

AGENDA

FINANCE AND WARRANT COMMISSION FEBRUARY 2024 PUBLIC HEARING

TUESDAY, FEBRUARY 27, 2024 AND WEDNESDAY, FEBRUARY 28, 2024 (if needed)

IN PERSON

Westwood Public Library – Community Meeting Room

7:00 P.M.

-
- A. Call to Order at 7:00 P.M.
 - B. Grant permission to Westwood Media Center to live stream and videotape the meeting. Ask if anyone else wishes to record this meeting.
 - C. Welcome all participants including members, presenters, and members of the public and press.
 - D. Pledge of Allegiance.
 - E. **Member Roll-Call.**
 - F. Chair's Introductory Remarks –.
 - G. **Presenter(s):** Marianne LeBlanc Cummings [Select Board Chair], Christopher Coleman [Town Administrator], Stephanie McManus [Asst. Town Administrator/Finance Director], Molly Kean [Asst. Town Administrator/HR Director], Pat Ahearn [Town Council], Members of the Select Board, Members of the Charter Review Committee– 2024 ATM “Select Board” Warrant Articles
 - H. **Presenter(s):** Nora Loughnane [Director of Community & Economic Development], Elijah Romulus [Town Planner], Ellen Larkin Rollings [Planning Board Chair], Amanda Wolfe [Housing and Land Use Planner], Members of the Planning Board- 2024 ATM “Planning Board” Warrant Articles
 - I. Chair's update –
 - Subcommittees will be presenting at the March 12th meeting.
 - Article Write up assignments for ATM book.
 - J. Vice Chair's update -Preparation for subcommittee reports for the ATM book.
 - K. Other business that may properly come before the board -.
 - L. Old Business – Approval of 02.12.24 Minutes.
 - M. Public and Press -
 - N. Adjournment – **Roll-Call Vote.**

**see next page for list of warrant articles

SELECT BOARD

Select Board-1: Street Acceptance – Ellis Street (a portion of)

This is a standard article to present a private road, that has been constructed and/or brought up to Town's standards, for acceptance as a Town way.

Select Board-2: Street Acceptance – Porter Street (a portion of)

This is a standard article to present a private road, that has been constructed and/or brought up to Town's standards, for acceptance as a Town way.

Select Board-3: Street Acceptance – Hedgerow Lane

This is a standard article to present a private road, that has been constructed and/or brought up to Town's standards, for acceptance as a Town way.

Select Board-4: General Bylaw Amendment – Dog Leash Requirements

This article is intended to see if the Town will vote to approve certain amendments to the Westwood General Bylaw Chapter 184 [Animals] to require that all dogs be leashed and under control while on public property unless within an area designated, identified, and authorized for dogs to be off-leash, to clarify various terms used throughout Chapter 184, and to modify fines prescribed in Chapter 184 for compliance with applicable state law.

Select Board-5: Home Rule Petition – An Act to Establish Quorum Requirement Solely to Open Meeting

This article is intended to see if the Town will vote to authorize the Select Board to file a home rule petition for special legislation to amend the Town Charter to provide that while a quorum is required to open a town meeting, no quorum requirements shall thereafter apply.

Select Board-6: Home Rule Petition – An Act Changing the Town Clerk Position from Elected to Appointed

This article is intended to see if the Town will vote to authorize the Select Board to file a home rule petition for special legislation to amend the Town Charter to change the Town Clerk position from elected to appointed, provided, however, that the current Town Clerk shall serve until her tenure expires, and, should she continue to serve as clerk at that time, she shall be the first appointed town clerk.

Select Board-7: Home Rule Petition- An Act Authorizing a Finance and Warrant Commission of Eleven (11) to Fifteen (15) Members

This article is intended to see if the Town will vote to authorize the Select Board to file a home rule petition for special legislation to amend the Town Charter to provide for a Finance and Warrant Commission of 11 to 15 members and to clarify that members of the Commission may serve on other committees in an ex officio capacity only.

Select Board-8: Home Rule Petition - An Act Restructuring the Personnel Board Role

This article is intended to see if the Town will vote to authorize the Select Board to file a home rule petition for special legislation to amend the Town Charter to restructure the Personnel Board, to change its function to advisory.

Select Board-9: Home Rule Petition – An Act Making Changes to the Permanent Building Commission

This article is intended to see if the Town will vote to authorize the Select Board to file a home rule petition for special legislation to amend the Town Charter to make the following changes to the make-up and jurisdiction of the Permanent Building Commission: require a representative of the School Committee to be a temporary voting member on the Permanent Building Commission for school projects; authorize but not require the appointment of a temporary voting member representing the proponent of any other project; placing projects of \$1,000,000 or more within the jurisdiction of the Commission; and allowing the Commission to decline jurisdiction over projects based upon the limited size, scope, or cost of the projects.

Select Board-10: Home Rule Petition – An Act Making Technical Revisions to the Town Charter

This article is intended to see if the Town will vote to authorize the Select Board to file a home rule petition for special legislation to amend the Town Charter by making technical revisions thereto.

Select Board-11: Home Rule Petition – An Act Making Ministerial and Clerical Revisions to the Town Charter

This article is intended to see if the Town will vote to authorize the Select Board to file a home rule petition for special legislation to amend the Town Charter by making ministerial and clerical revisions thereto, including correction of grammar and punctuation, minor reformatting, rendering certain terms consistent throughout the Charter.

Select Board-12: Home Rule Petition – An Act to Amend the Town Charter to Include the Housing Authority

This article is intended to see if the Town will vote to authorize the Select Board to file a home rule petition for special legislation to amend the Town Charter to include the 5-member housing authority to be appointed and elected as required by state law.

Select Board-13: Adoption of Fee Schedule for Sealing of Weights and Measures

This article is intended to see if the Town will vote to approve a Fee Schedule for Sealing of Weights and Measures, as an alternative to the fee schedule set forth in M.G.L. Chapter 98, Section 56.

Misc.-1: Miscellaneous Articles – used to create Budget Article #11

On February 5, 2024, the Select Board voted to use Miscellaneous Article #1 to create Budget Article #11, Appropriation Fire Squad Truck Borrowing.

Misc.-2: Miscellaneous Articles – used to create Budget Article #12

On February 5, 2024, the Select Board voted to use Miscellaneous Article #2 to create Budget Article #12, Appropriation High School Roof Restoration Borrowing.

Misc.-3: Miscellaneous Articles – used to create Budget Article #13

On February 5, 2024, the Select Board voted to use Miscellaneous Article #3 to create Budget Article #13, Appropriation Conant Road Culvert Construction Borrowing.

Misc.-4: Miscellaneous Articles – used to create Select Board Article #13

On February 5, 2024, the Select Board voted to use Miscellaneous Article #4 to create Select Board Article #13, Adoption of Fee Schedule for Sealing of Weights and Measures.

Misc.-5: Miscellaneous Articles

This article serves as a placeholder to insert an Article in support of Town Government that may come up before the official Warrant is approved.

Misc.-6: Miscellaneous Articles

This article serves as a placeholder to insert an Article in support of Town Government that may come up before the official Warrant is approved.

Misc.-7: Miscellaneous Articles

This article serves as a placeholder to insert an Article in support of Town Government that may come up before the official Warrant is approved.

Misc.-8: Miscellaneous Articles

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Misc.-9: Miscellaneous Articles

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Misc.-10: Miscellaneous Articles

This article serves as a placeholder to insert an Article in support of Town Government that may come up before the official Warrant is approved.

PLANNING BOARD**Planning Board-1: Amendments to Zoning Bylaw & Zoning Map Related to Mixed-Use & Multi-Family Residential Overlay District**

To see if the Town will vote to approve certain amendments to Zoning Bylaw Section 9.9 [Mixed-Use & Multi-Family Residential Overlay District (MUMFROD)], and certain amendments to the Official Zoning Map affecting the MUMFROD; or take any other action in relation thereto.

Planning Board-2: Amendments to Zoning Bylaw & Zoning Map Related to Wireless Communication Facilities

To see if the Town will vote to approve certain amendments to Zoning Bylaw Section 9.4 [Wireless Communication Overlay District (WCOD)] and Section 9.7 [University Avenue Mixed Use District (UAMUD)], and/or to the Official Zoning Map, in order to permit the potential expansion of wireless communication service coverage throughout Westwood; or take any other action in relation thereto.

Planning Board-3: Amendments to Zoning Bylaw Related to Definitions

To see if the Town will vote to approve certain amendments to Zoning Bylaw Section 2.0 [Definitions] to revise, expand, clarify and/or illustrate the definition of various terms used within the bylaw; or take any other action in relation thereto.

Planning Board-4: Amendments to Zoning Bylaw Related to Zoning Map References for Overlay Districts

To see if the Town will vote to approve certain amendments to Zoning Bylaw Section 9.1.2 [Adult Uses Overlay District (AUOD) - Location], Section 9.4.2 [Wireless Communications Overlay District (WCOD) - Location], and Section 9.8.2 [Substance Rehabilitation Facility Overlay District (SRFOD) - Location] to remove specific street addresses and parcel descriptions of properties included within various overlay districts, to instead reference the Official Zoning Map, and to confirm that the location of said overlay districts are as shown on the Official Zoning Map; or take any other action in relation thereto.

Planning Board-5: Amendments to Zoning Bylaw Related to Accessory Apartments

To see if the Town will vote to approve certain amendments to Zoning Bylaw Section 8.5 [Accessory Apartments] to more clearly describe design requirements for Accessory Apartments, or take any other action in relation thereto.

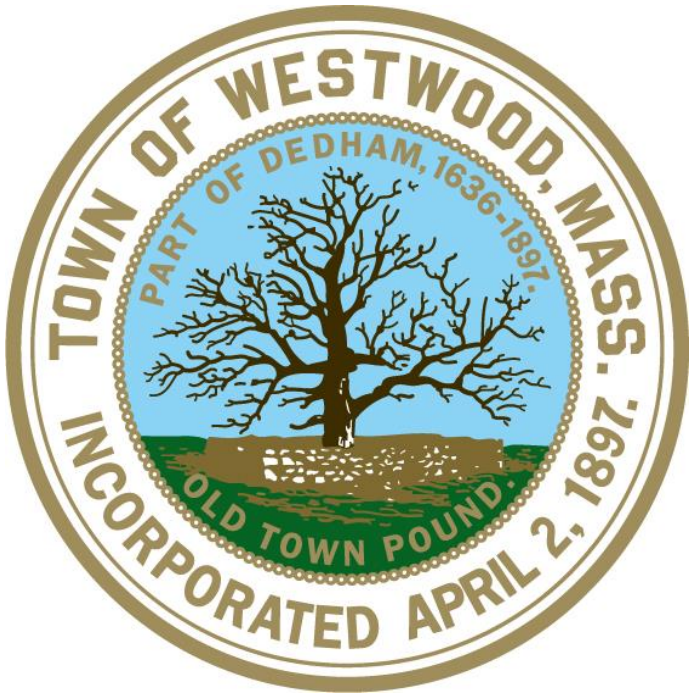
Planning Board-6: Amendments to General Bylaw Related to Solid Waste

To see if the Town will vote to approve certain amendments to General Bylaw Chapter 342 [Solid Waste] to regulate the use, location, and maintenance of temporary construction dumpsters at non-residential and multi-family residential properties; or take any other action in relation thereto.

