<u>Applicant</u>	<u>Each Co-owner not Spouse</u>															
\$40,000 Single	\$12,000 Single															
\$45,000 Married	\$15,000 Married															
<p>Annual Inflation Adjustments (COLA)</p>	<p>Social security/retirement deduction limit automatically increased annually as determined by DOR</p> <p>Clause 41, 41B and 41C gross receipts and whole estate limits automatically increased annually by COLA determined by DOR if legislative body has voted to accept G.L. c. 59, § 5(41D).</p> <p>Clause 41C½ gross receipts limits automatically increased annually by COLA determined by DOR for senior circuit breaker income tax under G.L. c. 62, § 6(k)(3).</p>															

¹ Does not apply to Clause 41C½.

² Does not apply to Clause 41C½.

³ Does not apply to Clause 41C½.

**TABLE 5. Exempt Persons – Whole Estate
Seniors, Surviving Spouses, Minor Children of Deceased
Parent under Clauses 17, 17C, 17C½ and 17D**

	Clause 17	Local Option Clause 17C	Local Option Clause 17C½	Local Option Clause 17D
Whole Estate Limit <u>Deductions:</u> Cemetery plots, household furniture/effects at domicile and clothing	\$20,000 <u>Deduct:</u> \$ Unpaid mortgage on applicant’s real estate (up to value of included real estate)	\$40,000 <u>Deduct:</u> \$60,000 in value of domicile \$ Unpaid mortgage on applicant’s other real estate (up to value of included real estate)	\$40,000 <u>Deduct:</u> \$150,000 in value of domicile \$ Unpaid mortgage on applicant’s other real estate (up to value of included real estate)	\$40,000 <u>Deduct:</u> \$ Value of domicile (up to 3 family) \$ Unpaid mortgage on applicant’s other real estate (up to value of included real estate)
Annual Inflation Adjustments (COLA)	Whole estate limit automatically increased annually by COLA determined by DOR if legislative body has voted to accept G.L. c. 59, § 5(17E). Exemption amount increased annually by any % up to COLA determined by DOR if legislative body has voted to (1) accept G.L. c. 59, § 5 provision added by St. 1995, c. 181 and (2) fix % increase			



TAXPAYER'S GUIDE TO LOCAL PROPERTY TAX EXEMPTIONS

SENIORS

Clauses 41, 41B, 41C, 41C½

The Department of Revenue (DOR) has created this fact sheet to provide general information about local property tax exemptions for seniors. **It is not designed to address all questions or issues and does not change any provision of the Massachusetts General Laws. To find out about the specific eligibility and application requirements in your city or town, you must contact your local board of assessors.** The DOR cannot determine your eligibility or give you legal advice. Property taxes are assessed and collected by cities and towns, not by the DOR. Under state law, only your board of assessors, as the local tax administrator, can decide whether you qualify for an exemption. If you disagree with its decision, you may appeal to the state Appellate Tax Board (or county commissioners if your county's government has not been abolished).

INTRODUCTION

Cities and towns may give property tax exemptions to some individuals as defined by state law. An exemption discharges a taxpayer from the legal obligation to pay all or a part of the tax assessed for the fiscal year. Exemptions are found in various clauses of Massachusetts General Laws Chapter 59, Section 5 (M.G.L. c. 59, § 5).

Clauses 41, 41B, 41C or 41C½ provide exemptions to seniors who meet specific ownership, residency, income and asset requirements. Seniors 70 or older may, alternatively, qualify for exemption under Clauses 17, 17C, 17C½ or 17D, which provide a reduced benefit, but have less strict eligibility requirements. Clause 41 is the basic exemption for seniors. Over the years, as income and asset values rose, the Legislature enacted alternative exemptions (Clauses 41B, 41C and 41C½), and options within those exemptions, that cities and towns may adopt.

Clause 41 applies unless the legislative body of your city or town has voted, subject to local charter, to accept another clause. The most recently accepted clause establishes eligibility rules in your city or town.

<p>EXEMPTION AMOUNT</p>	<p>Clauses 41, 41B, 41C \$500</p> <p>Clause 41C½ 5% of the average assessed valuation of residential property in your city or town.</p> <p>The Clause 41C exemption may be increased up to \$1,000, by vote of the legislative body of your city or town.</p> <p>The Clause 41C½ exemption may be increased up to 20% of the average assessed valuation of residential property in your city or town, by vote of the legislative body of your city or town.</p>
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For more information, please contact your local assessors.

<p>APPLICATIONS</p>	<p>You must file an application for each fiscal year with the assessors in the city or town where your property is located. The application is due on April 1, or three months after the actual tax bills are mailed, whichever is later. Filing on time is required. By law, the assessors may not waive this filing deadline, nor act on a late application, for any reason. Filing an application does not entitle you to delay your tax payment.</p>
<p>DOCUMENTATION</p>	<p>You must provide the assessors with whatever information is reasonably required to establish your eligibility. This information may include, but is not limited to:</p> <ol style="list-style-type: none"> 1. Birth certificates. 2. Evidence of ownership, domicile and occupancy. 3. Income tax returns, bank and other asset account statements.
<p>NUMBER OF EXEMPTIONS</p>	<p>With limited exceptions, you may only receive one exemption under M.G.L. c. 59, § 5 for each fiscal year. If you qualify for more than one, you will receive the one that provides the greatest benefit. You may receive an exemption and if qualified, defer all or a part of the balance of the reduced tax.</p>
<p>ELIGIBILITY REQUIREMENTS</p>	<p>You must satisfy tests relating to age, domicile, ownership, occupancy, annual income and assets. You must meet <u>all</u> eligibility requirements as of July 1 of the tax year. (<i>The fiscal year of cities and towns begins July 1 and ends the following June 30.</i>) If you do not meet all requirements as of July 1, you cannot receive all or any portion of the exemption for that tax year.</p> <p>If you own the property with someone who is not your spouse, for example, your children, siblings or other relatives, then each of the other co-owners must also satisfy the annual income and asset tests.</p>
<p>AGE</p>	<p>You must be 70 or older.</p> <p>For Clauses 41C and 41C½, the eligible age may be reduced to 65 or older, by vote of the legislative body of your city or town.</p>

<p>OWNERSHIP AND DOMICILE</p>	<p>You must own and occupy the property as your domicile. Your domicile is where your principal and legal home is located, your family, social, civic and economic life is centered and you plan to return whenever you are away. You may have more than one residence, but only one domicile.</p> <p>For Clauses 41B, 41C and 41C½, you must also have had a domicile in Massachusetts for 10 consecutive years before the tax year begins, and have owned and occupied the property, or any other property in Massachusetts, for any 5 years. The 10 year continuous domicile requirement for Clause 41C½ may be reduced to 5 years, by vote of the legislative body of your city or town.</p> <ol style="list-style-type: none"> 1. Under Clauses 41, 41B and 41C, your ownership interest must be worth at least \$4,000. You may own this interest solely, as a joint owner or as a tenant in common. If you own the property with someone who is not your spouse, your exemption will be equal to the same percentage of the exemption as your ownership interest in the property, for example, 50% if you are a joint owner with one other person. 2. If you hold a life estate in the domicile, you are the owner. 3. If your domicile is held in a trust, you are the owner only if: <ol style="list-style-type: none"> a. You are a trustee or co-trustee of that trust, and b. You have a sufficient beneficial interest in the domicile.
<p>INCOME LIMITS</p>	<p>Your income (gross receipts) for the previous calendar year cannot exceed a specified limit. Each clause has a different limit.</p> <p>Gross receipts means income from <u>all</u> sources and is broader than taxable income for federal or state income tax purposes. Ordinary business expenses and losses are deducted but not personal or family expenses. If you received income from social security or certain public pensions systems in the prior calendar year, the assessors will deduct a “minimum social security” allowance, which is set by the DOR each year.</p> <p>If you are single, your allowable gross receipts can range from \$6,000 (Clause 41) to the limit for the “circuit breaker” state income tax credit for single non-head of household filers (Clause 41C½). If you are married, the limit is based on the combined gross receipts of you and your spouse and ranges from \$7,000 (Clause 41) to the limit for the “circuit breaker” state income tax credit for single non-head of household filers (Clause 41C½).</p> <p>For Clauses 41, 41B and 41C, the gross receipts limit may increase annually by the percentage increase in the Consumer Price Index (CPI) determined by the DOR each year. For Clause 41C½, the gross receipts limit may be applied to the combined income of you and your spouse or other household members. These adjustments apply only if the legislative body of your city or town has voted, subject to local charter, to accept the local option.</p>

<p>ASSET LIMITS</p>	<p>Your assets (whole estate) on July 1 cannot exceed a specified limit. Each clause has a different limit.</p> <p>Whole estate means <u>all</u> assets to which you have legal title and access as sole, joint owner or trustee that contribute to your total worth. The value of the applicant's cemetery plots, registered motor vehicles, wearing apparel and household furniture and effects located in the domicile is not included in the calculation of the applicant's whole estate. In addition, the value of the domicile is generally not included, but depending on the clause, portions generating income or over a certain number of units may be included.</p> <p>If you are single, your allowable whole estate can range from \$17,000 (Clause 41) to \$40,000 (Clause 41C). If you are married, the limit is based on the combined whole estates of you and your spouse and ranges from \$20,000 (Clause 41) to \$55,000 (Clause 41C). There is no asset limit under Clause 41C½.</p> <p>For Clauses 41, 41B and 41C, the whole estate limit may increase annually by the percentage increase in the CPI determined by the DOR each year. This increase applies only if the legislative body of your city or town has voted, subject to local charter, to accept this local option.</p>
<p>EXEMPTION CREDIT</p>	<p>If the assessors decide you are eligible and grant an exemption, the amount granted is credited toward and reduces the tax outstanding on your domicile for the fiscal year. You will not receive a refund unless you have already paid the entire year's tax, as reduced by the exemption, at the time the exemption is granted.</p>
<p>SALE OF DOMICILE</p>	<p>If you are selling your domicile, you should make your attorney aware that you receive a property tax exemption that reduces the tax owed for the fiscal year. The sale is a private financial transaction and as a party, you are responsible for seeing that the exemption is properly credited at the closing, through escrow or other arrangements, when the parties make adjustments for local property taxes or charges. Your city or town is not responsible for seeing that you and the buyer allocate the property taxes so you get the benefit of the exemption.</p>

APPEALS	
Appellate Tax Board	<p>The Appellate Tax Board (ATB) is an independent, quasi-judicial state board that hears taxpayer appeals from local assessors' decisions on property tax abatements and exemptions. If county government has not been abolished, appeals may be made to the county commissioners instead, but assessors may and usually do transfer those appeals to the ATB. ATB decisions may be appealed to the Appeals Court and, ultimately, to the Supreme Judicial Court.</p> <p>You can obtain the ATB's <u>guide</u> to the property tax appeal process from its website (www.mass.gov/atb) or by calling 617-727-3100.</p>
Appeal of Action of Assessors	<p>You have three months from the date of the assessors' decision on your exemption application to appeal to the ATB. This includes decisions to deny any exemption or to grant an exemption that provides a lesser benefit. If the application was deemed denied, your appeal must be filed within three months of the deemed denied date. As a general rule, if the real estate tax on your domicile is over \$5,000, you must also have paid all preliminary and actual tax installments on time for the ATB to hear your appeal.</p> <p>The assessors may grant the exemption or higher exemption in final settlement of your application during the three month period for filing an appeal. In that case, you do not have to have filed an appeal with the ATB. However, if a settlement is not reached and an exemption not granted during that period, you must have filed your appeal by the deadline. If not, the ATB cannot hear the appeal.</p>

ASSESSMENT AND EXEMPTION CALENDAR	
January 1	Property Tax Assessment Date for Next Fiscal Year
July 1	Fiscal Year Begins Real Estate Exemption Eligibility Date for Fiscal Year
October - December	Actual Tax Bills Mailed for Fiscal Year
November 1 (Semi-annual Payment Communities) February 1 (Quarterly Payment Communities)	1 st Actual Tax Installment Payment Due ¹

¹ Contact your assessors. The due date depends on the payment system used in your community and the date actual tax bills were mailed for fiscal year.

