

**FINANCE & WARRANT COMMISSION  
PUBLIC HEARING**

**PLANNING BOARD ZONING ARTICLES**

March 1, 2022

**ARTICLE I**  
**MIXED-USE & MULTI-FAMILY RESIDENTIAL OVERLAY**  
**DISTRICT (MUMFROD)**

In 2020, State Zoning Act Amendments were enacted by the Legislature to promote the production of multi-family housing within walking distance of public transportation, in order to address a severe regional housing shortage.



Gables Residential at University Station

**The New Law:**

“M.G.L. c. 40A, §3A (a)(1) An MBTA community ***shall*** have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right...”

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**Key Components of the Law**

MBTA Communities *shall* amend their Zoning Bylaws to include:

- At least one zoning district of a reasonable size
- Located within ½ mile of a train station or bus stop
- Suitable for families with children (no age or bedroom restrictions)
- With a minimum gross residential density of 15 units per acre
- Multi-family permitting process cannot be discretionary

# DENSITY EXAMPLES

85-95 University Station  
350 apartments = **51.9** units per acre



120-130 University Avenue  
100 condos = **36.4** units per acre

# DENSITY EXAMPLES

282-298 Washington Street  
18 Condos = **21.7** units per acre



672 High Street  
6 condos = **13.6** units per acre

# DENSITY EXAMPLES

321 Washington Street  
12 Apartments = **12.6** units per acre



401 Washington Street  
9 apartments = **8.6** units per acre



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**Draft Guidelines define Westwood as a “Bus Community”**

- Housing unit capacity requirement = 20% of total housing stock
- $.20 \times 5,801 = 1,160$  total possible housing unit
- $1,160 / 15$  units per acres = **77 acres** total district size

**If Final Guidelines define Westwood as a “Commuter Rail Community”**

- Housing unit capacity requirement = 15% of total housing stock
- $.15 \times 5,801 = 870$  total possible housing units
- $870 / 15$  units per acres = **58 acres** total district size



# WESTWOOD'S PROPOSAL:

## Draft Guidelines Propose:

- 870 unit capacity for Commuter Rail Community
- 450 existing + capacity for 420 additional units
- 28 acres at 15 units per acre

## Westwood Proposes:

- 552 total unit capacity proposed
- 450 existing + capacity for 102 additional units
- 16.5 acres at 15 units per acre
- Overlay District to include Gables, University Place and 22 Everett Street
- Reasonable Size for Westwood



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**University Station Area in Overlay District:**



University Place by Pulte Homes  
100 two-bedroom condos



Gables Residential  
350 one & two-bedroom apartments



# ARTICLE I MIXED-USE & MULTI-FAMILY RESIDENTIAL OVERLAY DISTRICT (MUMFROD)

## Everett Street Area in Overlay District:



Foster Block Property - 22 Everett Street  
capacity for 102 housing units



**ARTICLE I**  
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**DISTRICT (MUMFROD)**

Section 9.9 - Mixed-Use & Multi-Family Residential Overlay District (16 pages) would be added to the Zoning Bylaw.

**Sets Dimensional Requirements and Planning Board Application process:**

- EIDR permit application process allows proposals up to 15 units per acre
- Planning Board public hearing process with abutter notification
- Height, setback, parking requirements, drainage review, lighting reviewed
- 15% of proposed units required to be affordable, 85% units are market rate
- 10% of units must have at 3 bedrooms

# PROPOSED MUMFROD ZONING

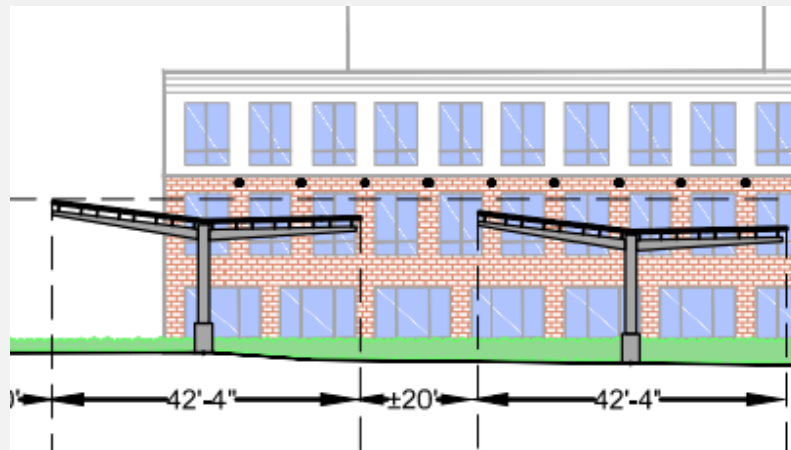
## **Potential Development of 22 Everett Street under new zoning:**