Planning Board-7: Amendments to Zoning Bylaw & Zoning Map Related to 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.

2024 ANNUAL TOWN MEETING – SELECT BOARD ARTICLES



**Finance and Warrant Commission
Public Hearing
February 27, 2024**

Main Library – Community Room

Budget-1	FY24 Budget Adjustments by Transfer	Select Board
Budget -2	FY24 Budget Adjustments by Appropriation (\$0)	Select Board
Budget -3	FY25 Operating Budgets (Appendix "D")	Select Board
Budget -4	Appropriation (\$1,335,250) – Municipal Capital Improvements	Select Board
Budget -5	Appropriation (\$1,017,000) – School Capital Improvements	Select Board
Budget -6	Appropriation (\$750,000) – Sewer Capital Improvements	Select Board
Budget -7	Appropriation (\$120,000) – Additional Capital Improvements (Ambulance)	Select Board
Budget -8	Appropriation (\$550,000) – Additional Capital Improvements	Select Board
Budget -9	Appropriation (\$125,000) – Stabilization Fund FY25	Select Board
Budget -10	Appropriation (\$1,565,000) – OPEB Liability Trust Fund – FY25	Select Board
Budget -11	Appropriation (\$750,000) – Fire Squad Truck Borrowing	Select Board
Budget -12	Appropriation (\$2,500,000) – High School Roof Restoration Borrowing	Select Board
Budget -13	Appropriation (\$1,500,000) – Conant Road Culvert Construction Borrowing	Select Board

Finance Articles

**The Finance Articles will be discussed at the
March 26, 2024
Finance and Warrant
Commission Public Hearing**

Select Board-1	Street Acceptance – portion of Ellis Street	Select Board
Select Board-2	Street Acceptance – portion of Porter Street	Select Board
Select Board-3	Street Acceptance – Hedgerow Lane	Select Board
Select Board-4	General Bylaw Amendment Chapter 184 [Animals] Clarify Terms and Modify Fines	Select Board
Select Board-5	Home Rule Petition – An Act to Establish Quorum Requirement Solely to Open Meeting	Select Board
Select Board-6	Home Rule Petition – An Act Changing the Town Clerk Position from Elected to Appointed	Select Board
Select Board-7	Home Rule Petition – An Act authorizing 1) the Moderator to appoint fewer than 15 members due to timing or unavailability of qualified candidates and 2) members of the Finance and Warrant Commission to serve as Ex-Officio members on Town Boards/Committees	Select Board
Select Board-8	Home Rule Petition – An Act Restructuring the Personnel Board Role	Select Board
Select Board-9	Home Rule Petition – An Act Making Changes to the Permanent Building Commission	Select Board
Select Board-10	Home Rule Petition – An Act Making Technical Revisions to the Town Charter	Select Board
Select Board-11	Home Rule Petition – An Act Making Ministerial and Clerical Revisions to the Town Charter	Select Board
Select Board -12	Home Rule Petition – An Act to Amend the Town Charter to Include the Housing Authority	Select Board
Select Board -13	Adoption of Fee Schedule for Sealing of Weights and Measures	Select Board

Select Board Articles



SELECT BOARD ARTICLES

- Select Board #1 – Street Acceptance – portion of Ellis Street
- Select Board #2 – Street Acceptance – portion of Porter Street
- Select Board #3 – Street Acceptance – Hedgerow Lane
- Select Board #4 – General Bylaw Amendment
- Select Board #5 to Select Board #12 – Charter Review Committee Recommendations
- Select Board #13 – Adoption of Fee Schedule for Sealing of Weights and Measures
- Miscellaneous Articles

SELECT BOARD 1 – STREET ACCEPTANCE - ELLIS STREET (PORTION OF)

To see if the Town will authorize the Select Board to accept a grant of easement and accept said Ellis Street (portion) as a public way or take any action thereon.

- **Section of Ellis Street never accepted as a public way**
- **Approximately 150 feet**



SELECT BOARD 2 – STREET ACCEPTANCE - PORTER STREET (PORTION OF)

To see if the Town will authorize the Select Board to accept a grant of easement and accept said Porter Street (portion) as a public way or take any action thereon.

- **Section of Porter Street never accepted as a public way**
- **Approximately 350 feet**



SELECT BOARD 3 – STREET ACCEPTANCE HEDGEROW LANE

To see if the Town will authorize the Select Board to accept a grant of easement and accept said Hedgerow Lane as a public way or take any action thereon.

- **The road is fully developed and was constructed to town standards**



SELECT BOARD 4 – GENERAL BYLAW AMENDMENT CHAPTER 184 [ANIMALS] CLARIFY TERMS AND MODIFY FINES

Revised Article Title and Language

To see if the Town will vote to approve certain amendments to the Westwood General Bylaw Chapter 184 [Animals] to clarify various terms used throughout Chapter 184, and to modify fines prescribed in Chapter 184 for compliance with applicable state law, so that the amended Chapter 184 reads as follows, or take any other action in relation thereto.



SELECT BOARD 13 -ADOPTION OF FEE SCHEDULE FOR SEALING OF WEIGHTS AND MEASURES

To see if the Town will vote to approve a Fee Schedule for Sealing of Weight & Measures, as an alternative to the fee schedule set forth in M.G.L. Chapter 98, Section 56, to be phased in over a period of four (4) years beginning in Calendar Year 2024 and reaching full rates in Calendar Year 2027, as follows, or take any other action in relation thereto:

Fees for Sealing and Inspecting Weighing of Measuring Devices:



<u>Type of Device</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u> <u>and Subsequent Years</u>
Scale 0-10lbs. (each)	\$6.67	\$10.00	\$13.33	\$20.00
Scale 10-100lbs. (each)	\$10.00	\$15.00	\$20.00	\$30.00
Apothecary Scale (each)	\$2.33	\$3.50	\$4.67	\$7.00
Taxi/Odometer (each)	\$8.33	\$12.50	\$16.67	\$25.00
Gas/Diesel Fueling Pump (each)	\$6.67	\$10.00	\$13.33	\$20.00
Tanker Vehicle (each)	\$50.00	\$75.00	\$100.01	\$150.00
Fabric (each)	\$3.33	\$5.00	\$6.67	\$10.00
Wire/Rope/Cordage (each)	\$3.33	\$5.00	\$6.67	\$10.00
Scanners 1-3 (total)	\$13.33	\$20.00	\$26.67	\$40.00
Scanners 4-11 (total)	\$26.66	\$40.00	\$53.34	\$80.00
Scanners 12+ (total)	\$41.66	\$62.50	\$83.34	\$125.00

Misc.-1	Miscellaneous Article (placeholder) <i>On February 5, 2024, the Select Board voted to use Miscellaneous Article #1 to create Budget #11 – Appropriation (\$750,000) Fire Squad Truck Borrowing</i>	Select Board
Misc.-2	Miscellaneous Article (placeholder) <i>On February 5, 2024, the Select Board voted to use Miscellaneous Article #2 to create to create Budget #12 – Appropriation (\$2,500,000) High School Roof Restoration Borrowing</i>	Select Board
Misc.-3	Miscellaneous Article (placeholder) <i>On February 5, 2024, the Select Board voted to use Miscellaneous Article #1 to create to create Budget #13 – Appropriation (\$1,500,000) Conant Road Culvert Construction Borrowing</i>	Select Board
Misc.-4	Miscellaneous Article (placeholder) <i>February 5, 2024, the Select Board voted to use Miscellaneous Article #4 to create Select Board #13 – Adoption of Fee Schedule for Sealing of Weights and Measures</i>	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

Miscellaneous Articles

There are six (6) miscellaneous articles remaining.

THANK
YOU

Questions?

Article ___ : General Bylaw Amendment Chapter 184 [Animals] Clarify Terms and Modify Fines

To see if the Town will vote to approve certain amendments to the Westwood General Bylaw Chapter 184 [Animals] to clarify various terms used throughout Chapter 184, and to modify fines prescribed in Chapter 184 for compliance with applicable state law, so that the amended Chapter 184 reads as follows, or take any other action in relation thereto:

[New language shown in underlined red font, language to be removed shown with strikethrough.]

Chapter 184 Animals

Article I Animal Control

- § 184-1 **Definitions.**
- § 184-2 **Complaints.**
- § 184-3 **Penalties.**
- § 184-4 **Violations.**
- § 184-5 **Control of dogs in oestrus cycle.**
- § 184-6 **Control of dogs.**
- § 184-7 **Enforcing officer.**
- § 184-8 **Validity.**
- § 184-9 **Enforcement.**
- § 184-10 **Licensing; dogs worrying, maiming or killing livestock.**

Article I Animal Control

§ 184-1 **Definitions.**

The following terms shall have the meanings herein given:

AT LARGE

Means unaccompanied by a responsible person.

ANIMAL CONTROL OFFICER

Means that person appointed by the SelectmenTown Administrator or otherwise serving in the capacity of Animal Control Officer (shall mean in their absence or unavailability the Chief of Police/designee) for the Town of Westwood.

OESTRUS CYCLE

Means the technical term for the common expression "in heat."

OUT OF CONTROL

Means accompanied by a person not exerting the proper supervision.

RESTRAINED

Means being kept leashed when outside the bounds, or fenced within the bounds of the property of the owner or keeper.

§ 184-2 Complaints.

If any person shall make a complaint in writing (Note: A supply of forms which may be used for this purpose shall be available from the Town Clerk, Animal Control Officer, or police station.) and under oath to the Animal Control Officer of Westwood that any dog has committed a violation of any of the provisions listed in § **184-4**, the Animal Control Officer shall investigate such complaint and after finding such violation shall cause such dog to be impounded or restrained and cause the owner or keeper of such dog to receive a written warning or pay a penalty as set forth in § **184-3**. The Animal Control Officer shall keep a written record of each such investigation and shall provide a copy thereof to the owner or keeper of the dog and the complainant.

§ 184-3 Penalties.

The penalty imposed upon an owner or keeper of a dog which has committed a violation of any of the provisions listed in § **184-4** ~~except for those offenses set forth in § **184-4A(5)** and **(6)**~~ shall be \$~~2550~~ for the first offense, \$~~50100~~ for the second offense ~~and \$75300 for the third offense, and \$500 for the fourth offense and~~ for each subsequent offense. ~~The penalty for violations of any of the provisions listed in § **184-4A(5)** and **(6)** shall be a mandatory penalty of \$50 for the first offense and \$100 for each subsequent offense.~~

§ 184-4 Violations.

- A.** The Animal Control Officer shall cause penalties to be invoked for any of the following reasons:
- (1)** If found without a license, collar, or tag as required by MGL c. 140.
 - (2)** If found at large when in her oestrus cycle, or if creating a nuisance.
 - (3)** No dog shall be permitted to be unrestrained while in or near any school yard, public park, public playground, public cemetery, or public or school recreational field or facility. Further, no person shall permit a dog under that person's control to defecate on any school yard, public park, public playground, public cemetery, or public or school recreational field or facility or any public property abutting thereto. Further, no dog shall be permitted to be at large or out of control of a responsible person in any other public area not designated within this subsection.