<p>April 1, or 3 Calendar Months from Mailing of Actual Tax Bill if later</p>	<p>Personal Exemption Applications to Assessors Due ²</p>
<p>3 Calendar Months from Filing of Application (or Date of Written Extension Given by Taxpayer)</p>	<p>Assessors Grant or Deny Exemption Application Deemed Denied if Assessors Have Not Acted</p>
<p>3 Calendar Months from Assessors' Action on Application, or Deemed Denial of Application</p>	<p>Appeal to ATB Due</p>

² Some assessors may accept applications before actual tax bills are mailed. If not, or your application is not approved, you must apply by this deadline to claim the exemption.



TAXPAYER'S GUIDE TO LOCAL PROPERTY TAX EXEMPTIONS

SENIORS SURVIVING SPOUSES MINOR CHILDREN (OF DECEASED PARENT) Clauses 17, 17C, 17C½, 17D

The Department of Revenue (DOR) has created this fact sheet to provide general information about local property tax exemptions for seniors, surviving spouses and minor children of a deceased parent. **It is not designed to address all questions or issues and does not change any provision of the Massachusetts General Laws. To find out about the specific eligibility and application requirements in your city or town, you must contact your local board of assessors.** The DOR cannot determine your eligibility or give you legal advice. Property taxes are assessed and collected by cities and towns, not by the DOR. Under state law, only your board of assessors, as the local tax administrator, can decide whether you qualify for an exemption. If you disagree with its decision, you may appeal to the state Appellate Tax Board (or county commissioners if your county's government has not been abolished).

INTRODUCTION

Cities and towns may give property tax exemptions to some individuals as defined by state law. An exemption discharges the taxpayer from the legal obligation to pay all or a portion of the tax assessed for the fiscal year. Exemptions are found in various clauses of Massachusetts General Laws Chapter 59, Section 5 (M.G.L. c. 59, § 5).

Clauses 17, 17C, 17C½ or 17D provide partial exemptions to (1) seniors, (2) surviving spouses, and (3) minor children with a deceased parent, who meet specific ownership, occupancy and asset requirements. Seniors 70 or older may, alternatively, qualify for an exemption under Clauses 41, 41B, 41C or 41C½, which provide a higher benefit, but have stricter eligibility requirements. Clause 17 is the basic exemption for the three categories of taxpayers. Over the years, as asset values rose, the Legislature enacted alternative exemptions (Clauses 17C, 17C½ and 17D), and options within those exemptions, that cities and towns may adopt.

Clause 17 applies unless the legislative body of your city or town has voted, subject to local charter, to accept another clause. The most recently accepted clause establishes the eligibility rules in your city or town.

EXEMPTION AMOUNT	<p>\$175</p> <p>The amount may be increased annually up to the percentage increase in the Consumer Price Index (CPI), as determined by the DOR each year. This increase applies only if the legislative body of your city or town has voted, subject to local charter, to accept this local option.</p>
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For more information, please contact your local assessors.

<p>APPLICATIONS</p>	<p>You must file an application for each fiscal year with the assessors in the city or town where your property is located. The application is due on April 1, or three months after the actual tax bills are mailed, whichever is later. Filing on time is required. By law, the assessors may not waive this filing deadline, nor act on a late application, for any reason. Filing an application does not entitle you to delay your tax payment.</p>
<p>DOCUMENTATION</p>	<p>You must provide the assessors with whatever information is reasonably required to establish eligibility. This information may include, but is not limited to:</p> <ol style="list-style-type: none"> 1. Birth certificates. 2. Evidence of ownership, domicile and occupancy. 3. Bank and other asset account statements.
<p>NUMBER OF EXEMPTIONS</p>	<p>With limited exceptions, you may only receive one exemption under M.G.L. c. 59, § 5 for each fiscal year. If you qualify for more than one, you will receive the one that provides the greatest benefit. You may receive an exemption and if qualified, defer all or a part of the balance of the reduced tax.</p>
<p>ELIGIBILITY REQUIREMENTS</p>	<p>You must satisfy tests relating to age or status, domicile, ownership and assets. You must meet <u>all</u> eligibility requirements as of July 1 of the tax year. <i>(The fiscal year of cities and towns begins July 1 and ends the following June 30.)</i> If you do not meet all requirements as of July 1, you <u>cannot</u> receive all or any portion of the exemption for that tax year.</p>
<p>AGE AND STATUS</p>	<p>You must be 70 or older to be a senior.</p> <p>You must be younger than 18 to be a minor child.</p> <p>You must have been married to the decedent at the time of his or her death, and have never remarried, to be a surviving spouse.</p>
<p>OWNERSHIP AND DOMICILE</p>	<p>You must own and occupy the property as your domicile. Your domicile is where your principal and legal home is located, your family, social, civic and economic life is centered and you plan to return whenever you are away. You may have more than one residence, but only one domicile. If you are a senior, you must also have owned and occupied the property for any 10 years (Clauses 17, 17C or 17C½) or any 5 years (Clause 17D).</p> <ol style="list-style-type: none"> 1. Your ownership interest must be worth at least \$2,000. You may own this interest solely, as a joint owner or as a tenant in common. 2. If you hold a life estate in the domicile, you are the owner. 3. If your domicile is held in a trust, you are the owner only if: <ol style="list-style-type: none"> a. You are a trustee or co-trustee of that trust, and b. You have a sufficient beneficial interest in the domicile.

<p>ASSET LIMITS</p>	<p>Your assets (whole estate) on July 1 cannot exceed a specified limit. Each clause has a different limit.</p> <p>Whole estate means <u>all</u> assets to which you have legal title and access as sole, joint owner or trustee that contribute to your total worth. The value of your cemetery plots, wearing apparel and household furniture and effects located in your domicile is not included in the calculation of your whole estate.</p> <p>In addition, depending on the clause, some of the value of your domicile and the unpaid mortgage balance is not included, but the part of your domicile over a certain number of units may be included.</p> <p>Your allowable whole estate can range from \$20,000 (Clause 17) to \$40,000 (Clauses 17C, 17C½ and 17D). It may increase annually by the percentage increase in the CPI determined by the DOR each year. This increase applies only if the legislative body of your city or town has voted, subject to local charter, to accept this local option.</p>
<p>EXEMPTION CREDIT</p>	<p>If the assessors decide you are eligible and grant an exemption, the amount granted is credited toward and reduces the tax outstanding on your domicile for the fiscal year. You will not receive a refund unless you have already paid the entire year's tax, as reduced by the exemption, at the time the exemption is granted and applied.</p>
<p>SALE OF DOMICILE</p>	<p>If you are selling your domicile, you should make your attorney aware that you receive a property tax exemption that reduces the tax owed for the fiscal year. The sale is a private financial transaction and as a party, you are responsible for seeing that the exemption is properly credited at the closing, through escrow or other arrangements, when the parties make adjustments for local property taxes or charges. Your city or town is not responsible for seeing that you and the buyer allocate the property taxes so you get the benefit of the exemption.</p>

<p style="text-align: center;">APPEALS</p>	
<p>Appellate Tax Board</p>	<p>The Appellate Tax Board (ATB) is an independent, quasi-judicial state board that hears taxpayer appeals from local assessors' decisions on property tax abatements and exemptions. If county government has not been abolished, appeals may be made to the county commissioners instead, but assessors may and usually do transfer those appeals to the ATB. ATB decisions may be appealed to the Appeals Court and, ultimately, to the Supreme Judicial Court.</p> <p>You can obtain the ATB's <u>guide</u> to the property tax appeal process from its website (www.mass.gov/atb) or by calling 617-727-3100.</p>

<p>Appeal of Action of Assessors</p>	<p>You have three months from the date of the assessors' decision on your exemption application to appeal to the ATB. This includes decisions to deny any exemption or to grant an exemption that provides a lesser benefit. If the application was deemed denied, your appeal must be filed within three months of the deemed denied date. As a general rule, if the real estate tax on your domicile is over \$5,000, you must also have paid all preliminary and actual tax installments on time for the ATB to hear your appeal.</p> <p>The assessors may grant the exemption or higher exemption in final settlement of your application during the three month period for filing an appeal. In that case, you do not have to have filed an appeal with the ATB. However, if a settlement is not reached and an exemption not granted during that period, you must have filed your appeal by the deadline. If not, the ATB cannot hear the appeal.</p>
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<p align="center">ASSESSMENT AND EXEMPTION CALENDAR</p>	
<p>January 1</p>	<p>Property Tax Assessment Date for Next Fiscal Year</p>
<p>July 1</p>	<p>Fiscal Year Begins Real Estate Exemption Eligibility Date for Fiscal Year</p>
<p>October - December</p>	<p>Actual Tax Bills Mailed for Fiscal Year</p>
<p>November 1 (Semi-annual Payment Communities) February 1 (Quarterly Payment Communities)</p>	<p>1st Actual Tax Installment Payment Due ¹</p>
<p>April 1, or 3 Calendar Months from Mailing of Actual Tax Bill if later</p>	<p>Personal Exemption Applications to Assessors Due ²</p>

¹ Contact your assessors. The due date depends on the payment system used in your community and the date actual tax bills were mailed for fiscal year.

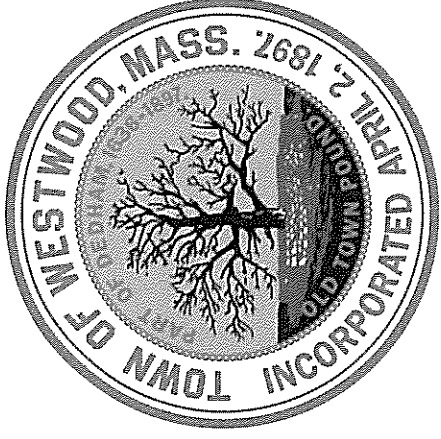
² Some assessors may accept applications before actual tax bills are mailed. If not, or your application is not approved, you must apply by this deadline to claim the exemption.