- Allows up to 102 housing units
- Requires 10 3-bedroom units
- Remaining 92 units could be 1-bedroom or 2-bedroom
- 87 units would be market rate units
- 15 units would be affordable units
- 2 of the affordable units must be 3-bedroom units

# ARTICLE 2

## PERMITTING FOR SOLAR ARRAYS

- Adds new Section 7.7 Solar Design Review Approval
- Amends the permit approval process for solar arrays
- More consistent with State Law protecting against unreasonable regulation.



# ARTICLE 2

## PERMITTING FOR SOLAR ARRAYS

### Solar Panels on a Structure

- Building & Electrical permits only

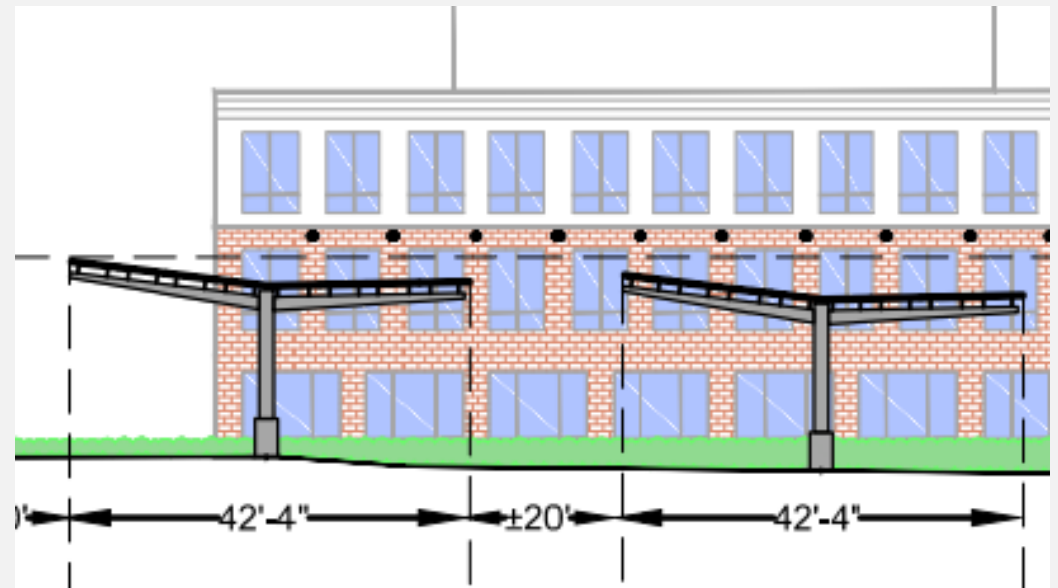


# ARTICLE 2

## PERMITTING FOR SOLAR ARRAYS

### Solar Panels Not on a Structure

- Administrative Town Planner Review\*
- Building & Electrical permits



\*Height Restrictions:

- Maximum height for ground mounted 25 ft.
- Minimum Height when over commercial parking 14 ft.



# ARTICLE 2

## PERMITTING FOR SOLAR ARRAYS

### Large Scale Solar\*

- Planning Board EIDR Public Hearing
- Building & Electrical Permits

\*Large Scale Solar:

greater than 10,000 sq. ft. and  
not on a structure



# ARTICLE 3 – HIGH STREET REZONING

## LBA & FMUOD-7 AT 909-929 HIGH ST.

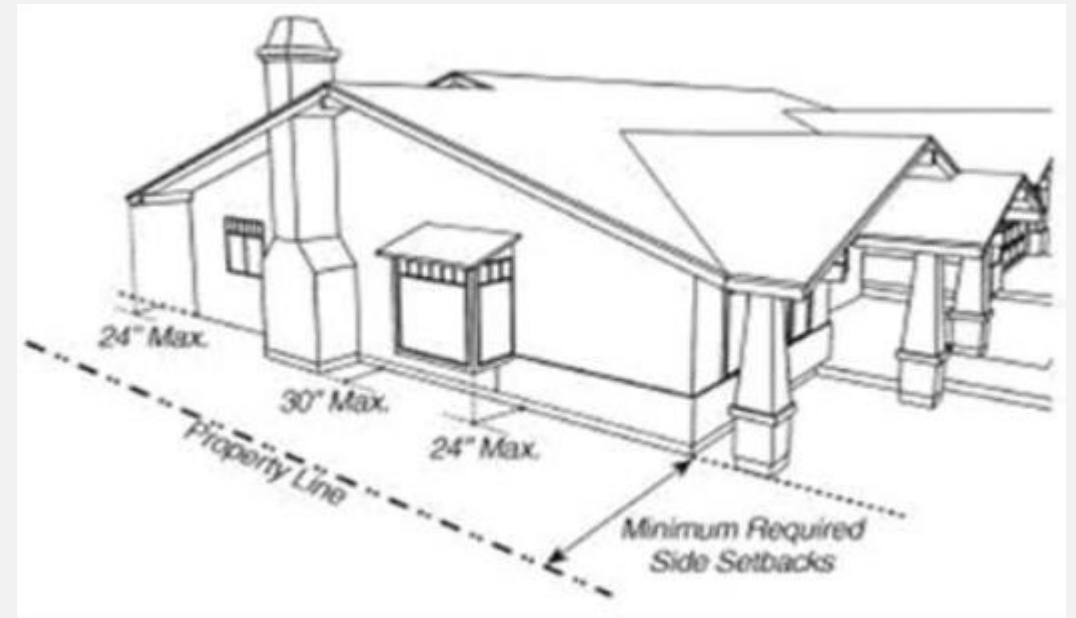
- To facilitate adaptive re-use of the historic Obed Baker House
- To provide additional development opportunities for adjacent commercial plaza
- Re-zone two SRC areas to LBA
- Expand FMUOD to include these LBA parcels





## ARTICLE 4 EXPANSION OF NON-CONFORMING PROPERTIES

- In 2017, zoning changed to make it harder for structures to be altered that created new non-conformities by creating new variance process for non-conforming structures.
- Court cases have determined that nonconforming structures should have more flexibility for alterations not substantially more detrimental to the neighborhood.



## ARTICLE 4

### EXPANSION OF NON-CONFORMING PROPERTIES

4.5.3.3 **Variance or Special Permit 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, the Building Commissioner shall determine whether any proposed additional or increased nonconformities will be substantially more detrimental to the neighborhood than those that currently exist. 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 4**

### **EXPANSION OF NON-CONFORMING PROPERTIES**

- Provides special permit option for alterations not considered substantially more detrimental to the neighborhood.
- Building Commissioner determines how the ZBA will hear the application
- If minor, special permit with ZBA (public hearing with abutter notification)
- If major, variance with ZBA (public hearing with abutter notification)

# ARTICLE 5

## 394 & 396 PROVIDENCE HIGHWAY

- Existing gas station and retail building looking to be renovated
- Amend zoning to Highway Business (HB) to create a conforming use
- Expand HB and overlay districts WCOD, FMUOD to both parcels



# ARTICLE 5

## 394 & 396 PROVIDENCE HIGHWAY

Existing Zoning



Proposed Zoning





# ARTICLE 6

## HOUSEKEEPING

- To correct typos and errors only
- Amend Section 3.1.3 Overlay Districts to add the following overlay districts to the list of districts as follows:
  - ❖ University Station Avenue Mixed Use Overlay District (UAMUD)
  - ❖ Substance Rehabilitation Facility Overlay District (SRFOD)
- Amend Section 6.1.2 [Table of Parking Requirements] Section 6.1.5.3 “Office of a doctor or dentist not a resident on premises” to “Office of a Health Care Professional”.
- Amend Section 4.4.1 [Home Occupations] to correction the section numbering
- Clarify which state department in an existing definition for “personal kennel”

## NEXT STEPS?

- Planning Board vote to continue zoning public hearing to **Tuesday, March 8 at 7:00 pm** on Zoom
- Tues. March 29 - Fin Com continued public hearing
- Mon. May 2 - Annual Town Meeting vote on all warrant articles
- Sign up for meeting notification emails:  
<https://www.townhall.westwood.ma.us/our-town/stay-connected/website-e-notification>



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