- (4) If found at large or not in control of dog's owner.
 - (5) For having bitten, injured, or physically harmed any person or domestic animal; or having caused any person to be fearful for their safety by chasing, worrying, snapping, or otherwise frightening said person.
 - ~~(6) For having bitten or injured any domestic animal.~~
 - (76) For chasing any vehicle or bicycle on a public way or way open to public traffic.
 - (87) If the dog is found to bark, howl, or in any other manner to basically disturb the quiet of any person.
 - (98) For having disturbed, spilled, or otherwise upset rubbish or trash.
 - (109) For having littered, defecated, or caused damage to the property of any person (except for the property of the owner/keeper of the dog).
 - (1110) If found at large or out of control after having been ordered restrained by the Animal Control Officer.
- B.** An impounded dog or domestic animal shall be released to its owner or keeper upon payment of the penalty as described in § 184-3 and upon payment of the pound fees as provided for in MGL c. 140. The following conditions, if applicable, shall also apply:
- (1) In the case of a dog impounded under Subsection **A(1)** above, upon the obtaining of a license as required by law.
 - (2) Except as hereinafter provided in § 184-5, in the case of a dog impounded under Subsection **A(2)** above, upon the agreement of the owner or keeper to undertake such restrictions or controls of the animal to prevent violations of Subsection **A(2)** as the Animal Control Officer shall reasonably require.
- C.** Dogs impounded and unclaimed by the owner or keeper within seven days may be put up for adoption or euthanized in accordance with the MGL c. 140, § 151A.
- D.** For purposes of Subsection **C** above, no dog shall be obtained for the purpose of scientific experimentation, investigation, or instruction as discussed in MGL c. 140, § 151.

§ 184-5 Control of dogs in oestrus cycle.

If the Animal Control Officer determines that a dog in ~~her~~the oestrus cycle is attracting other dogs to the area, which conditions cause disturbances on or damage to neighboring property or public areas, ~~hethe~~the Animal Control Officer may impound the dog for the duration of the oestrus cycle, releasing it thereafter to the owner or keeper upon payment of penalties, if applicable, and upon payment of pound fees; as an alternative, the Animal Control Officer may require that the owner, or keeper, place and keep such a dog, while in such cycle, in a kennel or remove it from the area so that the nuisance is abated.

§ 184-6 Control of dogs.

- A.** Restraint of dogs. In addition to and not in limitation of any other remedies or penalties, the Animal Control Officer shall order the owner or keeper of a dog to restrain a dog for violation of any of the provisions listed in § **184-4A**. After a period of no less than 21 days, the Animal Control Officer may, at ~~his~~their discretion, remove an order of restraint if the owner or keeper of the dog satisfies ~~him~~them that the dog is unlikely to repeat the offense.
- B.** Permanent restraining or muzzling of dogs. If any person shall make a complaint in writing (Note: A supply of forms which may be used for this purpose shall be available from the Town Clerk, Animal Control Officer, or police station.) to the Animal Control Officer of Westwood that any dog is a nuisance by reason of vicious disposition, or by repeated violations of any of the provisions listed in § **184-4A** which are contrary to the safety and welfare of the community. The Animal Control Officer shall investigate such complaint, which may include an examination on oath of the complainant, the owner or keeper and witnesses, and upon finding that such dog is a nuisance as hereinbefore set forth shall order such dog to be permanently restrained and/or muzzled.

§ 184-7 Enforcing officer.

This bylaw shall be enforced the Animal Control Officer of Westwood and/or others who may be appointed from time to time by the ~~Board of Selectmen~~ Board of Westwood for such purpose.

§ 184-8 Validity.

- A.** The invalidity of any section or provision of this bylaw shall not invalidate any other section or provision thereof.
- B.** This bylaw is not intended to derogate or limit any powers, rights, or obligations set forth in MGL c. 140 but is in addition thereto.

§ 184-9 **Enforcement.**

In addition to the foregoing and not in limitation thereof, the Animal Control Officer shall impound any dog found at large.

§ 184-10 **Licensing; dogs worrying, maiming or killing livestock.**

- A.** No person shall own or keep a dog in the Town of Westwood which is not duly licensed as required by the provisions of MGL c. 140, § 137. The registering, numbering, describing and licensing of dogs shall be conducted in the office of the Town Clerk of said Town. Any person who no longer owns a dog shall notify the Town Clerk immediately.
- B.** When license fees for dogs are due in January of each year and the dog is a spayed female or neutered male, the spaying or neutering certificate must be presented at the time of license application. All rabies shot certificates must be shown before a new license can be issued.
- C.** Notwithstanding the provisions of MGL c. 140, § 139 or any other provision of law to the contrary, the annual fees charged for the issuance of licenses for dogs shall be established by the Town Clerk in accordance with the provisions of MGL c. 40, § 22F. No license fee or part thereof shall be refunded because of the subsequent death, loss, spaying or removal from the Town or other disposal of said dog.

 - (1)** Effective January 1, 2011, the term of any license issued by the Town Clerk shall be for the period of January 1 to December 31. The Town may impose a late fee in accordance with the provisions of MGL c. 40, § 22F, to be paid by the owners who license said dog or dogs after April 1 of any given year.
 - (2)** Effective January 1, 2018 any person 70 years of age or older, upon proof of age, shall be exempt from the annual fee for one dog, per household, per year. The owner of a kennel license, age 70 years of age or older, shall be excluded from this exemption. Dogs must still be licensed on or before March 31 of any given year per Town Bylaws **§ 184-10C(1)**.
- D.** Notwithstanding the provisions of MGL c. 140, § 147 or any other provision of law to the contrary, all money received from the issuance of dog licenses by the Town of Westwood, or recovered as fines or penalties by said Town under the provisions of MGL c. 140 or by vote of the Town under Article 38 of the warrant for the 1981 Annual Town Meeting relating to dogs, shall be paid into the treasury of said Town and shall not thereafter be paid over by the Town Treasurer to Norfolk County.
- E.** Notwithstanding the provisions of MGL c. 140, § 160 or any other provision of law to the contrary, whoever suffers loss by the worrying, maiming or

killing of ~~his~~their livestock or fowls by dogs, outside the premises of the owners or keepers of such dogs, shall, after investigation as provided in MGL c. 140, § 161, be paid from the treasury of said Town.

Westwood Charter Review Committee

Presentation of Recommendations to
Westwood Finance and Warrant Commission
Public Hearing
Tuesday, February 27, 2024

Westwood Charter

- ▶ Charter – cornerstone document shaping the organization, functions and essential procedures of a town government.
- ▶ Last comprehensive review of Westwood’s charter – 2010
 - ▶ Reviews to occur approximately every 10 years (next review in 2034)
- ▶ Current Charter Review Committee assembled in March 2022
 - ▶ Thorough review including substantive issues, technical changes and housekeeping corrections
- ▶ Changes recommended at May 2023 TM – Treasurer & Tax Collector
- ▶ Changes recommended for May 2024 TM – 8 warrant articles

Charter Review Committee

Members

Peter Cahill - Co-Chair

Paul Fitzgerald - Co-Chair

Nancy Hyde

John Loughnane

Dottie Powers

Ex-Officio members

Christopher Coleman, Town Administrator

Patrick Ahearn, Town Counsel

Outside Legal Counsel

Lauren Goldberg, KP Law

Recommendations:

- ▶ Continued review of Charter beyond 2023 ATM approved change of Town Treasurer and Tax Collector
- ▶ Held over 25 meetings since formation; interviewed 17 currently elected officials, formerly elected officials, and staff; received public input
- ▶ Articles for this Town Mtg - Home Rule Petitions to State Legislature
 - ❖ Substantive (5 Articles)
 - ❖ Transition Article for Town Clerk
 - ❖ Technical Changes
 - ❖ Housekeeping
 - ❖ Housing Authority

Substantive Articles (Select Board Articles 5-9)

- ▶ Section 2-8-1 Quorum (SB 5)
- ▶ Section 4-2-1 Town Clerk to be Appointed (hired) After Tenure of Current Town Clerk is Completed (SB 6)
- ▶ Section 7-3-1 Finance and Warrant Commission (SB 7)
- ▶ Section 7-4-1 and 7-4-2 Personnel Board (SB 8)
- ▶ Section 7-5-1/7-5-2/7-5-4 Permanent Building Commission (SB 9)

Section 2-8-1 Quorum (SB 5)

- ▶ Update article to only require quorum at commencement of Town Meeting
- ▶ Allows for business to continue even if number of Town Meeting voters declines over course of meeting

Section 4-2-1 Elected Officers (SB 6)

- ▶ Change Town Clerk position from Elected to Appointed (Transition article)
 - ▶ Does not change should current Town Clerk serve until her tenure expires
 - ▶ If current Town Clerk remains in office until tenure expires, she shall be the first appointed town clerk

Town Clerk Information

- ▶ Appointed is the equivalent of hired
- ▶ In 2014, the Town Meeting voted to give the current Town Clerk tenure until reaching retirement age (70)
- ▶ In its current form, Westwood's Town Clerk is not required to work a minimum of hours; is not required to be at Town Hall
- ▶ Responsibilities of the Town Clerk's office include oversight of all municipal, state and federal elections
- ▶ Oversees issuance of marriage licenses, dog licenses, burial plots, dog vaccination clinics, voter registrations
- ▶ Processes all Town Meeting Business including necessary submissions to State Attorney General's office
- ▶ Serves as Public Records Access Officer
- ▶ Updates records for Town Charter, Town Bylaws, Zoning Bylaws
- ▶ Serves as Justice of the Peace, Notary
- ▶ Etc.

Section 7-3-1 Finance and Warrant Commission (SB 7)

- ▶ Allow for up to 15 appointed members; may fall below 15 for good cause and at discretion of Town Moderator
 - ▶ Provides flexibility for things such as (1) members resign mid-year, (2) there is difficulty appointing qualified members to fill open positions
- ▶ Allow members to be appointed as ex officio (non-voting) members of other boards/committees

Section 7-4-1/7-4-2 Personnel Board (SB 8)

- ▶ Change name to Personnel Advisory Board
- ▶ Shifts the role from administrator of town classification and compensation plans to advisor to the Town Administrator

Section 7-5-1 / 7-5-2 / 7-5-4 Permanent Building Commission (SB 9)

- ▶ Adds flexibility to the make-up of the Permanent Building Commission (PBC)
- ▶ Requires a school committee member to be included for any school project (consistent with State law)
- ▶ Allows PBC to decline jurisdiction for smaller projects if size, scope, or cost of project does not warrant PBC involvement.

Technical Articles (SB 10)

- ▶ **Technical**— these proposed edits are intended to make provisions of the Charter:
 - ▶ Clearer
 - ▶ Easier to follow
 - ▶ Allow the respective town official or appointee to function more efficiently
- ▶ **Example:**
 - ▶ Section 6 ~~Business Sessions of the~~ **Annual Town Meetings**
 - ▶ 2-6-1.
 - ▶ **(a)** ~~Business sessions of the~~ **The spring** annual town meeting shall be held on the first Monday in May and may be continued on such additional days as may be decided by the town meeting.