3 Calendar Months from Filing of Application (or Date of Written Extension Given by Taxpayer)	Assessors Grant or Deny Exemption Application Deemed Denied if Assessors Have Not Acted
3 Calendar Months from Assessors' Action on Application, or Deemed Denial of Application	Appeal to ATB Due

Article No.	2022 Annual Town Meeting Article Description	Sponsor
Budget-1	FY22 Budget Adjustments by Transfer	Select Board
Budget -2	FY22 Budget Adjustments by Appropriation (\$0)	Select Board
Budget -3	FY23 Operating Budgets (Appendix "D")	Select Board
Budget -4	Appropriation (\$0) – Municipal Capital Improvements	Select Board
Budget -5	Appropriation (\$0) – School Capital Improvements	Select Board
Budget -6	Appropriation (\$0) – Sewer Capital Improvements	Select Board
Budget -7	Appropriation (\$0) – Additional Capital Improvements	Select Board
Budget -8	Appropriation (\$0) – Additional Capital Improvements	Select Board
Budget -9	Appropriation (\$0) – Stabilization Fund FY23	Select Board
Budget -10	Appropriation (\$0) – OPEB Liability Trust Fund – FY23	Select Board
Budget -11	Appropriation (\$300,000) - Aid to Elderly for Senior Tax Relief	Select Board
Citizen's Petition -1	Property Tax Exemption for Senior Citizens Petition (M.G.L. Chapter 59)	Mr. Peter Ittig
Citizen's Petition -2	Property Tax Exemption for Senior Citizens Petition (M.G.L. Chapter 59, Section 5, Clause 41C ½ and Clauses 17D, 17E, and 17F)	Mr. Peter Ittig
Select Board- 1	Street Acceptance- Porter Street (portion)(\$0)	Select Board
Select Board- 2	Obed Baker House – Disposition of Town-Owned Property	Select Board
Select Board- 3	Acquisition of Real Property	Select Board
Select Board- 4	Disposal of Real Property (50 Carby Street – Grant of Easement for Driveway)	Select Board
Misc. -1	Miscellaneous Article (placeholder)	Select Board
Misc.-2	Miscellaneous Article (placeholder)	Select Board
Misc.-3	Miscellaneous Article (placeholder)	Select Board
Misc.-4	Miscellaneous Article (placeholder)	Select Board

Misc.-5	Miscellaneous Article (placeholder)	Select Board
Misc.-6	Miscellaneous Article (placeholder)	Select Board
Misc.-7	Miscellaneous Article (placeholder)	Select Board
Misc.-8	Miscellaneous Article (placeholder)	Select Board
Misc.-9	Miscellaneous Article (placeholder)	Select Board
Misc.-10	Miscellaneous Article (placeholder)	Select Board
Planning Board -1	Mixed-Use and Multi-Family Residence Overlay District	Planning Board
Planning Board -2	Zoning Amendments Relative to Permitting and Approval of Solar Arrays	Planning Board
Planning Board -3	Zoning Amendments Relative to Property on High Street in the Vicinity of the Historic Obed Baker House and Westwood Plaza	Planning Board
Planning Board -4	Zoning Amendment Relative to Expansion of Nonconforming Uses and Structures	Planning Board
Planning Board -5	Zoning Map Amendment 394 and 396 Providence Highway	Planning Board
Planning Board- 6	Housekeeping Zoning Article	Planning Board

Total - 33 Articles



2022 Town Meeting
Warrant Article Review
January 18, 2022

Select Board
Finance and Warrant Commission

Working Article No.	2022 Annual Town Meeting Article Description	Sponsor
Budget – 1	FY22 Budget Adjustments by Transfer	Select Board
Budget – 2	FY22 Budget Adjustments by Appropriation (\$)	Select Board
Budget – 3	FY23 Operating Budget (Appendix "D")	Select Board
Budget – 4	Appropriation (\$) - Municipal Capital Improvements	Select Board
Budget – 5	Appropriation (\$) - School Capital Improvements	Select Board
Budget – 6	Appropriation (\$) - Sewer Capital Improvements	Select Board
Budget – 7	Appropriation (\$) - Additional Capital Improvements	Select Board
Budget – 8	Appropriation (\$) - Additional Capital Improvements	Select Board
Budget – 9	Appropriation (\$) - Stabilization Fund FY23	Select Board
Budget – 10	Appropriation (\$) – OPEB Liability Trust Fund FY23	Select Board
Budget – 11	Appropriation (\$300,000) – Aid to the Elderly for Senior Tax Relief	Select Board

Working Article No.	2022 Annual Town Meeting Article Description	Sponsor
Select Board – 1	Street Acceptance- Porter Street (portion) (\$)	Select Board
Select Board – 2	Obed Baker House – Disposition of Town-Owned Property	Select Board
Select Board – 3	Acquisition of Real Property	Select Board
Select Board – 4	Disposal of Real Property (50 Carby Street – Grant of Easement for Driveway)	Select Board
Misc.– 1	Miscellaneous Article	Select Board
Misc.– 2	Miscellaneous Article	Select Board
Misc.– 3	Miscellaneous Article	Select Board
Misc.– 4	Miscellaneous Article	Select Board
Misc.– 5	Miscellaneous Article	Select Board
Misc.– 6	Miscellaneous Article	Select Board
Misc.– 7	Miscellaneous Article	Select Board
Misc.– 8	Miscellaneous Article	Select Board
Misc.– 9	Miscellaneous Article	Select Board
Misc.– 10	Miscellaneous Article	Select Board

Budget Articles 1 to 11

The budget articles will be presented in more detail at the February 8, 2022, Finance and Warrant Commission Meeting

Budget - 1: FY22 Budget Adjustments by Transfer

Budget - 2: FY22 Budget Adjustments by Appropriation

- These articles are the standard articles used to transfer funds from surplus accounts or other available accounts (such as Free Cash).

Budget - 3: FY23 Operating Budgets (Appendix “D”)

Budget - 4: Appropriation – Municipal Capital Improvements

Budget - 5: Appropriation – School Capital Improvements

Budget - 6: Appropriation – Sewer Capital Improvements

Budget - 7: Appropriation – Additional Capital Improvements

Budget - 8: Appropriation – Additional Capital Improvements

- These articles are the standard operating and capital articles.

Budget - 9: Appropriation – Stabilization Fund – FY23

Budget - 10: Appropriation – OPEB Liability Trust Fund – FY23

- These articles are the standard articles to appropriate funds to the Town’s Stabilization Account or to the OPEB (Other Post-Employment Benefits) Liability Trust Account.

Budget - 11: Appropriation (\$300,000) – Aid to the Elderly for
Senior Tax Relief

- This article is to see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of (\$300,000) to the Aid to the Elderly for Senior Tax Relief.

Select Board Articles

Select Board 1 – Street Acceptance – Porter Street (portion) (\$)

- This is a standard article for acceptance of a street as a Town way. This article will include an appropriation to bring the road up to town standards. In accordance with Town policy, the property owners along said portion of the street will be responsible for betterment charges of 50% of the actual cost of the construction, and the town responsible for the remaining 50%.
- This article is similar to the Cranston Avenue article from the May 2021 Annual Town Meeting.

Select Board 2 – Obed Baker House – Disposition of Town-Owned Property

- This article is intended to see if the Town will vote to authorize the Select Board to take actions in conjunction with the disposition of certain parcels of land, for the rehabilitation and reuse of the Obed Baker House.

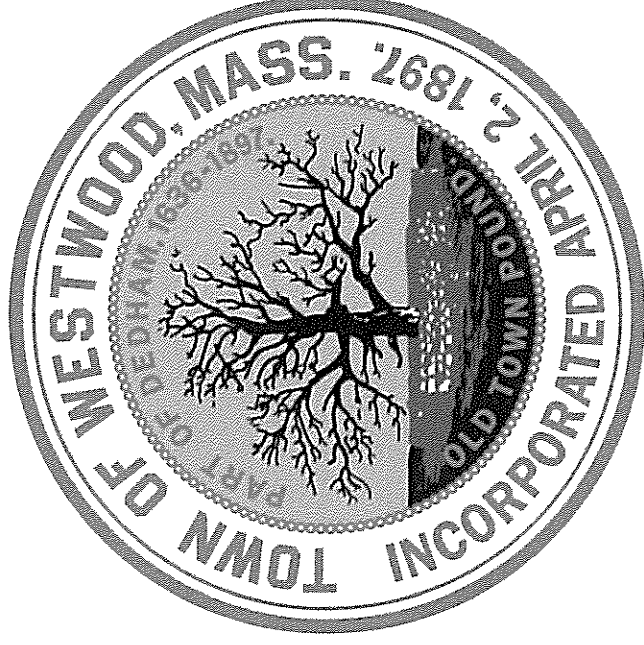
Select Board 3 – Acquisition of Real Property

Select Board 4 – Disposal of Real Property (50 Carby Street –
Grant of Easement for Driveway)

- These articles are intended to see if the Town will vote to authorize the Select Board to take actions in conjunction with the acquisition and disposition of certain parcels of land.

Select Board Miscellaneous Articles – 1 to 10

- These articles serve as placeholders to insert an article in support of Town Government that may come up before the official Warrant is approved.
- The town currently has ten (10) miscellaneous articles.



Town of Westwood
Commonwealth of Massachusetts

Christopher A. Pfaff, Chair
David L. Atkins, Jr., Vice Chair
Kathleen Wynne, Secretary
Ellen Larkin Rollings
Thomas P. McCusker



Abigail McCabe, AICP, Town Planner
amccabe@townhall.westwood.ma.us
(781) 251-2581

Karyn Flynn, Land Use & Licensing Specialist
kflynn@townhall.westwood.ma.us
(781) 767-6344

PLANNING BOARD

Memorandum

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

From: Abby McCabe, Town Planner
Planning Board Members

Date: January 13, 2022

Re: Planning Board Zoning Article Summary

The Planning Board is sponsoring six zoning articles for Annual Town Meeting. The Planning Board's public hearing will begin on February 1. Below is a brief summary and purpose of each article. The full text of the proposed articles is attached.

Article 1: Zoning Bylaw & Zoning Map Amendments Relative to Mixed-Use & Multi-Family Residential Overlay District.

This article is proposed to comply with the state's new law for MBTA Communities that require adoption of a zoning district to allow multi-family housing within a ½ mile of public transportation. The Planning Board proposes a new overlay district encompassing 22 Everett St. (commonly referred to as the Tumble Bus or Foster Block property), 85-95 University Ave. (Gables Residential Apartments), and 120-130 University Ave. (Westwood Place at University Station condos by Pulte Homes). The state has released draft guidelines that are expected to be finalized summer 2022. The Planning Board proposes this article to begin compliance with the understanding a future article may be needed to fully meet the state's requirements after the guidelines are finalized. The state is requiring compliance in 2023.

Article 2: Zoning Amendments Permitting and Approval for Solar Arrays

This article proposes zoning amendments that will change the permit and approval process for solar energy facilities not proposed to be mounted on a structure. The purpose is to comply with state law that protects solar energy systems from being prohibited or unreasonably regulated.

Currently, ground mounted solar is by special permit from the Zoning Board of Appeals. This article proposes an administrative permit process with planning and building departments for ground-mounted solar and a by-right Planning Board public hearing for large scale solar projects.

Article 3: Zoning Amendments Relative to Property on High Street in the vicinity of the historic Obed Baker House and Westwood Plaza

This article is to facilitate the adaptive reuse of the historic Obed Baker House. The article proposes re-zoning the Town's land from Single Family Residence C (SRC) to Local Business A (LBA) and overlay with the FMUOD-7 High Street Business District for the Town's parcels and the adjacent plaza known as Westwood Plaza currently containing the Dunkin Donuts, Westwood Pizza, and Blue Orchid.

Article 4: Zoning Amendment Relative to Expansion of Nonconforming Uses & Structures

This article proposes a special permit option for alterations to nonconforming properties, deemed not detrimental to the neighborhood by the Building Commissioner. Currently, any alteration that creates a new nonconformity or further exacerbates a setback violation, a variance from the Zoning Board of Appeals is required. Recent court decisions have favored a special permit option for minor changes that are not more detrimental to the neighborhood. This article is intended to make adjustments for recent court findings.

Article 5: Zoning Map Amendment Relative to 394 & 396 Providence Highway

This article proposes changing the zoning designation at 394 Providence Highway from Industrial Office (IO) to Highway Business (HB), and to include the currently unzoned land at 396 Providence Highway within the Highway Business (HB) District. This article is proposed to facilitate the redevelopment of the existing shell station for a new gas station and retail convenience market.

Article 6: Housekeeping

To see if the Town will vote to approve certain housekeeping amendments to various sections of the Westwood Zoning Bylaw and/or the Official Zoning Map as may be necessary to correct errors or inconsistencies

Town of Westwood
Commonwealth of Massachusetts

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PLANNING BOARD

**NOTICE OF PUBLIC HEARING
ZONING AMENDMENTS**

The Westwood Planning Board will hold a remote public hearing in accordance with the provisions of M.G.L. Chapter 40A, §5, and Governor Baker's June 16, 2021 order extending certain provisions of the Open Meeting Law M.G.L. Chapter 30A, §18 on **Tuesday, February 1, 2022 at 7:00 PM via at Zoom**, to consider the following proposed amendments to the Town of Westwood Zoning Bylaw and Official Zoning Map. More information including the proposed text and maps of the articles is available on the Planning Division's webpage under Current Plans and Applications at www.westwoodpermit.org.

