



# TOWN OF WESTWOOD

COMMONWEALTH OF MASSACHUSETTS

## OFFICE OF THE TOWN CLERK

*Dorothy A. Powers, MMC, CMMC*

Town Clerk  
Justice of the Peace  
Notary Public

POSTING DATE: September 2, 2022  
NORFOLK, SS.

**TO EITHER OF THE CONSTABLES IN THE TOWN OF WESTWOOD IN SAID COUNTY:**

### GREETING:

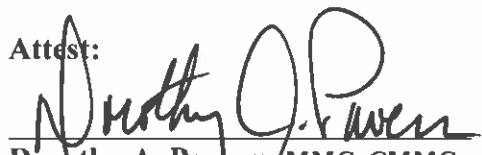
In the name of the Commonwealth of Massachusetts you are hereby directed to post in at least five public places in the Town in each of the five precincts, copies of the attached Amendments to the Town Zoning By-laws.

These amendments were voted under **Articles 19,20,21 and 23** of the Warrant for the 2022 Annual Town Meeting, which meeting was held on May 2, 2022.

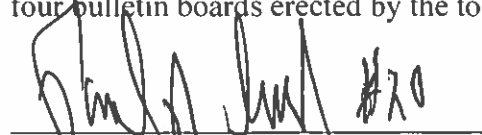
Any claim of invalidity by reason of any defect in the procedure of adoption or amendment of the aforementioned bylaws may only be made within ninety days of the date of the posting of this notice. Copies of the bylaws are available in the office of the Town Clerk, Town Hall, 580 High Street, Westwood, Massachusetts.

Hereof fail not and make due return upon this warrant with your action thereon to the Town Clerk.

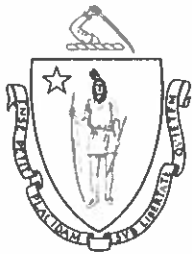
Attest:

  
Dorothy A. Powers, MMC, CMMC  
Town Clerk

By virtue of this warrant, I have this day posted attested copies of the amendment to the Zoning Bylaws of the Town of Westwood voted under the aforementioned articles of the 2022 Annual Town Meeting on four bulletin boards erected by the town in public places in each of the five precincts of the Town.

  
Sgt. Paul Sicard, Constable

WESTWOOD TOWN CLERK  
RCVD 2022 SEP 2 PM 2:32



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION  
10 MECHANIC STREET, SUITE 301  
WORCESTER, MA 01608

MAURA HEALEY  
ATTORNEY GENERAL

**RECEIVED**  
By Town Clerk at 3:38 pm, Aug 29, 2022

(508) 792-7600  
(508) 795-1991 fax  
www.mass.gov/ago

August 29, 2022

Dorothy Powers, Town Clerk  
Town of Westwood  
580 High Street  
Westwood, MA 02090

Re: Westwood Annual Town Meeting of May 2, 2022 -- Case # 10614  
Warrant Articles # 18, 19, 20, 21, 22, 23 (Zoning)

Dear Ms. Powers:

Articles 19, 20, 21, and 23 - We approve Articles 19, 20, 21, and 23, and the map changes voted under Articles 19 and 21, from the May 2, 2022 Westwood Annual Town Meeting. We will send the approved maps to you by regular mail.

Articles 18 and 22 - We have retained Articles 18 and 22 for further review. We will issue our decision on Articles 18 and 22 on or before August 31, 2022.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,  
MAURA HEALEY  
ATTORNEY GENERAL

*Kelli E. Gunagan*

By: Kelli E. Gunagan  
Assistant Attorney General  
Municipal Law Unit  
10 Mechanic Street, Suite 301  
Worcester, MA 01608  
(508) 792-7600

cc: Town Counsel Patrick Ahearn



**TOWN OF WESTWOOD**  
COMMONWEALTH OF MASSACHUSETTS  
**OFFICE OF THE TOWN CLERK**

*Dorothy A. Powers, M.M.C. & M.M.C.*

Town Clerk  
Justice of the Peace  
Notary Public

**To Whom It May Concern:**

**I hereby certify the following action taken under Article 19 of the Warrant for the Annual Town Meeting held on May 2, 2022:**

**Annual Town Meeting Article 19: Zoning Amendments Relative to Property on High Street in the Vicinity of the Historic Obed Baker House and Westwood Plaza**

The Finance and Warrant Commission recommended and the Town voted by a 2/3 voice vote in favor declared by the Moderator 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 text of Section 9.5 of the Westwood Zoning Bylaw related to the FMUOD7 overlay district; as set forth below:

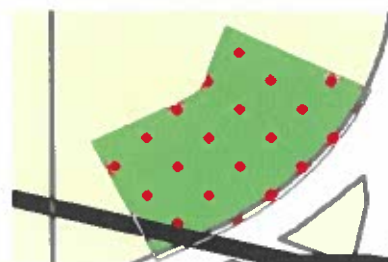
- 1) Amend the Official Zoning Map to change the zoning designation of Assessor's Parcel 21, Lot 43 from Single Residence C (SRC) to Local Business A (LBA);
- 2) Amend the Official Zoning Map to change the zoning designation of a portion of Assessor's Parcel 20, Lot 72 from Single Residence C (SRC) to 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

Existing Zoning Map:



Proposed Zoning Map Change:



4) Amend Section 9.5.8.8 of the Westwood Zoning Bylaw to add "Animal Hospital or Clinic" as a permitted use within the FMUOD7/High Street Business District overlay district, as follows:

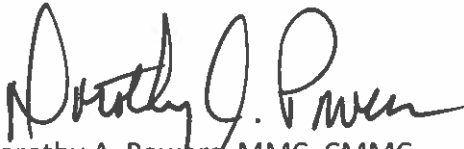
9.5.8.8 Additional Uses Permitted by FMUOD Special Permit in FMUOD7:

9.5.8.8.1 Multi-family dwelling.

9.5.8.8.2 Animal Hospital or Clinic.

Witness my hand and seal of the Town of Westwood this 1<sup>st</sup> day of September, 2022

Attest:



Dorothy A. Powers, MMC, CMMC  
Westwood Town Clerk

*\*\* Approved by the Attorney General-8/29/2022-Case# 10614*



TOWN OF WESTWOOD  
COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE TOWN CLERK

*Dorothy A. Powers, MMC, CMMC*

Town Clerk  
Justice of the Peace  
Notary Public

**To Whom It May Concern:**

**I hereby certify the following action taken under Article 20 of the Warrant for the Annual Town Meeting held on May 2, 2022:**

**Annual Town Meeting Article 20: Zoning Amendment Relative to Expansion of Nonconforming Structures**

The Finance and Warrant Commission recommended and the Town voted by a 2/3 voice vote in favor declared by the Moderator 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:

1) Amend Section 4.5.3.3 as follows:

- 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 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. 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.

*Witness my hand and seal of the Town of Westwood this 1st day of September, 2022*

Attest:

*Dorothy A. Powers*  
Dorothy A. Powers, MMC, CMMC  
Westwood Town Clerk

**\*\* Approved by the Attorney General-8/29/2022-Case# 10614**



TOWN OF WESTWOOD  
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*Dorothy A. Powers, MMC, CMMC*

Town Clerk  
Justice of the Peace  
Notary Public

**To Whom It May Concern:**

**I hereby certify the following action taken under Article 21 of the Warrant for the Annual Town Meeting held on May 2, 2022:**

**Annual Town Meeting Article 21: Zoning Map Amendment Relative to 394 & 396 Providence Highway**

The Finance and Warrant Commission recommended and the Town voted by a 2/3 voice vote in favor declared by the Moderator 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:

- 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

*Witness my hand and seal of the Town of Westwood this 1st day of September, 2022*

Attest:

Dorothy A. Powers, MMC, CMMC  
Westwood Town Clerk

**\*\* Approved by the Attorney General-8/29/2022-Case#10614**



# TOWN OF WESTWOOD

COMMONWEALTH OF MASSACHUSETTS

## OFFICE OF THE TOWN CLERK

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Town Clerk  
Justice of the Peace  
Notary Public

### To Whom It May Concern:

**I hereby certify the following action taken under Article 23 of the Warrant for the Annual Town Meeting held on May 2, 2022:**

#### **Annual Town Meeting Article 23: Housekeeping**

The Finance and Warrant Commission recommended and the Town Unanimously voted by a 2/3 voice vote in favor declared by the Moderator 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, as set forth below:

- 1) 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)
- 2) 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".
- 3) Amend Section 2 [DEFINITIONS] by adding Massachusetts Department of Agricultural Resources (MDAR) to the definition for Personal Kennel so that the amended definition reads as follows:  
Personal kennel - a pack or collection of 4 or more dogs, 3 months old or older, owned or kept under single ownership, for private personal use; provided, however, that breeding of personally owned dogs may take place for the purpose of improving, exhibiting or showing the breed or for use in legal sporting activity or for other personal reasons; provided further, that selling, trading, bartering or distributing such breeding from a personal kennel shall be to other breeders or individuals by private sale only and not to wholesalers, brokers or pet shops; provided further, that a personal kennel shall not sell, trade, barter or distribute a dog not bred from its personally-owned dog; and provided further, that dogs temporarily housed at a personal kennel, in conjunction with an animal shelter or rescue registered with the Massachusetts Department of Agricultural Resources (MDAR), may be sold, traded, bartered or distributed if the transfer is not for profit.
- 4) Amend Section 4.4.1 [Home Occupations] to correction the section numbering as follows:
  - 4.4.1 **Home Occupations.** Home Occupations may be permitted subject to the conditions below:
    - 4.4.1.1 Not more than two (2) persons other than the residents of the premises shall be regularly employed thereon in connection with such use;
    - 4.4.1.2 No stock in trade shall be regularly maintained except for products of the occupation itself, or for goods or materials customarily used incidental to its performance;
    - 4.4.1.3 Such use shall not produce noise or other effects observable at the lot lines in amounts exceeding those normal to residential property;
    - 4.4.1.4 No external change shall be made which alters the residential appearance of the buildings or structures on the premises; and
    - 4.4.1.5 There shall be no exterior display or other outward evidence that the premises are being used for any purpose other than residential (except for a sign as herein permitted).

Witness my hand and seal of the Town of Westwood this 1<sup>st</sup> day of September, 2022

Attest:

*Dorothy A. Powers*  
Dorothy A. Powers, MMC, CMMC  
Westwood Town Clerk

\*\* Approved by the Attorney General-8/29/2022-Case#10614