Housekeeping Articles (SB 11)

- ▶ **Housekeeping**— these proposed edits are needed to correct typos, reformatting, renumbering, or needed to comport with state law.

Housing Authority (SB 12)

- ▶ This article codifies the existence of the Housing Authority in the Charter.
- ▶ All other elected boards are already included in the Charter.

Questions? Comments?

THANK YOU!

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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Department of Community & Economic Development

Memorandum

To: Victoria Wong, Finance & Warrant Commission Administrator
Finance & Warrant Commission Members

From: Nora Loughnane, Director of Community & Economic Development

Date: February 23, 2024

Re: Summary of Proposed Zoning Articles for Annual Town Meeting

The Planning Board advertised and considered seven bylaw amendment articles for Annual Town Meeting. Six of those articles propose amendments to the Zoning Bylaw and/or Zoning Map. One article proposes amendments to the General Bylaws.

The Planning Board opened its public hearing on all bylaw amendment articles on January 9, 2024, and following discussion on each of the proposed articles, the Board continued that hearing to January 30, 2024. Following further discussion at the January 30 hearing session, the Board continued its hearing to February 13, 2024.

Following further discussion at the February 13 hearing session, the Planning Board voted to unanimously withdraw its proposed Zoning Bylaw/Zoning Map amendment article pertaining to Housekeeping Amendments. The Board then voted unanimously to recommend in favor of the Finance & Warrant Commission's support for each of the Planning Board's remaining five proposed Zoning Bylaw/Zoning Map amendment articles and one General Bylaw amendment article. The Board continued its public hearing to an in-person hearing session beginning at 7:00 pm on February 27, 2024, in the Community Room of the Westwood Public Library, to coincide with the time and place of the Finance & Warrant Commission's simultaneous public hearing on proposed warrant articles.

The Planning Board looks forward to meeting with the Finance & Warrant Commission to discuss these six proposed warrant articles and to answer any questions that may arise during the February 27 public hearing.

The Planning Board's six proposed warrant articles are as follows:

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

To see if the Town will vote to approve certain amendments to Zoning Bylaw Section 9.9 [Mixed-Use & Multi-Family Residential Overlay District (MUMFROD)], and certain amendments to the Official Zoning Map affecting the MUMFROD, as follows, or take any other action in relation thereto:

[New language shown in underlined red font, language to be removed shown with strikethrough.]

1) Revise Section 9.9.2 [Location] to read as follows:

9.9.2 Location. ~~The Mixed-Use & Multi-Family Residential Overlay District (MUMFROD) is herein established as an overlay district~~ Four (4) distinct Mixed-use & Multi-family Residential Overlay Districts – MUMFROD1, MUMFROD2, MUMFROD3, and MUMFROD4 – are herein established as overlay districts 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).~~

9.9.2.1 MUMFROD1: Low Density MUMFROD Overlay District.
MUMFROD1 shall include the areas as shown on the Official Zoning Map within Mixed-Use & Multi-Family Residential Overlay District 1.

9.9.2.2 MUMFROD2: Medium Density MUMFROD Overlay District.
MUMFROD2 shall include the areas as shown on the Official Zoning Map within Mixed-Use & Multi-Family Residential Overlay District 1.

9.9.2.3 MUMFROD3: High Density MUMFROD Overlay District.
MUMFROD3 shall include the areas as shown on the Official Zoning Map within Mixed-Use & Multi-Family Residential Overlay District 2.

9.9.2.4 MUMFROD4: Low Density Ground Floor Commercial MUMFROD Overlay District.
MUMFROD4 shall include the areas as shown on the Official Zoning Map within Mixed-Use & Multi-Family Residential Overlay District 3.

2) Revise Section 9.9.3 [Granting Authority] to read as follows:

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 9.98.5, 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 ~~or~~ MUMFROD Special Permit and no separate EIDR Approval shall be required.

3) Revise Section 9.9.5 [Permitted Uses] to read as follows:

9.9.5 **Permitted Uses.** MUMFROD-EIDR Approvals and MUMFROD Special Permits shall be granted only for uses specified below. 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 pursuant to Section 4.0, Use Regulations and other applicable sections of this Bylaw. Multiple uses may be contained within a single building or structure pursuant to an MUMFROD-EIDR Approval or MUMFROD Special Permit. 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 or MUMFROD Special Permit by the Planning Board. Any use not listed below as specifically permitted in a MUMFROD development is deemed prohibited.

9.9.5.1 Uses Permitted by MUMFROD-EIDR Approval or MUMFROD Special Permit in the MUMFROD1, MUMFROD2 and MUMFROD3 Districts:

- 9.9.5.1.1 Multi-family Residential Dwelling Units (per density requirements of Section 9.9.6)
- 9.9.5.1.2 Bank, Financial Institution
- 9.9.5.1.3 Child Care Facility
- 9.9.5.1.4 Coffee Shop
- 9.9.5.1.5 Educational Use
- 9.9.5.1.6 Ice Cream Parlor
- 9.9.5.1.7 Institutional Use
- 9.9.5.1.8 Office of a Health Care Professional
- 9.9.5.1.9 Personal Services Establishment
- 9.9.5.1.10 Pet Care Facility
- 9.9.5.1.11 Professional Services Establishment
- 9.9.5.1.12 Recreation Facility, Indoor or Outdoor
- 9.9.5.1.13 Restaurant, with or without entertainment
- 9.9.5.1.14 Retail Sales & Services
- 9.9.5.1.15 Accessory parking and accessory parking structures to any of the above permitted uses
- 9.9.5.1.16 Accessory Uses such as solar arrays, sports courts, outdoor seating, patios, and recreational play areas

9.9.5.1 Uses Permitted by MUMFROD-EIDR Approval or MUMFROD Special Permit in the MUMFROD4 District:

- 9.9.5.1.1 Upper Story Multi-family Residential Dwelling Units (per density requirements of Section 9.9.6) with Ground Story Commercial Use(s)
- 9.9.5.1.2 Bank, Financial Institution
- 9.9.5.1.3 Child Care Facility
- 9.9.5.1.4 Coffee Shop
- 9.9.5.1.5 Educational Use
- 9.9.5.1.6 Ice Cream Parlor
- 9.9.5.1.7 Institutional Use
- 9.9.5.1.8 Office of a Health Care Professional
- 9.9.5.1.9 Personal Services Establishment
- 9.9.5.1.10 Pet Care Facility
- 9.9.5.1.11 Professional Services Establishment
- 9.9.5.1.12 Recreation Facility, Indoor or Outdoor
- 9.9.5.1.13 Restaurant, with or without entertainment
- 9.9.5.1.14 Retail Sales & Services
- 9.9.5.1.15 Accessory parking and accessory parking structures to any of the above permitted uses
- 9.9.5.1.16 Accessory uses such as solar arrays, sports courts, outdoor seating, patios, and recreational play areas

4) Revise Section 9.9.6 [Residential Density Allowances] to read as follows:

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 within the MUMFROD1 and MUMFROD4 Districts.
- 9.9.6.2 Multi-family Residential Dwelling Units at a maximum density of 20 units per acre shall be permitted as-of-right, subject to MUMFROD-EIDR Approval within the MUMFROD2 District.
- 9.9.6.3 Multi-family Residential Dwelling Units at a maximum density of 35 units per acre shall be permitted as-of-right, subject to MUMFROD-EIDR Approval within the MUMFROD3 District.
- 9.9.6.4 Multi-family Residential Dwelling Units at a density exceeding 15 units per acre in either the MUMFROD1 District or the MUMFROD4 District, or exceeding 20 units per acre in either the MUMFROD2 District, or Multi-family Residential Dwelling Units at a density exceeding 35 units per acre in the MUMFROD3 District, 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 in MUMFROD1 or MUMFROD4, or above 20

units per acre in MUMFROD2, or above 35 units per acre in MUMFROD3, 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, whether in MUMFROD1, MUMFROD2, MUMFROD3, or MUMFROD4, 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.

5) Revise Section 9.9.12.10 [Fiscal Analysis] to read as follows:

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 a minimum of 15% of those residential dwelling units~~ shall be restricted to meet the definition of Affordable Housing/Affordable Dwelling Units in Section 2.0 of this Bylaw ~~and in the Rules and Regulations.~~ Notwithstanding the above, the minimum number of Affordable Dwelling Units shall be reduced from a minimum of 15% to a minimum of 10% unless the higher percentage is supported by an economic feasibility analysis accepted by the Executive Office of Housing & Livable Communities (EOHLC), or successor, in accordance with EOHLC's Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act, revised through August 17, 2023. 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.~~

Total Number of Dwelling Units	Minimum Number of Affordable Dwelling Units
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

6) Revise Section 9.9.12.10 [Fiscal Analysis] to read as follows:

9.9.12.10 **Fiscal Analysis.** All MUMFROD Special Permit applications requesting a residential density greater than 15 units per acre in MUMFROD1 or MUMFROD4, or greater than 20 units per acre in MUMFROD2, or greater than 35 units per acre in MUMFROD3, shall submit a fiscal analysis demonstrating that the additional proposed residential units will have no significant negative fiscal impact to the Town.

7) Revise Section 9.9.15 [Special Permit Decision] to read as follows:

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 in MUMFROD1 or MUMFROD4, or in excess of 20 units per acre in MUMFROD2, or in excess of 35 units per acre ion MUMFROD3, 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.

- 8) Amend the Official Zoning Map to remove the current Mixed-Use & Multi-Family Residential Overlay District (MUMFROD) district from the Official Zoning Map, and to add Mixed-Use & Multi-Family Residential Overlay District 1 (MUMFROD1), Mixed-Use & Multi-Family Residential Overlay District 2 (MUMFROD2), Mixed-Use & Multi-Family Residential Overlay District 3 (MUMFROD3), and Mixed-Use & Multi-Family Residential Overlay District 4 (MUMFROD4) to the Official Zoning Map, with specific parcels included in each overlay district as follows:

MUMFROD1: Low Density (15 Units per Acre) MUMFROD Overlay District –

Parcel 17-055 (121 Providence Highway);
Parcel 17-056 (115 Providence Highway);
Parcel 17-057 (89-91 Providence Highway);
Parcel 17-059 (75-85 Providence Highway);
Parcel 17-060 (71 Providence Highway);
Parcel 17-172 (40 Allied Drive, Dedham);
Parcel 17-173 (100 Allied Drive, Dedham);
Parcel 24-074 216-310 Providence Highway);
Parcel 26-016 (1 University Avenue);
Parcel 33-006 (90-100 Brigham Way);
Parcel 33-008 (160 University Avenue);
Parcel 33-051 (Parcel Whitewood Road);
Parcel 33-053 (140 University Avenue);
Parcel 33-058 (80 University Avenue); and
Parcel 33-059 (Parcel University Avenue).

MUMFROD2: Medium Density (20 Units per Acre) MUMFROD Overlay District –

Parcel 23-226 (22 Everett Street); and
Parcel 23-227 (Everett Street).