The meeting will be filmed live by Westwood Media Center (WMC) available for viewing on Comcast channel 12 and Verizon channel 42 and on WMC's YouTube. Those wishing to participate are encouraged to use Zoom by following the instructions below or by going to <https://zoom.us/> clicking on 'join meeting' and entering the meeting webinar ID 850 7322 8148.

Direct Zoom Link:

<https://us02web.zoom.us/j/85073228148?pwd=SUYvbjVWWU9GY1N4cklqMEZYZTZMz09>

Enter your Email, Name, and Passcode: 726927

Or Toll Free Telephone: 877 853 5257 or 888 475 4499

Webinar ID: 850 7322 8148

A final meeting agenda will be posted in advance. To view the meeting agenda and zoom information visit the calendar on the Town's website at: <https://www.townhall.westwood.ma.us/home> or sign up to receive email notifications for the Planning Board when meetings are posted at <https://www.townhall.westwood.ma.us/our-town/stay-connected/website-e-notification>

Article 1: Zoning Bylaw & Zoning Map Amendments Relative to Mixed-Use & Multi-Family Residential Overlay Districts

To see if the Town will vote to approve certain amendments to the Zoning Bylaw by adding a new Section 9.9 [Mixed-Use & Multi-Family Residential Overlay District] pursuant to Chapter 358 of the Acts of 2020 amendments to M.G.L. Chapter 40A for MBTA Communities, and amending the Official Zoning Map to include a Mixed-Use & Multi-Family Residential Overlay District (MUMFROD) encompassing certain parcels identified within the proposed Section 9.9; as set forth below, or take any other action in relation thereto. For initial discussion purposes, the following parcels are included in the proposed new MUMFROD overlay district, however, the number and locations of parcels may be change during the

course of the public hearing, and any parcel within Westwood may be considered for inclusion within the proposed MUMFROD overlay district: 22 Everett Street (Assessor's Map 23, Lot 226); Everett Street (Assessor's Map 23, Lot 227); 85-91 University Avenue (Assessor's Map 33, Lot 19); 95 University Avenue (Assessor's Map 33, Lot 54); 120 & 130 University Avenue (Assessor's Map 33, Lot 56).

- 1) Add a new Section 9.9 [Mixed-Use & Multi-Family Residential Overlay District] as follows:

SECTION 9.9 MIXED-USE & MULTI-FAMILY RESIDENTIAL OVERLAY DISTRICT

9.9.1 Purpose. The purpose of the Mixed Use & Multi-Family Residential Overlay District (MUMFORD) is as follows:

- 9.9.1.1 To promote a village-style mix of retail, restaurants, offices, civic uses and multi-family in select commercial areas;
- 9.9.1.2 To reduce auto dependency by providing opportunities for upper-story and multi-family housing near the commuter rail, bus stops, and Amtrak station;
- 9.9.1.3 To promote family supportive housing by encouraging development designed for families with children;
- 9.9.1.4 To help alleviate traffic congestion by allowing more housing near public transportation;
- 9.9.1.5 To ensure pedestrian-friendly development by permitting higher density housing in areas which are walkable to public transportation, shopping, and local services;
- 9.9.1.6 To respond to Town and regional need for family affordable housing by providing more variety of housing types with affordability requirements;
- 9.9.1.7 To generate positive tax revenue by providing as-of-right redevelopment opportunities at underutilized properties and encourage mixed-use redevelopment to provide a customer base for local businesses;
- 9.9.1.8 To encourage economic investment for the redevelopment of underutilized properties;

- 9.9.1.9 To guide development toward previously developed areas to protect undisturbed natural resources;
- 9.9.1.10 To provide opportunities for a more diversified housing stock and more affordable housing units in Westwood as identified in the 2020 Comprehensive Plan Housing Section objective 1, implementing action H1 and Westwood’s 2019 Housing Production Plan Goals 6, 7, 8, & 9.
- 9.9.1.11 To ensure compliance with Chapter 40A, Section 3A of the Zoning Act applicable to MBTA Communities.

9.9.2 Location. The Mixed-Use & Multi-Family Residential Overlay District (MUMFROD) is herein established as an overlay district as shown on the Official Zoning Map and as described herein. The MUMFROD shall include the following specific parcels, as shown on the Westwood Board of Assessors’ Map, as of January 1, 2022:

- Parcel 23-226 (22 Everett Street);
- Parcel 23-227 (Everett Street);
- Parcel 33-019 (85-91 University Avenue);
- Parcel 33-054 (95 University Avenue); and
- Parcel 33-056 (120 & 130 University Avenue).

9.9.3 Granting Authority. The Planning Board shall be the granting authority for all approvals under this Section. Multi-family residential units and mixed-use development, including any one or more of the specific uses set forth in Section 9.8.5, may be permitted to the extent authorized under a MUMFROD Environmental Impact & Design Review (MUMFROD-EIDR) Approval in compliance with the provisions of this Section. Applications exceeding the maximum residential density set forth in Section 9.9.6.1 shall require a MUMFROD Special Permit from the Planning Board. Any EIDR approval otherwise required pursuant to Section 7.3 of this Bylaw shall be consolidated into the MUMFROD-EIDR Approval of MUMFROD Special Permit and no separate EIDR Approval shall be required.

9.9.4 Regulations and Application Fees. The Planning Board shall adopt Rules and Regulations and reasonable Applications Fees for the administration of this Section. Such Rules and Regulations shall include, but not be limited to, the following: application and submittal requirements, application fees, review procedures, reimbursement for consultants, performance guarantees, and procedures for the consideration of MUMFROD-EIDR Approval and MUMFROD Special Permit extensions. All applications submitted under this Section require a public hearing with notification to the Parties of Interest including abutter

notification consistent with the Board's Rules and Regulations and M.G.L. Chapter 40A, Section 9 and 11.

9.9.5 Permitted Uses. Except as otherwise provided herein and subject to the provisions of this Bylaw applicable to the underlying district, land and buildings in the MUMFROD may be used for any purpose permitted as of right or by special permit in the underlying district. In addition, a mix of the following residential and non-residential uses, to the extent authorized under this Section, are permitted as-of-right upon grant of a MUMFROD EIDR approval by the Planning Board. Any use not listed below as specifically permitted in a MUMFROD development is deemed prohibited.

- 9.9.5.1 Multi-Family Residential Dwelling Units (per density requirements of Section 9.9.6)
- 9.9.5.2 Bank, Financial Institution
- 9.9.5.3 Child Care Facility
- 9.9.5.4 Coffee Shop
- 9.9.5.5 Educational Use
- 9.9.5.6 Ice Cream Parlor
- 9.9.5.7 Institutional Use
- 9.9.5.8 Office of a Health Care Professional
- 9.9.5.9 Personal Services Establishment
- 9.9.5.10 Pet Care Facility
- 9.9.5.11 Professional Services Establishment
- 9.9.5.12 Recreation Facility, Indoor or Outdoor
- 9.9.5.13 Restaurant, with or without entertainment
- 9.9.5.14 Retail Sales & Services
- 9.9.5.15 Accessory parking and accessory parking structures to any of the above permitted uses
- 9.9.5.16 Accessory uses such as solar arrays, sports courts, outdoor seating, patios, and recreational play areas

9.9.6 Residential Density Allowances. Maximum residential densities shall be as specified below:

9.9.6.1 Multi-Family Residential Dwelling Units at a maximum density of 15 units per acre shall be permitted as-of-right, subject to MUMFROD-EIDR Approval.

9.9.6.2 Multi-Family Residential Dwelling Units at a density exceeding 15 units per acre shall require a MUMFROD Special Permit, which may be issued at the discretion of the Planning Board. Any residential units over and above 15 units per acre shall be subject to the Fiscal Analysis submittal requirement outlined in Section 9.9.12.10.

In the case of a mixed-use MUMFROD development where all residential units are located on upper stories above first floor commercial uses, the maximum residential density shall be calculated by dividing the aggregate lot area of all parcels within the MUMFROD development by the total number of residential units. In all other cases, the residential density shall be calculated by dividing only that portion of the lot area which is attributable to residential development by the total number of residential units in the MUMFROD development.

9.9.7 Dimensional Requirements. Projects approved pursuant to this Section shall adhere to the following dimensional requirements, rather than the dimensional requirements associated with the underlying district. The Planning Board shall review each project’s dimensions to determine the best project for the specific site, and allow deviations from one or more of these dimensional requirements through the issuance of a MUMFROD Special Permit. In all cases, there shall be sufficient separation between any two structures to allow emergency vehicle access. More than one building shall be permitted on any lot.

Minimum Project Area	40,000 SF
Minimum Lot Area	10,000 SF
Maximum Building Height	45 ft.
Minimum Street Frontage	50 ft.
Minimum Lot Width	50 ft.
Minimum Front Setback	10 ft.
Minimum Side Yard Setback	10 ft.
Minimum Rear Yard Setback	20 ft.
Maximum Impervious Surface	80%

9.9.8 Parking Requirements. Off-Street parking shall be provided to meet the following minimum requirements:

- 9.9.8.1 Residential Units - 1.25 spaces per unit;
- 9.9.8.2 Restaurants - 1 space per every four seats, plus 1 space for every two employees; and
- 9.9.8.3 All Other Uses - Number of parking spaces shall be determined by the Planning Board.

Developments proposed under this Section may provide fewer parking spaces than otherwise required under Section 6.1.2 [Table of Parking Requirements], where in the determination of the Planning Board, proposed parking spaces are found to be sufficient to meet the needs of the development. In making such a determination, the Planning Board may consider complementary uses and activities, proximity and safe access to public transportation, transportation demand management (TDM) measures, and such other means as may be considered applicable by the Board in its discretion.

All surface parking shall be located at the rear or side of buildings and no parking spaces shall be located between a building and the street. Landscaping and design standards for parking areas set forth in Section 6.1 [Off-Street Parking] shall apply.

9.9.9 **Playground and Recreational Areas.** Any MUMFROD development project that includes fifty (50) or more residential dwelling units shall provide an outdoor play area or common space. The play area or common space shall be appropriate for use by families with children and shall include such features as swings, slides, jungle-gyms, and/or similar play features, as well as tables and chairs or benches. Such facilities shall be constructed to Universal Design standards and accessible to all users.

9.9.10 **Affordability Requirements.** Where any project authorized under this bylaw will result in the development of at least eight (8) new residential dwelling units, the minimum number of dwelling units specified in the table below shall be restricted to meet the definition of Affordable Housing in Section 2.0 of this Bylaw and in the Rules and Regulations. All such affordable dwelling units shall be contained within the MUMFROD project unless the Planning Board determines a proposed alternative to be at least equivalent in serving the Town's housing needs after consultation with the Westwood Housing Partnership and the Westwood Housing Authority. 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 dwelling units developed under additional programs adopted by the Commonwealth of Massachusetts or its agencies. All said dwelling units shall count toward Westwood's requirements under Massachusetts General Law Chapter 40B, Sections 20-23, as amended and all affordable dwelling units shall remain affordable in perpetuity. All affordable units shall be indistinguishable from market rate units within the same development and shall be scattered throughout a project.

<u>Total Number of Dwelling Units</u>	<u>Minimum Number of Affordable Dwelling Units</u>
1 to 7 units	0
8 to 9 units	1
10 to 15 units	2
16 to 22 units	3
23 to 26 units	4
27 or more units	15% of the total number of dwelling units, rounded up to the next whole number

9.9.11 **Number of Bedrooms.** Residential portions of MUMFROD projects where more than eight (8) residential units are proposed shall have at least 10% of the total number of residential units as three (3) bedroom units to provide family supportive housing.