MUMFROD3: High Density (35 Units per Acre) MUMFROD Overlay District –

Parcel 33-019 (85-91 University Avenue);
Parcel 33-054 (95 University Avenue); and
Parcel 33-056 (120 & 130 University Avenue).

MUMFROD4: Low Density (15 Units per Acre) Ground Floor Commercial MUMFROD Overlay District

–
Parcel 14-010 (679-697 High Street);
Parcel 21-040 (911-929 High Street); and
Parcel 21-041 (915 High Street).

To see if the Town will vote to approve certain amendments to Zoning Bylaw Section 9.4 [Wireless Communication Overlay District (WCOD)] and Section 9.7 [University Avenue Mixed Use District (UAMUD)], and/or to the Official Zoning Map, in order to permit the potential expansion of wireless communication service coverage throughout Westwood, as follows, or take any other action in relation thereto:

[New language shown in underlined red font, language to be removed shown with strikethrough]

- 1) Revise Section 9.7.4.1.2 [Uses Allowed Anywhere on the Master Development Plan] to read as follows:

9.7.4.1.2 Uses Allowed Anywhere on the Master Development Plan

- a. Commercial Parking Garage
- b. Child Care Facility
- c. Cultural Facility
- d. Educational Use, Exempt
- e. Essential Services
- f. Shuttle Service
- g. Rooftop Wireless Communication Facility approved pursuant to Section 9.7.11.19

- 2) Add new Section 9.7.4.2.4 to read as follows:

9.7.4.2.4 Monopole Wireless Communication Facility. See Section 9.7.11.19.

- 3) Add new Section 9.7.11.19 to read as follows:

9.7.11.19 Wireless Communication Facility. A UAMUD project may include a wireless communication facility if approved by the Planning Board as follows:

9.7.11.19.1 Rooftop Wireless Communication Facility. A Rooftop Wireless Communication Facility may be permitted by Project Development Review (PDR) Approval pursuant to Section 9.7.12.2.2, with the following restrictions, except as expressly waived by a majority of the Board:

9.7.11.19.1.1 No component of a Rooftop Wireless Communication Facility shall be taller than ten feet (10') nor shall any component extend more than ten feet (10') above the existing surface of the roof on which the facility is proposed for installation.

9.7.11.19.1.2 All components of a Rooftop Wireless Communication Facility shall be set back a minimum of ten feet (10') from the interior face of the parapet surrounding the roof on which the facility is proposed for installation.

9.7.11.19.1.3 If any portion of a proposed Rooftop Wireless Communication Facility is visible from any point on an adjacent property, all antennas, cables and associated equipment shall be fully contained within a stealth enclosure of a size, shape and color designed to blend into the surrounding environment in a manner acceptable to the Board.

9.7.11.19.1.3 The subsequent replacement of antennas and/or equipment associated with an approved Rooftop Wireless Communication Facility, where said antennas and/or equipment are fully within an existing stealth enclosure and do not alter the size or appearance of said stealth structure, may be permitted by Administrative Project Development Review (PDR) Approval by the Town Planner.

9.7.11.19.1.4 Any generator associated with a Rooftop Wireless Communication Facility shall be shall be powered without the use of petroleum, and shall be enclosed by sound attenuation panels sufficient to reduce the sound associated with operation of said generator to a level acceptable to the Planning Board.

9.7.11.19.2 **Monopole Wireless Communication Facility.** Two (2) Monopole Wireless Communication Facilities may be

permitted by Special Permit pursuant to Section 10.3, with the following restrictions:

9.7.11.19.2.1 All Monopole Wireless Communications Facilities within the UAMUD shall employ flagpole-style monopoles with a maximum stealth canister diameter of no larger than thirty-six inches (36") and a maximum height of one hundred and twenty feet (120') above the existing grade on which the facility is proposed for installation.

9.7.11.19.2.2 All equipment, including cabinetry, cabling, generators, and ice bridges associated with a Monopole Wireless Communication Facility shall be fully contained within a screened enclosure which shall not exceed ten feet (10') in height above the existing grade on which the facility is proposed for installation. No portion of said equipment shall be visible above said screened enclosure.

9.7.11.19.2.3 All Monopole Wireless Communications Facilities within the UAMUD shall be landscaped in a manner consistent with the quality and quantity of landscape materials throughout the University Station development in a manner acceptable to the Board.

9.7.11.19.2.4 The shape, size and color of each component of a Monopole Wireless Communication Facility shall be designed to blend into the surrounding environment in a manner acceptable to the Board.

9.7.11.19.2.4 The subsequent replacement of antennas and/or equipment associated with an approved Monopole Wireless Communication Facility, where said antennas and/or equipment are fully within

an existing stealth enclosure and do not alter the size or appearance of said stealth structure, may be permitted by Administrative Project Development Review (PDR) Approval by the Town Planner.

9.7.11.19.2.5 No more than two (2) Monopole Wireless Communication Facilities shall be approved for construction within the UAMUD.

9.7.11.19.2.6 Any generator associated with a Monopole Wireless Communication Facility shall be powered without the use of petroleum, and shall be enclosed by sound attenuation panels sufficient to reduce the sound associated with operation of said generator to a level acceptable to the Planning Board.

- 4) Amend the Official Zoning Map to add the following specific parcels to the Wireless Communications Overlay District (WCOD):

Parcel 27-022 (Pheasant Hill Conservation Area); and
Parcel 27-221 (June Street Playground).

PB Article 3 – Zoning Bylaw Amendments Relative to Definitions

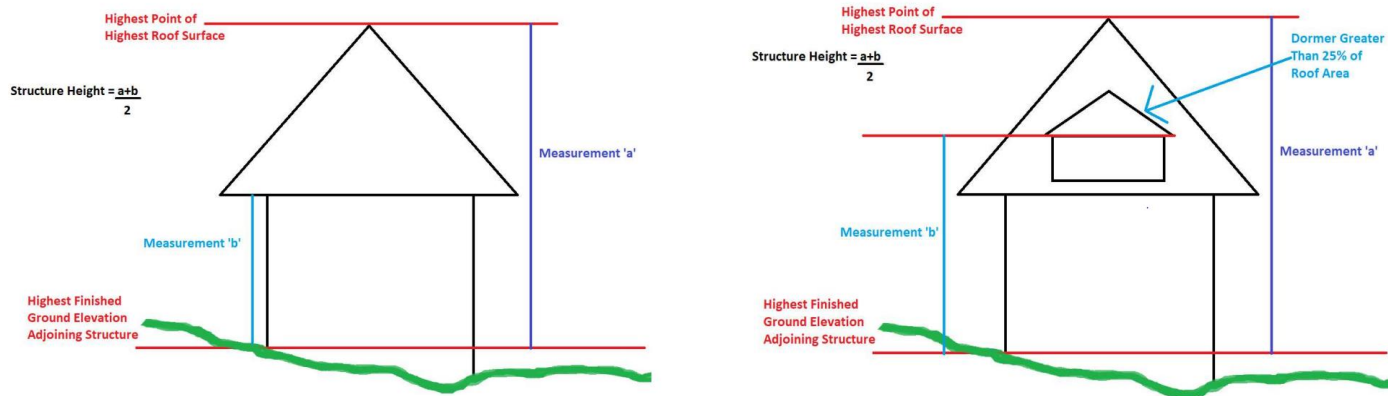
To see if the Town will vote to approve certain amendments to Zoning Bylaw Section 2.0 [Definitions] to revise, expand, clarify and/or illustrate the definition of various terms used within the bylaw, as follows, or take any other action in relation thereto:

[New language shown in underlined red font, language to be removed shown with strikethrough]

- 1) Revise the definition for “Building Height” to add two illustrations, so that the revised definition reads as follows:

Building Height The vertical distance from grade plane to the average height of the highest roof surface. The limitations of height shall not apply to chimneys, ventilators, skylights, tanks, bulkheads, penthouses, amateur radio antennas and other necessary features usually carried above the roof line, provided such features do not cover more than

twenty-five percent (25%) of the area of the roof of the building or other structure and are used in no way for human occupancy. [\(See illustrations.\)](#)



- 2) Revise the definition for “Lot Width” to read as follows:

Lot Width The minimum distance between the side lot lines at all points between the front lot line through the extent of the required front setback distance and the nearest point of a principal building.

- 3) Revise the definition for “Yard, Rear” to read as follows:

Yard, Rear A yard the full width of the lot and situated between the rear line of the lot and the nearest part of the principal building projected to the side lines of the lot.

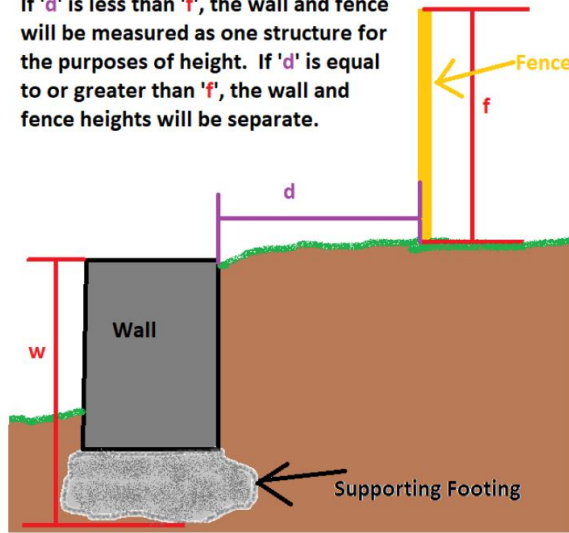
- 4) Add new definition for “Detached Accessory Structure” to read as follows:

Detached Accessory Structure – A structure which is not physically attached to any primary structure on a property, is located remotely from that structure, and is self-supporting/freestanding. The use of an accessory structure shall not be dependent upon the primary structure and physical access must be independent. For example, a deck which is not connected to a house, but can be accessed directly from the interior would not be considered a detached structure.

- 5) Add a new definition for “Retaining Wall Height” to read as follows, including illustration:

Retaining Wall Height – A retaining wall’s height is determined from the bottom of the footing (or lowest level of constructed support) to the top of the wall. In the case of two or more terrace-style walls, if the distance between walls is less than twice the height of the lower wall, they are considered the same wall/structure. If the separation distance is more than twice the height of the lower wall, they are considered as separate walls/structures. (See illustration.)