9.9.12 **Application Procedures.** The following procedures shall apply in the submission, review, and consideration of any application for development under this Section, as further detailed in the Planning Board’s Rules and Regulations.

9.9.12.1 **Submittal Requirements.** To assist the Planning Board in its evaluation of an application for MUMFROD-EIDR Approval or MUMFROD Special Permit submitted hereunder, the Applicant shall submit the following materials at the time of application, except to the extent waived by the Planning Board:

9.9.12.2 **Site Plan.** The site plan shall be prepared by a Registered Professional Engineer or Registered Professional Land Surveyor and shall show the following information, except to the extent waived by the Planning Board:

9.9.12.2.1 Existing and proposed plantings, landscaping and screening, which shall show the location, dimension and arrangement of all open spaces and yards, including type and size of planting materials, methods to be employed for screening and proposed grades and a plan for maintenance;

9.9.12.2.2 Location, type, size and dimension of existing trees, rock masses and other natural features with designations as to which features will be retained;

- 9.9.12.2.3 Dimension and location of existing and proposed buildings and structures;
 - 9.9.12.2.4 Existing topography, including any proposed grade changes;
 - 9.9.12.2.5 Parking areas and facilities, traffic circulation, driveways, loading areas, access and egress points, bicycle parking, bicycle indoor storage;
 - 9.9.12.2.6 Storm drainage, including direction of flow and means of ultimate disposal;
 - 9.9.12.2.7 Provisions for sanitary sewerage and water supply, including fire protection measures;
 - 9.9.12.2.8 Location of all utilities, signage, outdoor storage, recycling and trash disposal areas; and
 - 9.9.12.2.9 Landscape Plan showing existing and proposed plantings, including table showing number, species, and size of all proposed new plantings, as well as description of any proposed disturbance to existing vegetation, or alteration of natural or historic features, whether in relation to temporary access, utility installation, or any other aspects of construction.
- 9.9.12.3 **Exterior Lighting Plan.** The Exterior Lighting Plan shall show the information as required in Section 6.4.4 [Exterior Lighting Plan] of this Bylaw, except to the extent waived by the Planning Board.
- 9.9.12.4 **Traffic Study.** The Traffic Study shall be prepared by a Registered Professional Engineer consistent with study guidelines adopted and from time to time amended by the Planning Board, except to the extent waived by the Planning Board.
- 9.9.12.5 **Drawings/Renderings.** A drawing or rendering of the proposed building, including color and type of surface materials showing front, rear and side elevations.
- 9.9.12.6 **Photographs.** Photographs showing any existing structures to be altered, the proposed building site and surrounding properties. Applications for

alterations and additions shall include photographs showing each existing structure to be altered and its relationship to adjacent properties.

- 9.9.12.7 **Impact Statement.** An explanation of how each of the Building & Design Standards cited in Section 9.7.13 is incorporated into the design of the proposed development. Where a particular standard is not applicable a statement to that effect will suffice. An environmental impact statement prepared in accordance with state or federal regulations may be accepted as a substitute in lieu of this statement.
- 9.9.12.8 **Exterior Material Samples.** A sample of proposed exterior materials shall be presented to the Planning Board to demonstrate the proposed composition, color and texture of each architectural element. An electronic digital submission of the material's board shall be submitted at the time of the application filing and a physical material board shall be provided at the public hearing.
- 9.9.12.9 **Drainage & Stormwater Report.** A report detailing stormwater drainage, including direction and flow and means of ultimate disposal. Stormwater drainage runoff calculations used for the drainage system design shall be prepared by a Registered Professional Engineer and must support the sizing of all drainage structures and pipes and demonstrate compliance with the stormwater management standards adopted and as amended from time to time by the Massachusetts Department of Environmental Protection.
- 9.9.12.10 **Fiscal Analysis.** All MUMFROD Special Permit applications requesting a residential density greater than 15 units per acre, shall submit a fiscal analysis demonstrating that the additional proposed residential units will have no significant negative fiscal impact to the Town.
- 9.9.13 **Building & Design Standards.** The following standards shall be utilized by the Planning Board to review and evaluate all applications pursuant to this Section. These standards are intended to provide a frame of reference for the Applicant in the development of their project and building plans as well as criteria for review by the Planning Board. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention and innovation. The specification of one or more particular architectural styles is not included in these standards. The standards of review outlined in this Section shall also apply to all accessory buildings, structures, freestanding signs and other site features, however related to the principal buildings or structures.
- 9.9.13.1 **Preservation of Landscape.** The landscape shall be preserved in

its natural state, insofar as practicable. Tree and soil removal shall be minimized, and any grade changes shall be consistent with the general appearance of neighboring developed areas. Due regard shall be given to the attractive utilization of the natural features of the area, including trees, woods, streams and ponds. All open areas which cannot be preserved in their natural state shall be replanted as far as practicable with as many trees and plantings as previously existed.

9.9.13.2 **Relation of Buildings to Environment.** The proposed development shall be related harmoniously to the terrain and to the use, scale and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed building. The Planning Board may require a modification in massing so as to reduce the effect of shadows on abutting property, public open space or streets.

9.9.13.3 **Open Space.** All open space shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing the site or overlooking it from nearby properties.

9.9.13.4 **Circulation, Traffic Impact, Pedestrian Access and Features.** With respect to vehicular and pedestrian circulation and traffic, including entrances, ramps, walkways, drives and parking, special attention shall be given to location, number and function of access points to the public streets (especially in relation to existing traffic flow, traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, the arrangement, safety and convenience of both vehicle and bicycle parking areas and the effect thereof upon the use and enjoyment of proposed buildings and structures and the neighboring properties, and the traffic impact of the proposed development on nearby public and private streets. Each proposed facility shall have bicycle and stroller parking, and shall make adequate provisions for the convenience of vehicular and pedestrian movement within the site and over clear accessible routes to nearby streets, sidewalks, and public transportation.

9.9.13.5 **Stormwater Drainage and Erosion Control.** Special attention shall be given to proper site surface drainage (i) so that removal of surface waters will not adversely affect neighboring properties or

the public storm drainage system and (ii) so as to minimize any adverse impact upon nearby “downstream” properties. Stormwater shall be removed from all roofs, canopies and paved areas in compliance with the stormwater management standards adopted and from time to time amended by the Massachusetts Department of Environmental Protection. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved area. Erosion and sediment controls must be implemented to prevent any negative impacts during construction or other land disturbance activities. Permanent post-development erosion controls must be implemented and maintained where necessary.

9.9.13.6 **Advertising Features.** The size, location, design, color texture, lighting and materials of all permanent signs and shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties. Signage for commercial uses shall be regulated pursuant to Section 6.2 [SIGNS] applying the Local Business (LBA) and Local Business B (LBB) districts, specifically Section 6.2.6 [Signs Allowed in Local Business A (LBA) and Local Business B (LBB) Districts], and Section 6.2.10 [Illumination and Movement], unless another alternative is presented and approved by the Planning Board.

9.9.13.7 **Special Features.** Storage areas, service areas, truck loading areas, utility buildings, and other accessory structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required by the Planning Board to prevent their being incongruous with the existing or contemplated environment and the surrounding properties. All towers, antennas and poles shall be sited, designed and sized to have minimal visual impact on nearby properties.

9.9.13.8 **Safety.** With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of an accident or attempted criminal act. Traffic to and from any facility shall not cause safety hazards or increased

congestion in nearby residential neighborhoods.

- 9.9.13.9 **Heritage.** With respect to the Town's heritage, removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.
- 9.9.13.10 **Microclimate.** With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard-surface ground coverage or the installation of machinery which emits heat, vapor or fumes, shall endeavor to minimize, insofar as practicable, any adverse impact on light, air and water resources or on noise and temperature levels of the immediate environment.
- 9.9.13.11 **Energy Efficiency.** To the maximum extent reasonably practicable, proposals shall utilize energy-efficient technology and renewable energy resources and shall adhere to the principles of energy-conscious design with regard to orientation, building materials, shading, landscaping and other elements. Efforts shall be made to harmonize energy-related components with the character of the building and its surroundings and to prevent adverse effects on the energy consumption of neighboring structures and on the environment.
- 9.9.13.12 **Detrimental Effects.** No proposed facility shall be detrimental to the health, safety or welfare of persons working or living in the neighborhood, or by reason of danger of fire or explosion, environmental pollution, corrosion, toxic or noxious fumes, gas, smoke, soot, dust, odors, noise or vibrations or other hazards.
- 9.9.13.13 **Nearby Properties.** Nearby properties shall be protected against detrimental uses on the site.
- 9.9.13.14 **Specific Standards Washington Street.** Where the nature of the following design features is considered significant to the preservation or enhancement of the desirable visual quality and property values in the Washington Street area, any new structure or alteration shall be harmoniously related to nearby pre-existing structures and the street facade in terms of color, texture, materials, scale, height, setbacks, roof and cornice lines, signs and design elements such as door and window size and location and door and

window detailing, including materials for sills, lintels, frames and thresholds and any other major design elements. All buildings along Washington Street shall have a principal façade and operable entrance facing the street.

- 9.9.13.15 **Exterior Materials.** Exterior walls for the project shall use a combination of architectural masonry materials, including but not limited to brick, glass, stone, stucco, exterior insulation and finishing system (EIFS), high quality siding and shingles, precast concrete architectural panels, stainless steel, split face block. No standard scored or flat face block will be allowed. Stainless steel shall be used solely as accents at entrances or windows, unless otherwise allowed by the Planning Board. Extreme colors shall not be used except as accents at entrances.
- 9.9.13.16 **Rooftop Mechanical Features.** Rooftop mechanical features including heating and air condition units, vents, stacks, mechanical penthouse(s) shall be screened from view at street level by the use of parapet walls or similar screening elements.
- 9.9.13.17 **Air Quality.** Any use whose emissions are such as to cause it to be classified as a major new stationary source of air pollution, as defined by the Environmental Protection Agency (EPA) under the Clean Air Act, and any use required to apply to the Massachusetts Department of Environmental Protection under 310 CMR 7.00 or to EPA under Section 112 of the Clean Air Act for permission to emit asbestos, benzene, beryllium, mercury, vinyl chloride, or radionuclides shall be permitted only upon determination by the Planning Board that compliance with the requirements of those agencies is assured, and that health and safety are adequately protected.
- 9.9.13.18 **Plants and Animals.** Location and design shall not cause avoidable damage to wildlife habitats or corridors, or to any plant species listed as endangered, threatened or of special concern by the Massachusetts Natural Heritage Program, or to any tree with more than a twenty-four (24) inch trunk diameter one (1) foot above grade. An application for a MBD special permit must include documentation to the Planning Board of having consulted with the Conservation Commission and the Massachusetts Natural Heritage Program regarding these considerations, and that the proposed site either contains no such habitats or materials, or that all feasible

efforts to avoid, minimize or compensate for damage have been reflected in the development proposal.

- 9.9.13.19 **Vibration.** Except for blasting and other activities within the jurisdiction of the Board of Fire Prevention Regulations, no use shall be allowed which produces vibration at or beyond the boundaries of the premises exceeding two-thirds (2/3) the frequency/amplitude limitations established by the Board of Fire Prevention Regulations at 527 CMR 13.11 (18) for three (3) minutes or more in any hour between 7:00 am and 9:00 pm or for thirty (30) seconds or more in any hour between 9:00 pm and 7:00 am.
- 9.9.13.20 **Electrical Disturbances.** No EMF emission shall be permitted which adversely affects the operation of any equipment on other properties.
- 9.9.13.21 **Historic and Archaeological Sites.** Location and design shall not cause avoidable damage or impairment to the historic or archaeological value of buildings on sites recorded on the Massachusetts Register of Historic Places. An application for a MUMFROD-EIDR Approval or MUMFROD Special Permit shall include documentation that either the site does not contain or impact such buildings or sites, or that any potential damage or impairment has been effectively mitigated.
- 9.9.13.22 **Solid Waste.** Each development must document arrangements for satisfactory disposal of tree stumps and debris resulting from construction, and must make permanent arrangement for satisfactory on-site storage of refuse and recycling materials pending their removal, such storage to be screened from public view, secure from vermin, birds or other animals, and located to present minimal hazard in the event of fire and minimal threat to water quality in the event of container failure.
- 9.9.13.23 **Water Quality.** Any development under this Section which lies within the Water Resources Protection Overlay District (WRPOD) and which involves a use requiring a special permit under Section 9.3 shall be reviewed pursuant to Section 9.3 with the Planning Board designated as the special permit granting authority. Any use which is prohibited in the Water Resources Protection Overlay District (WRPOD) pursuant to Section 9.3 shall be prohibited in the MUMFROD.

9.9.14 **MUMFROD-EIDR Approval Decision & Conditions.** A MUMFROD-EIDR Approval shall be granted upon the determination of the Planning Board that the application meets the objectives cited in the purpose of this Section and that the proposal is in conformance with requirements of this Section. The Planning Board may impose reasonable conditions, safeguards or limitations on design, time or use at the expense of the Applicant, to promote these objectives and serve the purposes of this Section. The Board may require a performance guarantee to ensure compliance with these conditions.

9.9.15 **Special Permit Decision.** A MUMFROD Special Permit shall be granted upon the determination of the Planning Board that the application meets the objectives cited in the purpose of this Section, that the proposal is in conformance with requirements of this Section, and upon the following positive findings:

9.9.15.1 In cases where a MUMFROD Special Permit allows for residential density in excess of 15 units per acre, the Planning Board must find that the higher residential density is necessary for the project's feasibility, and that said density will have no adverse impact on the public health, public welfare, or public safety of any nearby neighborhood, adjacent properties, or the Town as a whole. Additionally, the Board must find that the fiscal impact from the additional residential units will not have a significant negative fiscal impact on the Town, or that that the Applicant has appropriately mitigated any negative fiscal impact so as to render the project sufficiently beneficial to the Town.

9.9.15.2 In cases where a MUMFROD Special Permit allows for deviations from dimensional requirements of this Section, the Planning Board must find that the alternate dimensional requirements result in an improved project design, and that the resultant project will have no adverse impact on the public health, public welfare, or public safety of any nearby neighborhood, adjacent properties, or the Town as a whole.

9.9.16 **Modifications.** Once a MUMFROD-EIDR Approval or MUMFROD Special Permit has been granted by the Planning Board, any subsequent changes which the Building Commissioner determines to be more than minor in nature, shall require the Planning Board's consideration of a modification of the MUMFROD-EIDR Approval or MUMFROD Special Permit at a duly noticed public meeting. If the Building Commissioner determines that such changes will substantially affect or alter the visual appearance of the building facade or roof or will substantially affect

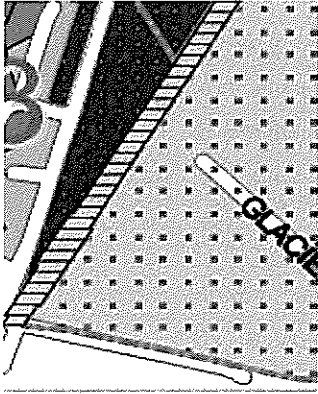
or alter traffic flow or modify the site plan, said changes shall require the Planning Board's consideration of a formal Amendment of the MUMFROD-EIDR Approval or MUMFROD Special Permit at a new public hearing. Alterations determined by the Building Commissioner to be minor in nature, shall be reviewed and considered for approval by the Town Planner. Application and submittal items shall be the same as set forth in this Section. The Town Planner, within 21 days of receipt of a complete application, shall review the application and submittal items for conformance with the standards set forth herein, and shall issue an Administrative Approval, an Administrative Approval with Conditions, or an Administrative Denial of said application. In the case of an Administrative Approval with Conditions or an Administrative Denial, the applicant may apply to the Planning Board for further consideration of the MUMFROD-EIDR Modification Application in the course of a duly noticed public hearing.

9.9.17 **Lapse.** A MUMFROD-EIDR Approval or MUMFROD Special Permit shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within two (2) years following the grant of said approval or special permit by the Planning Board. The Planning Board may extend such approval, for good cause, upon the written request of the Applicant.

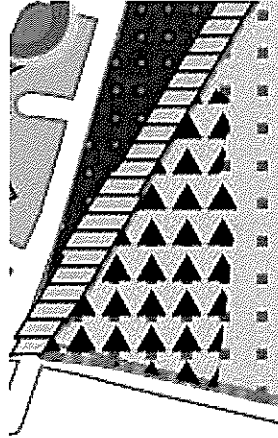
9.9.18 **Reimbursement for Consultants.** It is contemplated that in some cases it will be necessary for the Planning Board to hire consultants in connection with the review and evaluation of applications under this Section. The Planning Board will be reimbursed by the Applicant for the reasonable fees and expenses of such consultants, and each application for an approval or special permit hereunder shall contain an agreement by the Applicant to that effect.

2) Amend the Official Zoning Map to add Mixed-Use & Multi-Family Residential Overlay District (MUMFROD) over 22 Everett Street (Map 23, Lot 226); Everett Street (Map 23, Lot 227); 85-91 University Avenue (Map 33, Lot 019); 95 University Avenue (Map 33, Lot 054); 120 & 130 University Avenue (Map 33, Lot 056).

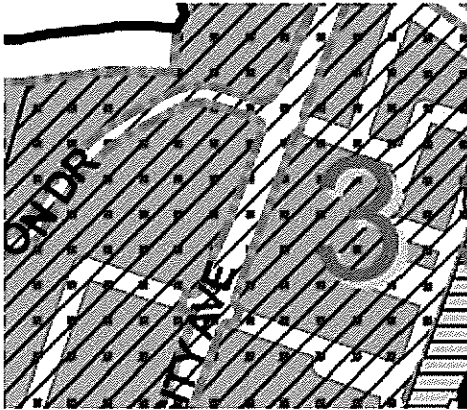
Existing Zoning at Map 23
Lots 226 & 227



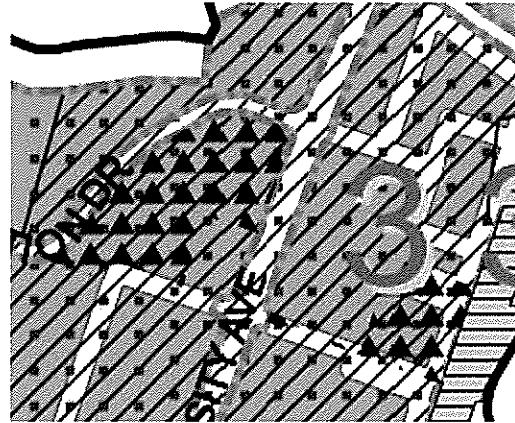
Proposed Zoning at Map 23
Lot 226 & 227



Existing Zoning at Map 33, Lots 019,
054, 056



Proposed Zoning at Map 33, Lots 019,
054, 056



Article 2: Zoning Amendments Relative to Permitting and Approval of Solar Arrays

To see if the Town will vote to approve certain amendments to the Zoning Bylaw related to the permitting and approval process for solar energy facilities as accessory and principal uses, by amending Section 2.0 [Definitions] for “Roof-mounted Solar” and “Other Solar Array” and adding new definitions to Section 2.0, including but not limited to a definition for “Large-scale Solar”; amending Section 4.1.2 [Table of Principal Uses]; and Section 4.3.1 [Table of Accessory Uses]; amending Section 7.3 for Environmental Impact & Design Review; and by adding a new Section 7.7 [Solar Design Review and Approval]; as set forth below, or take any other action in relation thereto:

(New language shown in underlined red font, language to be removed shown with strikethrough.)

- 1) Amend Section 2.0 [DEFINITIONS] as follows:

Ground-mounted and Other Solar Any solar energy system which does not meet the definition of “Roof-mounted Solar” or “Large Scale Solar”.

Roof-mounted Solar Any solar arrays, facilities, or solar photovoltaic installations mounted to the roof or top of a principal building structure and which do not extend or project beyond the principal building’s sides of said structure, roof and at the same pitch as the existing roof.

- 2) Add new definition to Section 2.0 [DEFINITIONS] as follows:

Large Scale Solar Any solar energy system which is not a “Roof-mounted Solar” and which occupies more than 10,000 square feet of surface area or has a capacity greater than 250 kW DC.

- 3) Amend Section 1.1.2 [Table of Principal Uses] to add new 4.1.7.5, 4.1.7.6, and 4.1.7.7 as follows and renumber subsequent sections as needed:

PRINCIPAL USE	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.1.7 OTHER USES													
4.1.7.5 Ground-mounted and Other Solar pursuant to Section 7.7 ¹⁰	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
4.1.7.6 Roof-mounted Solar ¹⁰	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
4.1.7.7 Large Scale Solar pursuant to Section 7.7 ¹⁰	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

- 4) Add new Note 10 to Section 4.2 NOTES FOR TABLE OF PRINCIPAL USES as follows:

¹⁰ All solar energy systems must comply with Section 5.0 [DIMENSIONAL REQUIREMENTS], and 5.2 [TABLE OF DIMENSIONAL REQUIREMENTS], including minimum setback requirements for the district in which they are installed.

- 5) Amend Section 4.3.1 [Table of Accessory Uses] as follows:

ACCESSORY USE	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.3.2 ACCESSORY USES IN ALL DISTRICTS													
4.3.2.6 Roof-mounted Solar ³	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
4.3.2.7 Ground Mounted & Other Solar pursuant to Section 7.7 ³	BA Y	BA Y	BA Y	BA Y	BA Y	BA Y	BA Y	BA Y	BA Y	BA Y	BA Y	BA Y	BA -Y
4.3.2.8 Large Scale Solar pursuant to Section 7.7 ³	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

6) Amend footnote 3 under Section 4.4 [NOTES FOR TABLE OF ACCESSORY USES] as follows:

³ All solar energy systems must comply with Section 5.0 [DIMENSIONAL REQUIREMENTS], and 5.2 [TABLE OF DIMENSIONAL REQUIREMENTS], including minimum setback requirements for the district in which they are installed.

7) Amend Section 7.3 [ENVIRONMENTAL IMPACT AND DESIGN REVIEW] to add a new Section 7.3.2.7 as follows:

7.3.2.7 Solar Arrays, Facilities, and Photovoltaic Installations. Large Scale Solar and Other Solar shall require review and approval pursuant to Section 7.7 of this bylaw. Roof-mounted Solar is not subject to review pursuant to Section 7.3 or Section 7.7 and may be installed upon issuance of applicable Building and Electrical Permits.

7) Add new Section 7.7 [Solar Design Review and Approval] as follows:

7.7.1 Purpose. The purpose of this Section is to facilitate the siting and location of Large Scale Solar and Other Solar, by establishing criteria for the layout, scale, safety and environmental impact of these types of solar energy systems. The intent is to provide more information and regulatory scrutiny to protect the public health, safety, and welfare of the

community, while encouraging broader use and conversion to solar and renewable energy systems with minimal impact to neighborhoods.

7.7.2 Applicability. This Section shall only apply to Large Scale Solar and Other Solar energy systems as defined in Section 2.0 of this Bylaw. Large Scale Solar and Other Solar which is proposed as a principal use, shall be subject to review pursuant to Section 7.7.3. Other Solar not meeting the threshold of a Large Scale Solar, which is proposed as an accessory use, shall be subject to review pursuant to Section 7.7.4. A solar energy system shall be considered a principal use if it is the only use on the parcel or if the footprint of the components of the solar energy system exceeds the footprint of all other structures on the lot. Any review pursuant to this Section shall be limited to review of features related to site placement, setbacks, height, impervious surface, landscaping, screening, and stormwater management provisions consistent with M.G.L. Chapter 40A Section 3.