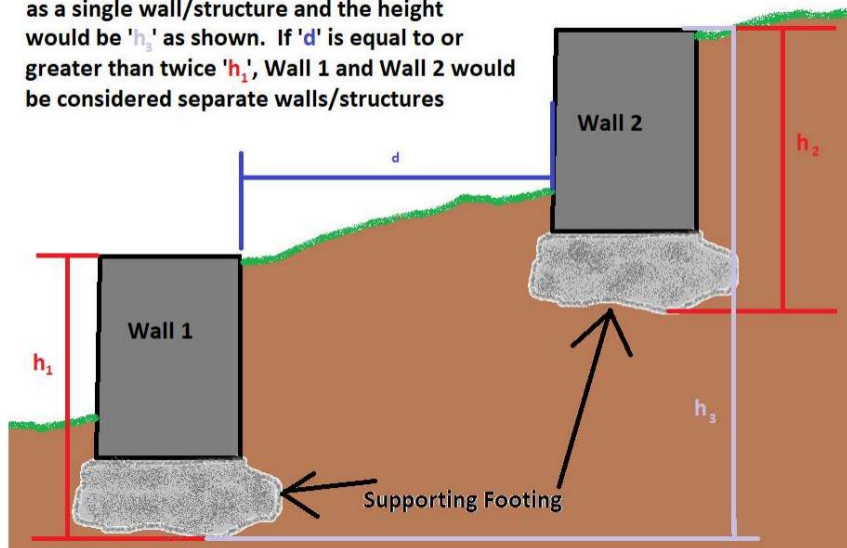
If 'd' is less than 'f', the wall and fence will be measured as one structure for the purposes of height. If 'd' is equal to or greater than 'f', the wall and fence heights will be separate.



6) Add a new definition for “Combined Wall and Fence Height” to read as follows, including illustration:

Combined Wall and Fence Height – When a fence is installed adjacent to and above a wall (retaining or otherwise), and not separated by a distance equal to the fence’s height, the wall and fence shall be measured together. If they are separated by more than the height of the fence, the fence is determined to be independent of the wall for the purposes of determining height. (See illustration.)

If 'd' is less than twice the measurement of 'h₁', then Wall 1 and Wall 2 will be considered as a single wall/structure and the height would be 'h₃' as shown. If 'd' is equal to or greater than twice 'h₁', Wall 1 and Wall 2 would be considered separate walls/structures



- 7) Revise the definition for “Affordable Housing” to define “Affordable Housing/Affordable Dwelling Units” to read as follows:

Affordable Housing/Affordable Dwelling Units ~~Dwelling units available at a cost of no more than thirty (30) percent of gross household income to households at or below eighty (80) percent of the Boston PMSA median income as most recently reported by the U.S. Housing and Urban Development (HUD), including units listed under M.G.L Chapter 40B and the State’s Local Initiative Program.~~ All Affordable Housing/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 Executive Office of Housing & Livable Communities (EOHLC), or successor, or affordable dwelling units developed under additional programs adopted by the Commonwealth of Massachusetts or its agencies, where dwelling units are subject to a restriction in the chain of title limiting the sale price or rent, or limiting occupancy to an individual or household of a specified income, or both. Such dwelling units shall be affordable to households at or below eighty (80) percent of the Boston-Cambridge-Quincy, MA-NH Area Median Income as most recently reported by the U.S. Department of Housing and Urban Development (HUD). All said dwelling units shall be designed to 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. Where Affordable Housing is required pursuant to any Section of this Bylaw, the minimum number of Affordable Dwelling Units shall be as follows:

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

PB Article 4 – Zoning Bylaw Amendment Relative to Zoning Map References for Overlay Districts

To see if the Town will vote to approve certain amendments to Zoning Bylaw Section 9.1.2 [Adult Uses Overlay District (AUOD) - Location], Section 9.4.2 [Wireless Communications Overlay

District (WCOD) - Location], and Section 9.8.2 [Substance Rehabilitation Facility Overlay District (SRFOD) - Location] to remove specific street addresses and parcel descriptions of properties included within various overlay districts and to confirm that the location of said overlay districts are as shown on the Official Zoning Map, as follows, 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 9.1.2 [Adult Uses Overlay District (AUOD) - Location] to read as follows:

9.1.2 **Location.** The AUOD is herein established as an overlay district. The AUOD shall include the area as shown on the Official Zoning Map within the Adult Uses Overlay District (AUOD), which area is generally located east of University Avenue, ~~between in the vicinity of~~ Yale Street and ~~Rosemont Road~~ Dartmouth Street. ~~The AUOD is located on the following parcels as shown on the Westwood Board of Assessors Map 38, Lots 3, 4, 5, 9 and 14, as of May 5, 1997.~~

2) Amend Section 9.4.2 [Wireless Communications Overlay District (WCOD) - Location] to read as follows:

9.4.2 **Location.** The Wireless Communication Overlay District– (WCOD~~4~~) is herein established as an overlay district. ~~The WCOD shall include all land within the Administrative-Research-Office (ARO), Highway Business (HB), Industrial (I), and Industrial-Office (IO) districts, as well as other specific parcels as shown on the Official Zoning Map within the Wireless Communication Overlay District (WCOD)and as described herein.;~~

~~9.4.2.1 The WCOD shall comprise all land within the following zoning districts:~~

~~Administrative-Research-Office (ARO)~~

~~Highway Business (HB)~~

~~Industrial (I)~~

~~Industrial-Office (IO)~~

~~9.4.2.2 The WCOD shall also include the following specific parcels, or discreet portions of parcels, as shown on the Westwood Board of Assessors' Map, as of January 1, 2014:~~

~~Parcel 04-001 (Hale Reservation, limited to existing utility easement);~~

~~Parcel 09-065 (Dedham Westwood Water District water towers);~~

~~Parcel 14-046 (High Street Fire Station);~~

~~Parcel 14-071 (Town Hall);~~

~~Parcel 14-072 (Police Station);
Parcel 14-079 (Westwood Public Library);
Parcel 14-094 (Deerfield School);
Parcel 14-096 (St. John's Episcopal Church);
Parcel 14-140 (First Baptist Church);
Parcel 14-181 (Colburn School Building);
Parcel 16-005 (Hanlon School); Parcel 16-238 (St. Denis Church);
Parcel 16-250 (First Evangelical Free Church);
Parcel 20-072 (Baker Conservation Area, limited to portion so designated on plan entitled "Wireless Communications Overlay District, Parcel 20-072 (Baker Conservation Area), Westwood, Massachusetts", prepared by BETA Engineering, and dated April 15, 2013);
Parcel 21-044 (St. Margaret Mary Church);
Parcel 21-047 (Thurston Middle School);
Parcel 21-048 (Westwood High School);
Parcel 21-050 (First Parish of Westwood United Church);
Parcel 21-064 (First Parish of Westwood United Church);
Parcel 23-189 (Islington Community Center);
Parcel 23-215 (Islington Fire Station and Morrison Field);
Parcel 24-135 (Downey School);
Parcels 27-022 and 27-221 (June Street Conservation Area, limited to portion so designated on plan entitled "Wireless Communications Overlay District, Parcels 27-022 and 27-221 (June Street Conservation Area), Westwood, Massachusetts", prepared by BETA Engineering, and dated April 15, 2013);
Parcel 28-077 (Sheehan School);
Parcel 28-078 (Sheehan Fields, limited to portion so designated on plan entitled "Wireless Communications Overlay District, Parcel 28-078 (Sheehan Fields), Westwood, Massachusetts", prepared by BETA Engineering, and dated April 15, 2013);
Parcel 28-329 (Temple Beth David);
Parcels 29-123 (Westwood Lodge);
Parcel 35-089 (Martha Jones School); and
That abandoned portion of public right-of-way which extends from the intersection of Grove Street and Country Club Road to Route 128.~~

- 3) Amend Section 9.8.2 [Substance Rehabilitation Facility Overlay District (SRFOD) - Location] to read as follows:

9.8.2 **Location.** The Substance Rehabilitation Facility Overlay District (SRFOD) is herein established as an overlay district. The SRFOD shall include the ~~following specific parcels, as a~~ **following specific parcels, as a** area shown on the Official Zoning Map within the Substance

Rehabilitation Facility Overlay District (SRFOD) Westwood Board of Assessors' Map, as of January 1, 2021:

~~Parcel 17-172 (40 Allied Drive/Circumferential Highway);
Parcel 17-173 (100 Allied Drive/Circumferential Highway);
Parcel 17-174 (122 Allied Drive/Circumferential Highway);
Parcel 17-176 (333 Dedham Elm/Circumferential Highway); and
Parcel 17-177 (259 Dedham Elm/Circumferential Highway).~~

PB Article 5 – Zoning Bylaw Amendment Relative to Accessory Apartments

To see if the Town will vote to approve certain amendments to Zoning Bylaw Section 8.5 [Accessory Apartments] to more clearly describe design requirements for Accessory Apartments, as follows, or take any other action in relation thereto:

[New language shown in underlined red font, language to be removed shown with strikethrough]

- 1) Revise Sections 8.5.6.2 and 8.5.6.3 to replace the term “floor area” with the term “gross floor area”, so that the revised Sections 8.5.6.2 and 8.5.6.3 read as follows:

8.5.6.2 The gross floor area of the Accessory Apartment shall not be less than five hundred (500) square feet.

8.5.6.3 The gross floor area of the Accessory Apartment shall not exceed the lesser of nine hundred (900) square feet, or thirty-three percent (33%) of the gross floor area of the combined dwelling or dwellings if the footprint of the principal dwelling remains unchanged, or twenty-four percent (24%) of the gross floor area of the combined dwelling if the footprint of the principal dwelling is enlarged.

PB Article 6 – General Bylaw Amendment Relative to Solid Waste

To see if the Town will vote to approve certain amendments to General Bylaw Chapter 342 [Solid Waste] to regulate the use, location and maintenance of temporary construction dumpsters at non-residential and multi-family residential properties, as follows, or take any other action in relation thereto:

[New language shown in underlined red font, language to be removed shown with strikethrough]

- 1) Amend Chapter 342 [Solid Waste] to read as follows:

Chapter 342. Solid Waste
Article I. Litter and Refuse Disposal

§ 342-1. Litter and refuse.

No person shall litter or dispose of any refuse on or in any public land, way, sidewalk, pond, stream, brook, watercourse or on any private land except with the consent of the owner thereof.

§ 342-2. Waste and/or recycling containers regulated.

For the purpose of controlling the maintenance and operation of dumpsters to protect and promote public health, safety, environmental conservation, and general welfare, no person or entity shall operate, keep, store, use or maintain a waste and/or recycling container associated with a non-residential or multi-family residential property, including without limitation a dumpster, compactor or other container intended or used for trash or recycling materials, including temporary construction dumpsters, except in accordance with this Section.

§ 342-3. Dumpster covers and enclosures required.

Any waste and/or recycling container associated with a non-residential or multi-family residential property, shall have an impermeable lid or cover integral to the dumpster, compactor or container itself, and shall be located on an impervious surface designed to prevent the discharge of contaminated run-off or leachate into the soil, groundwater, or surface water. All such containers shall be fully screened within a gated dumpster enclosure so as not to be visible at eye level from any point on an abutting parcel or within any public right-of-way. Dumpster enclosures shall be solidly constructed of wood, stone, brick or similar materials, and shall not include chain link fencing, with or without vinyl privacy slats. Dumpster enclosure gates shall be closed and fastened at all times other than during brief periods of active loading and/or unloading of trash and/or recycling materials. Notwithstanding the above, a temporary dumpster associated with a non-residential or multi-family residential property shall not require integral cover, enclosure or screening, but shall be covered by a securely fastened impermeable tarp or other means sufficient to prevent the discharge of contaminated run-off or leachate into the soil, groundwater, or surface water.

§ 342-4. Dumpster maintenance.