7.7.3 Planning Board Design Review and Approval. Planning Board Design Review and Approval shall be required for any Large Scale Solar energy facility proposed as a principal use.

7.7.3.1 Procedures. An application for review and approval pursuant to this Section shall be accompanied by a site plan and other application material in accordance with Section 7.7.5. Said application shall be reviewed for compliance with the requirements specified in Sections 7.7.6 through 7.7.14 below and the Planning Board's rules and regulations.

7.7.3.2 Public Hearing. The Planning Board shall hold a public hearing in accordance with its rules and regulations and shall provide its decision forthwith to the Building Commissioner and Applicant.

7.7.3.3 Decision. The Planning Board shall make a determination that the application meets the purpose of this Section and that the proposal poses no negative or adverse impacts to the public health or public safety of the neighborhood. Aesthetics are not a reasonable cause for denial. The Planning Board may impose reasonable conditions at the expense of the Applicant, include conditions related to landscaping and screening requirements.

7.7.4 Administrative Design Review and Approval. Administrative Design Review and Approval shall be required for any Other Solar energy facility proposed as an accessory use.

7.7.4.1 Procedures. An application for review and approval pursuant to this Section shall be accompanied by a site plan and other application material in accordance with Section 7.7.5, unless waived by the Town Planner. Said application shall be reviewed for compliance with the requirements specified in Sections 7.7.6 through 7.7.13 below. The Town Planner shall review the application and shall provide its decision forthwith to the Building Commissioner and Applicant.

7.7.4.2 Decision. The Town Planner shall make a determination that the application meets the purpose of this Section and that the proposal poses no negative or adverse impacts to the public health or public safety of the neighborhood. Aesthetics are not a reasonable cause for denial. The Town Planner may impose reasonable conditions at the expense of the Applicant, include conditions related to landscaping and screening requirements.

7.7.4.3 Further Review by Planning Board. If an Applicant objects to any conditions of an Administrative Approval, the Applicant may apply to the Planning Board for further consideration of the Application. In such an event, the Planning Board shall hold a duly noticed public hearing and consider the Application pursuant to Section 7.7.3.

7.7.5 Submittal Requirements. Applicant shall provide the following documents, as deemed applicable by the Planning Board:

- a) A site plan prepared by a Registered Professional Engineer, Land Surveyor, Landscape Architect, or Architect showing property lines and physical features, including driveways, roads, walks, buildings, any easements, and proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening, vegetation, or structures, setbacks;
- b) Drawings of the solar energy system showing the proposed layout of the system, and potential shading from nearby structures, the distance between the proposed solar system and all property lines and existing buildings and structures, and the highest point of the solar array;
- c) A side view or elevation labelling the proposed height and dimensions of the proposed system;
- d) Documentation of the system components such as the mounting system, panels, and inverter;
- e) The name, contact information of the agent representing the project system;
- f) Photographs of the area proposed for the solar system; and
- g) Operation and Maintenance Plan.

7.7.6. Dimensional Regulations. No component of a solar energy system shall be greater than to twenty (20) feet in height measured from the highest point of the component to the grade directly below.

7.7.7 Placement. No component of a solar energy system shall be located closer than 25 feet from the front lot line. Side and rear yard setbacks must meet the minimum side and rear setbacks set forth in Section 5.0 [DIMENSINAL REQUIREMENTS], 5.2

[TABLE OF DIMENSINAL REQUIREMENTS] for the zoning district in which the solar energy system will be located.

7.7.8 Lot coverage. Ground-mounted solar energy systems shall not be included in the calculations for the lot coverage or impervious cover as defined in Section 2.0.

7.7.9 Signage. Signage to identify the owner and provide 24-hour emergency contact information shall be provided. Solar systems shall not be used for displaying any advertising except for identification of the manufacture or operator of the solar energy system.

7.7.10 Visual Impact. The Planning Board may impose reasonable conditions to minimize visual impacts by preserving natural vegetation, screening abutting properties, or other appropriate measures.

7.7.11 Utility Notification. Proponent shall submit evidence that the property owner has submitted notification to the utility company of the intent to install an interconnected customer-owned generator.

7.7.12 Exterior Lighting Plan. Any exterior lighting shall be consistent with Section 6.4 [EXTERIOR LIGHTING] of the Zoning Bylaw.

7.7.13 Operation & Maintenance Plan. The project proponent shall submit a plan for the operation and maintenance of ground-mounted solar energy system which shall include measures for maintaining safe access to the installation, stormwater controls as well as procedures for operation maintenance of the installation and post installation repairs.

7.7.14 Abandonment or Decommissioning. Any solar energy system abandoned or discontinued shall be fully removed within 90 days after date of discontinued operations by the Owner or Applicant. As a condition of approval, the Planning Board shall require a bond, in a form acceptable to the Town and with no expiration date, or shall place into escrow a sum of money sufficient to cover the costs of removing all components of the solar energy system from the subject property. Said bond or escrow funds shall be held by the Town Treasurer. The Property Owner shall consent to the Town's authority to enter upon the property and to remove the facility, in the event the facility has been abandoned or discontinued without removal by the Owner or Applicant.

Article 3: **Zoning Amendments Relative to Property on High Street in the vicinity of the historic Obed Baker House and Westwood Plaza**

To see if the Town will vote to approve certain amendments to the Official Zoning Map in order to facilitate the redevelopment and reuse of the Obed Baker House and the redevelopment of the adjacent commercial plaza, by changing the zoning designation of the currently undeveloped parcel of land shown on Assessor's Parcel 21 as Lot 43, and the zoning designation of a portion of town-owned land shown on Assessor's Parcel 20 as Lot 72, from Single Residence C (SRC) to Local

Business A (LBA) District; and by expanding the Flexible Multiple Use Overlay District 7 (FMUOD 7/High Street Business District) to include additional parcels; and by making related amendments to the tests of Section 9.5 of the Westwood Zoning Bylaw related to the FMUOD7 overlay district; as set forth below, or take any other action in relation thereto. For initial discussion purposes, the following parcels are proposed to be added to the FMUOD7 overlay district, however, the number and locations of parcels may change during the course of the public hearing, and any parcels within the LBA District may be considered for inclusion within the proposed expansion of the FMUOD7 overlay district: the Obed Baker House property at 909 High Street (Assessor's Parcel 21 as Lot 42), the undeveloped parcel of land adjacent to the Obed Baker House property (Assessor's Parcel 21 as Lot 43), a portion of the town-owned parcel of land providing driveway access to the Obed Baker House property (Assessor's Parcel 20 as Lot 72), and the parcels presently containing the Westwood Plaza known as 911-929 & 915 High Street (Assessor's Map 21 as Lot 40 and Map 21 as Lot 41).

- 1) Amend the Official Zoning Map to change the zoning designation of Assessor's Parcel 21, Lot 43 from Single Residence C (SRC) to Local Business A (LBA);
- 2) Amend the Official Zoning Map to change the zoning designation of a portion of Assessor's Parcel 20, Lot 72 from Single Residence C (SRC) to Local Business A (LBA);
- 3) Amend the Official Zoning Map to expand the FMUOD7/High Street Business District overlay district to include the following parcels:

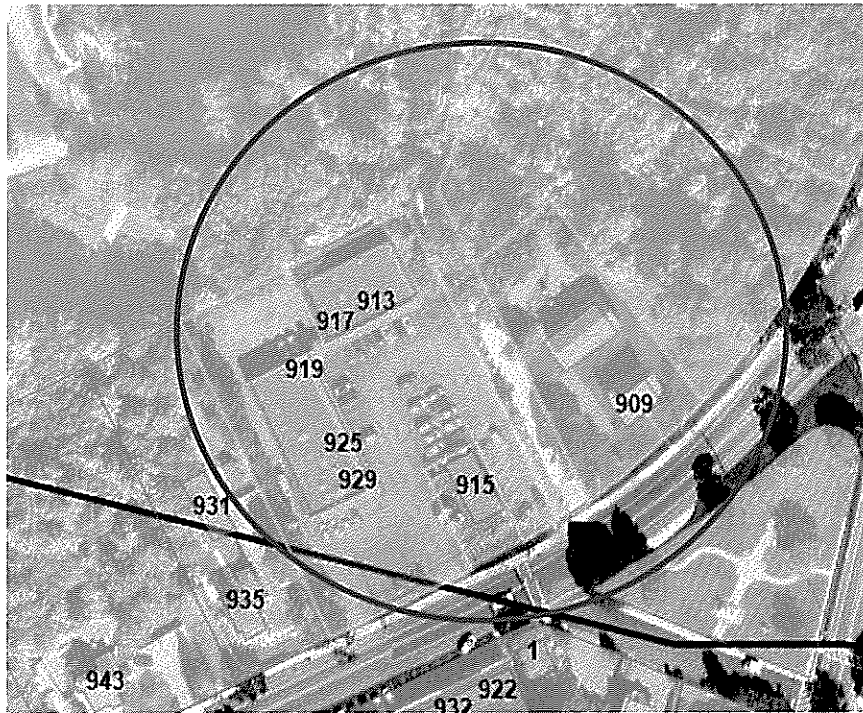
Assessor's Parcel 21, Lot 42 known as 909 High Street containing the Obed Baker House

Assessor's Parcel 21, Lot 43 presently undeveloped lot

Assessor's Parcel 20, Lot 72, portion of municipal lot

Assessor's Parcel 21, Lot 40 known as 911-929 High Street containing Westwood Plaza

Assessor's Parcel 21, Lot 41 known as 915 High Street containing Dunkin Donuts



Article 4: Zoning Amendment Relative to Expansion of Nonconforming Uses & Structures

To see if the Town will vote to approve certain amendments to the Zoning Bylaw to amend Section 4.5.3 [Nonconforming Structures], including but not limited to amendments to Section 4.5.3.3 [Variance Required for New or Expansion of Nonconformity] to allow alterations to nonconforming properties by special permit rather than variance, when determined appropriate by the Building Commissioner; as set forth below, 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 4.5.3.3 as follows:

4.5.3.3 Variance or Special Permit ~~r~~Required for New or Expansion of Nonconformity. In the event that the Building Commissioner determines that a proposed alteration to a nonconforming structure increases the nonconformity or results in a new nonconformity and does not meet the requirements of Section 4.5.3.1 nor of Section 4.5.3.2, it is at the discretion of the Building Commissioner as to whether any proposed additional nonconformities will be substantially more detrimental to the neighborhood than the existing nonconforming structure. If in the opinion of the Building Commissioner, the proposal is more detrimental, a variance is shall be required in accordance with Section 10.4 of this bylaw. If the Building Commissioner determines

that the additional nonconformities are de minimus or are not substantially more detrimental to the neighborhood than a special permit shall be required. If the nonconforming nature of a structure would be increased by the proposed alteration, a variance from Board of Appeals shall be required to allow such alteration. In addition, no nonconforming structure, commercial or residential, shall be altered to accommodate a substantially different use, or to accommodate the same use in a substantially different manner or to a substantially greater extent, unless a variance allowing said alteration is granted by the Board of Appeals.