All waste and/or recycling containers, including temporary construction dumpsters associated with a non-residential or multi-family residential property, shall be in good condition free of damage caused by wear or misuse that would allow leaks or access by rodents. All such containers shall be deodorized and washed on a semi-annual basis to prevent persisting putrescence or the buildup of potentially harmful or dangerous residues. The Health Director or Sanitarian may require more frequent cleaning, if necessary. If rodent activity or other site hygiene issues are prevalent, the Health Director or Sanitarian may require additional design/containment requirements utilizing best available technology.

§ 342-5. Permitted hours for waste and/or recycling containers.

Waste and/or recycling containers shall not be filled more than one (1) hour before the start of business or one (1) hour after the close of business of an associated commercial establishment, nor between the hours of 12:00 a.m. and 6:00 a.m. at a multi-family residential property. Said containers shall not be emptied between the hours of 12:00 a.m. and 6:00 a.m.

§ 342-6. Fines.

Any persons violating the provisions of this bylaw shall be punished by a fine of \$100 for each offense. Each day that said violation continues shall be considered a separate and continuing offense.

§ 342-7. Waivers.

Strict compliance with this bylaw may be waived if the Select Board finds that the waiver is in the public interest and is consistent with the intent and purpose of this bylaw.

§ 342-7. Severability.

If any section or provision of this bylaw is held invalid, it shall not invalidate any other section or provision hereof. If the application of any provision of this bylaw to any person or circumstances is held invalid, it shall not invalidate the application of this bylaw to other persons and circumstances hereof.

WESTWOOD PLANNING BOARD
WARRANT ARTICLES

FINANCE & WARRANT COMMISSION MEETING

February 27, 2024

PLANNING BOARD ARTICLES

- PB-1 Zoning Bylaw – MUMFROD Overlay District
- PB-2 Zoning Bylaw – Wireless Communication Facilities
- PB-3 Zoning Bylaw – Definitions & Illustrations
- PB-4 Zoning Bylaw – Zoning Map References
- PB-5 Zoning Bylaw – Accessory Apartments
- PB-6 General Bylaw – Temporary Dumpsters

PROPOSED ARTICLE PB-1
MUMFROD EXPANSION

MBTA COMMUNITIES LAW

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.

The 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 one district of reasonable size in which multi-family housing is permitted as of right...”



Gables Residential at University Station

MBTA COMMUNITIES LAW

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

WESTWOOD'S CURRENT ZONING:

Annual Town Meeting May 2, 2022

Article 22 – Zoning Bylaw & Zoning Map Amendments Relative to Mixed-Use & Multi-Family Residential Overlay Districts (MUMFROD)

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.

WESTWOOD'S CURRENT ZONING:

MUMFROD Overlay District Parcels

Street Address	Map & Lot	Lot Area (Acres)	1/2 Mile?	Current Zoning	Current Use	Tax Category
22 Everett St (Foster Block I)	23-226	1.92	Partially - IS	MUMFROD/FMUOD3	Industrial	Commercial
Everett St (Foster Block II)	23-227	4.86	Partially - IS	MUMFROD/FMUOD3	Vacant	Commercial
85-91 University Ave (Gables I)	33-019	3.74	Yes - Rt128	MUMFROD/UAMUD	Apartments	Residential
95 University Ave (Gables II)	33-054	2.89	Yes - Rt128	MUMFROD/UAMUD	Apartments	Residential
120-130 University Ave (Pulte)	33-056	2.75	Yes - Rt128	MUMFROD/UAMUD	Condos	Residential
		16.16				

WESTWOOD'S CURRENT ZONING:

MUMFROD near Islington Station:



Foster Block Property - 22 Everett Street



WESTWOOD'S CURRENT ZONING:

MUMFROD near Rt 128 MBTA Station:



University Place by Pulte Homes
100 two-bedroom condos



Gables Residential
350 one & two-bedroom apartments



WESTWOOD'S CURRENT ZONING:

Section 9.9 - Mixed-Use & Multi-Family Residential Overlay District

- 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, lighting and landscaping review
- 15% of proposed units required to be affordable, 85% units are market rate
- 10% of units must have at 3 bedrooms
- Special permit process for development proposals in excess of 15 units per acre

MBTA COMMUNITIES GUIDELINES

Draft Guidelines were finalized on August 17, 2023

- Westwood is defined as a Commuter Rail Community
- Housing unit capacity requirement = 15% of stock
- 5,801 units x 15% = **870 total unit capacity**
- MUMFROD must include least **50 acres** total land area
- At least **25 acres within 1/2 mile of MBTA stations**
- Up to 25 acres may be located elsewhere in Westwood



Commonwealth of Massachusetts
EXECUTIVE OFFICE OF HOUSING &
LIVABLE COMMUNITIES

Maura T. Healey, Governor ♦ Kimberley Driscoll, Lieutenant Governor ♦ Edward M. Augustus, Jr., Secretary

TO: Municipal Officials in MBTA Communities
FROM: Secretary Edward M. Augustus, Jr.
DATE: August 17, 2023
RE: Revisions to Section 3A Compliance Guidelines

On August 10, 2022, EOHLIC released Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act (the "Guidelines"). One revision was made in October 2022. This is a summary of the second change. In response to feedback from municipal leaders in several MBTA communities, EOHLIC is revising the Guidelines to offer MBTA communities a path to receive some credit for mixed-use development zoning districts. The revision also specifies how Section 3A compliance may affect certain discretionary grant award decisions. These revisions:

1. Allow an MBTA community to "offset" the minimum multi-family unit capacity requirement in certain multi-family zoning district(s) by up to 25%, based on the unit capacity of a mixed-use zoning district that meets key requirements of Section 3A and the Guidelines, but for requiring a ground floor non-residential component. Such "offset" - only available where existing village-style or downtown development is essential to preserve pedestrian access to amenities - still requires a municipality to demonstrate the same total amount of unit capacity.
2. Protect the financial feasibility of achieving housing goals where mixed-use zoning requires ground-floor non-residential uses by (i) setting forth location criteria for mixed-use development districts and requiring that EOHLIC has pre-approved the location before the MBTA community's vote on its zoning changes; (ii) capping the percentage floor area of each development that may be required to be non-residential (ground floor only); (iii) requiring a broad mix of non-residential uses allowed as of right; and (iv) prohibiting minimum parking requirements for non-residential uses.
3. Allow MBTA communities to locate more housing in walkable and transit-oriented neighborhoods without jeopardizing existing non-residential resources and amenities. Many MBTA communities expressed a desire to locate districts in village-style or downtown neighborhoods but feared that allowing multi-family housing as of right in those areas could risk a loss of existing businesses and buildings. Many residents expressed a desire to live in village-style, downtown, and transit-oriented neighborhoods.
4. Add a list of thirteen discretionary grants programs to Section 9 to alert MBTA communities of additional grant programs that will consider compliance with Section 3A in making grant awards.

These revisions to the Guidelines are intended to provide greater flexibility to MBTA communities to adopt new zoning districts in mixed-use neighborhoods, and to promote housing opportunities for residents in such neighborhoods. The revisions do not reduce the total unit capacity required by the Guidelines.

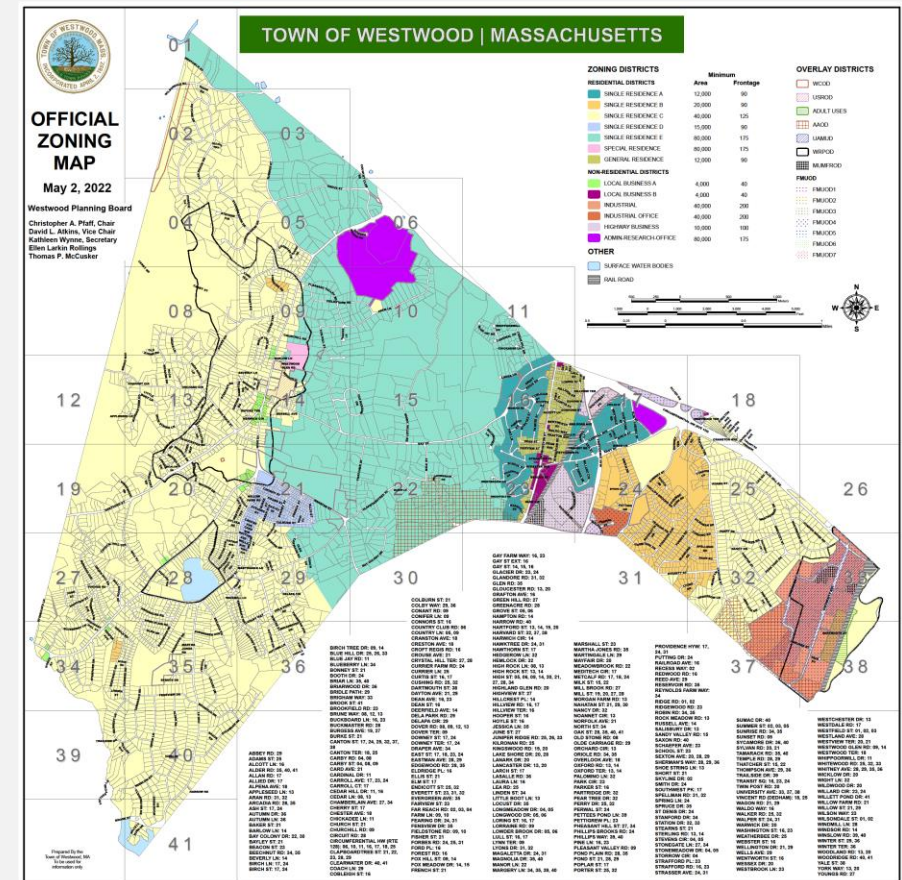
WESTWOOD'S CURRENT ZONING VS. GUIDELINES:

Current MUMFROD Overlay District:

- **16.16 acres** in MUMFROD overlay district approved in May 2022
- 450 units at University Station plus 160 units at 22 Everett Street
- **610 units** existing or under construction (not just capacity) in MUMFROD

MBTA Community Guidelines:

- Minimum of **50 acres**, with at least 25 acres within 1/2 mile of MBTA
- Minimum capacity of **870 units** of multi-family housing
- EOHLC will not count actual developed number of housing units
- EOHLC will only count by-right unit capacity within designated zone
- 16.16 acres times 15 units per acre = existing capacity of only 242 units
- Westwood is required to increase unit capacity by at least 628 units
- Westwood is required to increase land area by at least 33.84 acres



PROPOSED ARTICLE I

AMENDMENTS TO MIXED-USE MULTI-FAMILY RESIDENTIAL OVERLAY DISTRICT (MUMFROD)

Planning Board's Guiding Principles/Process for MUMFROD Expansion:

- Comply with letter and spirit of MBTA Communities Law
- Consider every parcel in Westwood
- Carefully evaluate the potential benefits and detriments of each parcel
- Limit negative effects on developed residential neighborhoods
- Preserve fiscally beneficial commercial development, where possible
- Prioritize sites near transit and within walking distance of public amenities
- Gain recognition of 610 multi-family units developed or under construction
- Develop proposal with greatest potential for voter support
- Achieve Board consensus on the parcel list based on extensive discussion, research, and resident feedback
- Do what is best for Westwood