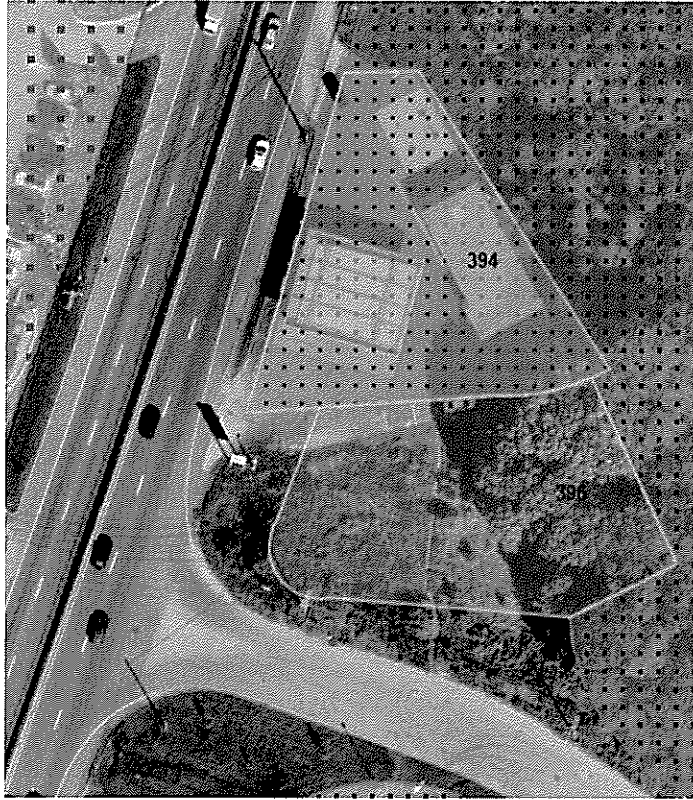
Article 5: Zoning Map Amendment Relative to 394 & 396 Providence Highway

To see if the Town will vote to approve certain amendments to the Official Zoning Map to change the zoning designation of the parcel of land at 394 Providence Highway as (Assessor's Map 24, Lot 82) from Industrial Office (IO) District to Highway Business (HB) District, and to include the currently unzoned parcel of land at 396 Providence Highway (Assessor's Map 24, Lot 3) within the Highway Business (HB) District; and expand the Wireless Communications Overlay District (WCOD) and the Flexible Multiple Use Overlay District 4 (FMUOD4) to overlay said parcels; as set forth below, or take any other action in relation thereto:

- 1) Amend the Official Zoning Map to change the zoning designation of the parcel of land shown as Assessor's Map 24, Lot 82 from Industrial Office (IO) District to Highway Business (HB) District;
- 2) Amend the Official Zoning Map to change the zoning designation for the parcel of land shown as Assessor's Map 24 Lot 3 from unzoned to Highway Business (HB) District;
- 3) Amend the Official Zoning Map to expand the Wireless Communications Overlay District (WCOD) and Flexible Multiple Overlay District 4 (FMUOD4) to include the following parcels:

Assessor's Parcel 24, Lot 82 known as 394 Providence Highway
Assessor's Parcel 24, Lot 3 known as 396 Providence Highway

<p>Article Summary: Owner requests zoning change to facilitate the redevelopment of the existing Shell service station. Proposed redevelopment includes new light motor vehicle service use for fueling station with canopy, convenience retail store, and drive-through. The undeveloped lot was previously owned by the state and part of the right-of-way for Providence Highway without a zoning designation. The Shell station at 394 Providence Highway is a presently a nonconforming use in the IO zoning district. The Owner requests re-zoning to redevelop at the existing lot and the adjacent parcel at 396 Providence Highway.</p>
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Article 6: Housekeeping

To see if the Town will vote to approve certain housekeeping amendments to various sections of the Westwood Zoning Bylaw and/or the Official Zoning Map as may be necessary to correct errors or inconsistencies and to clarify such sections, which may be discovered prior to the conclusion of the public hearing, or take any other action in relation thereto.

The complete text and material are available for viewing on the Town’s website under “Current Applications Link” for the Planning Board at www.westwoodpermit.org and under the Planning Division’s “Zoning Amendments” webpage. Interested persons are encouraged to attend the public hearing via Zoom to make their views known to the Planning Board. The final meeting agenda and zoom information will be provided on the Town’s meeting calendar on the website 3-5 days in advance at: <https://www.townhall.westwood.ma.us/> or you may sign up for an email notification when the meeting is posted at: <https://www.townhall.westwood.ma.us/our-town/stay-connected/website-e-notification>

Westwood Planning Board

Transcript & Bulletin Advertising Dates: Thursday, January 13, 2022 and Thursday, January 20, 2022



Commonwealth of Massachusetts
Westwood Finance and Warrant Commission
580 High Street
Westwood, MA 02090
781.314.1994
Jane O'Donnell - Administrator

FINANCE AND WARRANT COMMISSION
2021/22 SUB-COMMITTEE ASSIGNMENTS

Municipal:

Chair: Lauren FitzPatrick
Vice: Alex Yale
Members: Jim Ferraro, Angeila Hughes, New Member (to replace Nadine Moujahed)

Education:

Chair: Bill Bruce
Vice: George Laham
Member: Mike Gay

Planning/C&ED (including OPEB):

Chair: Chris Poreda
Vice: Caitlyn Jurczak
Members: Kristina Patyjewicz, Chris Poreda (OPEB)

Financial Planning:

Chair: Tom Kilgarriff
Vice: Dianne McCarthy & George Hertz

Westwood Finance and Warrant Commission
DECEMBER 2021 MEETING
Wednesday, December 01, 2021
ZOOM Webinar
6:00 PM
Meeting Minutes

Pursuant to Chapter 20 of the Acts of 2021, On June 16, 2021, Governor Baker signed into law an Act Extending Certain COVID-19 Measures Adopted during the State of Emergency. This Act includes an extension, until April 1, 2022, of the remote meeting provisions of his March 12, 2020, Executive Order. This meeting will be conducted via both in-person & remote means. Members of the public who wish to access the meeting may do so either in-person or by using the Webinar link below. In-person attendance of members of the public will be permitted based on space availability and following CDC, State and Local guidelines, every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means and in-person. In the event that we are unable to do so, for reasons of economic hardship and despite best efforts, we will post on the Town website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

WESTWOOD MEDIA CENTER LIVE STREAM OF FINCOM MEETING:

The meeting will be live streamed by Westwood Media Center and the public can view the meeting [here](#). Our government channels will be broadcasting the meeting on Comcast channel 12 and Verizon channel 42.

The public is encouraged to watch our meeting via Westwood Media Center live stream and join via Zoom webinar as instructed below. The public will be allowed to make comments, if they wish to do so, during the portions of the meeting designated for public comment.

Please click the link below to join the webinar:

JOIN ZOOM MEETING:

You are invited to a Zoom webinar.

When: Dec 1, 2021 06:00 PM Eastern Time (US and Canada)

Topic: Finance and Warrant Commission

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85822284468?pwd=OHBIUFZ6bkM2bjQ0Q0xoSWRJOWEzOT09>

Passcode: 781479

Or Telephone:

833 548 0276 (Toll Free) or 833 548 0282 (Toll Free) or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)

Webinar ID: 858 2228 4468

FinCom Chair Dianne McCarthy called the meeting to order at 6:00 PM and welcomed members to the December Zoom Webinar.

Finance and Warrant Commission member Angeila Hughes was not present.

The Chair then granted permission to Westwood Media Center to live stream and record the meeting. She also asked if anyone else would like to record this meeting.

Chair McCarthy made introductory comments. She also informed members that one of her goals going into the 2022 Annual Town Meeting season was to keep the meetings organized, tight and on-time to make best use of the members, presenters and residents time. She then welcomed all participants; remote members, presenters and members of public and press to the FinCom December meeting. Ms. O'Donnell then called the ROLL.

Members were previously provided with the final agenda packet for this meeting and came prepared to hear all presentations.

The Chair then led members in the Pledge of Allegiance.

The Evening's Presenters:

- Abby McCabe – Town Planner

Also attending Director of C&ED Nora Loughnane and Planning Board Chair Chris Pfaff

- Pam Dukeman – Assistant Town Administrator/Finance Director

The Chair introduced the evening's first presentation. Town Planner Abby McCabe then introduced potential Zoning Articles for 2022 Annual Town Meeting including: Housing Choice legislation relative to multi-family housing. Discussion centered on zoning amendments to comply with Section 18 of Chapter 358 of the Acts of 2020 "An Act Enabling Partnerships for Growth" adding new section 3A to the Zoning Act of MGL 40A.

- By-right multi-family housing zoning within 1/2 mile of train station for MBTA Communities.
- Housing choices such as allowing accessory dwelling units, starter home zoning, and smart growth 40R districts.

After her extensive and detailed presentation, Abby, Nora and Chris spent considerable time answering members' questions. Chair McCarthy then thanked them for an excellent job and

asked members to forward any additional questions to Ms. O'Donnell who would then send those questions out to Abby for follow-up.

The Chair then welcomed Assistant Town Administrator/Director of Finance Pam Dukeman who was present to give what has become an annual event where Ms. Dukeman presents a budget overview for members. This is always particularly helpful to both new and newer members, especially going into the annual town meeting season. It also serves as a great refresher to seasoned members and to members of the public as well.

Ms. Dukeman then presented *The Town of Westwood - A Budget Overview*. This presentation gives the many aspects of managing the Town's finances, which she presented in great detail providing extensive knowledge. After an expanded period for questions by members and answers given in detail by Pam, the Chair and members expressed gratitude and appreciation for Ms. Dukeman's commitment to providing the important information on the many financial details that go into managing the Town's financial health, particularly the time she spent explaining Prop 21/2 and how it impacts the tax rates in Town, specifically in aiding our senior residents. The Chair thanked both Ms. McCabe and Ms. Dukeman and their colleagues for their excellent work and for answering so fully the many questions on the members' minds.

Chair McCarthy then entertained questions from the public and press. Not seeing anyone in the chat, the Chair suggested to move on to approve minutes of the September 20, 2021 Public Hearing. She did this after spending a moment reminding members to submit their sub-committee preferences. The Chair asked Ms. O'Donnell to please resend the Mentor assignments so that those members could meet prior to the kick-off of the FinCom season in January 2022.

The Chair also promised to try to attend Select Board (SB) meetings as often as possible in the future with the goal of keeping members up to speed on relevant SB business. She also said that she would welcome any volunteers who would also like to take a turn going to a few of those meetings as part of a voluntary rotation.

Ms. McCarty then asked if there was any "New Business" before she called for a motion to approve the minutes. Several members expressed their serious concerns regarding one member, Mr. Ittig, misrepresenting his personal opinion as the minority report of the Commission. Members felt this behavior undermined the integrity of the Commission. Mr. Ittig responded. It was clarified that there is only one Report of FinCom on this matter: *2021*

Westwood Finance and Warrant Commission Warrant and Recommendations for the Special Town Meeting regarding the Hanlon-Deerfield Project.

The Chair asked for a motion to approve the minutes from the September Public Hearing. Mr. Hertz so moved. Mr. Ittig made a motion to amend the minutes to add the members who were not present as not voting at the public hearing. Mr. Poreda seconded this motion. A vote was taken on the amendment, with 13 members opposed and one member in favor. Mr. Ittig then made a motion to amend the minutes to state that the Commission did not take a vote to review or approve the write-up in the FinCom official Recommendation prior to mailing to the public. This motion was not seconded. Hearing no other comments on the minutes, the Chair then asked for a second to the motion previously made to approve the minutes. The motion was seconded by Mr. Yale with a vote of 13 members in favor and one opposed.

In closing, the Chair reminded members to get their sub-com preferences to Jane. The Chair also noted that there were many questions from members re: the zoning amendment. She requested that those interested in this amendment attend or listen to the Planning Board Meetings where this is discussed so they are informed prior to Fin Com meetings. The Chair heartily thanked all members for all their input at this meeting and then asked for a motion to adjourn. A motion was offered and seconded. A ROLL CALL vote was taken in favor unanimously.

Meeting Adjourned at 8:24PM

For a complete video of the 12/01/21 FinCom meeting please see the following link:
<https://westwoodmediacenter.tv/>