PROPOSED ARTICLE I

AMENDMENTS TO MIXED-USE MULTI-FAMILY RESIDENTIAL OVERLAY DISTRICT (MUMFROD)

MUMFROD-1: 15-unit per acre density

- Majority of MUMFROD parcels

MUMFROD-2: 20-unit per acre density

- Former Foster Block Property on Everett Street

MUMFROD-3: 35-unit per acre density

- Gables and Westwood Place

MUMFROD-4: 15-unit per acre density with mixed-use commercial

- Goode Plaza and Michienzi Plaza on High Street
- Mandatory Commercial Uses on Ground Floor

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 (mixed-use) = **21.7** units per acre



672 High Street
6 condos (mixed-use) = **13.6** units per acre

DENSITY EXAMPLES

321 Washington Street
12 apartments (mixed-use) = **12.6** units per acre



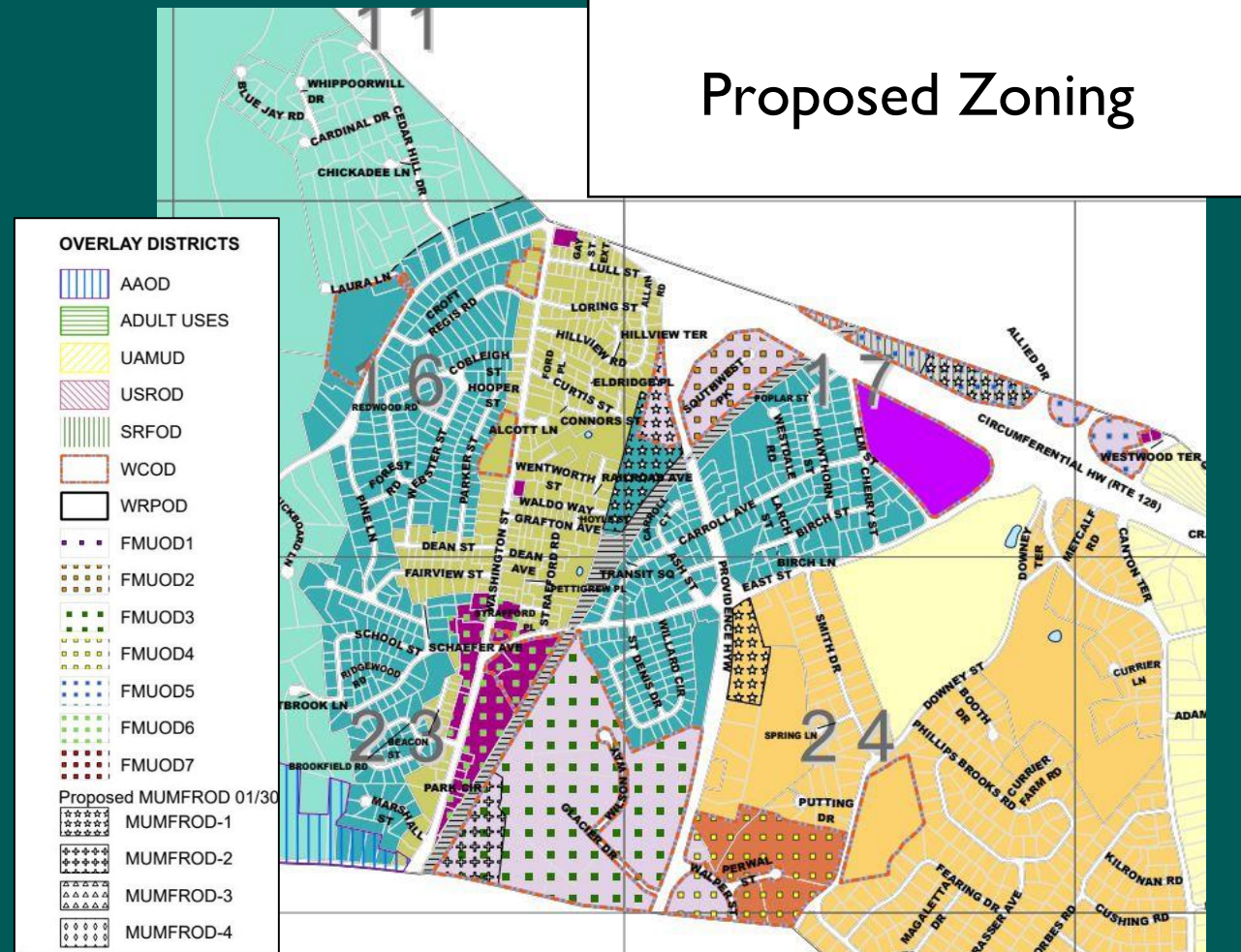
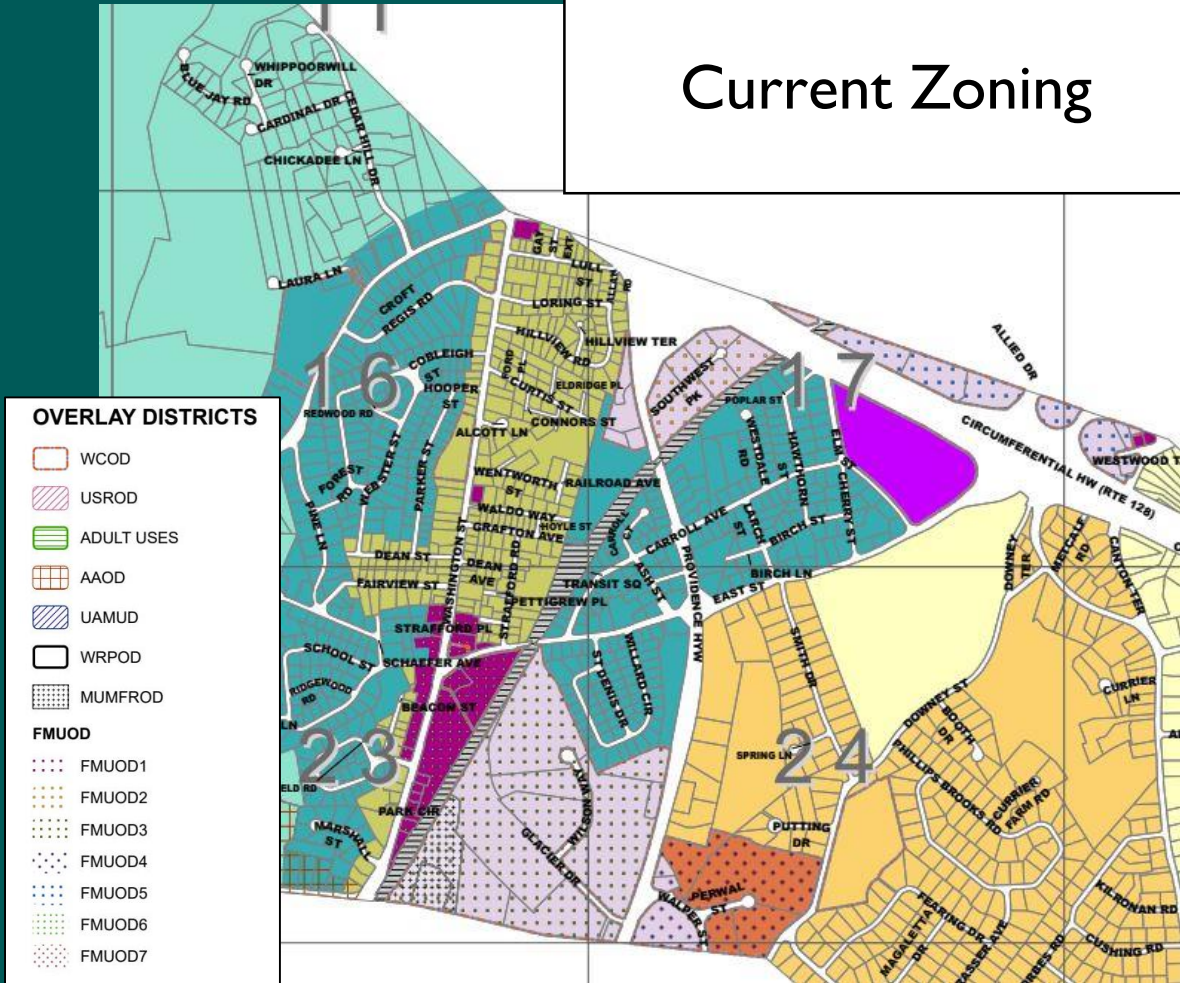
401-409 Washington Street
9 condos = **8.6** units per acre

PROPOSED ARTICLE I

AMENDMENTS TO MIXED-USE MULTI-FAMILY RESIDENTIAL OVERLAY DISTRICT (MUMFROD)

Current Zoning

Proposed Zoning



PROPOSED ARTICLE I

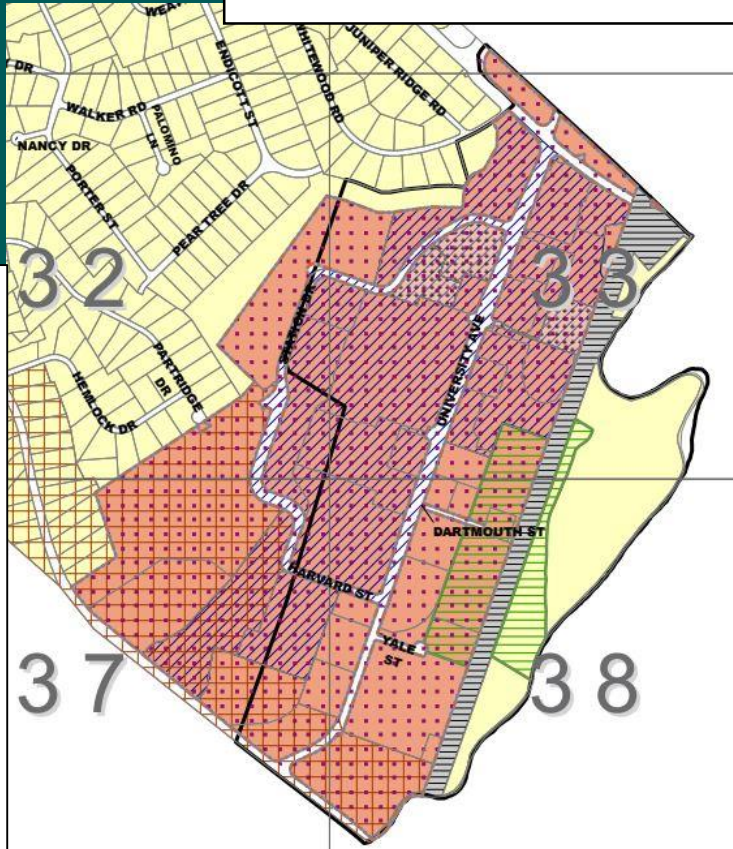
AMENDMENTS TO MIXED-USE MULTI-FAMILY RESIDENTIAL OVERLAY DISTRICT (MUMFROD)

Current Zoning



















Proposed Zoning

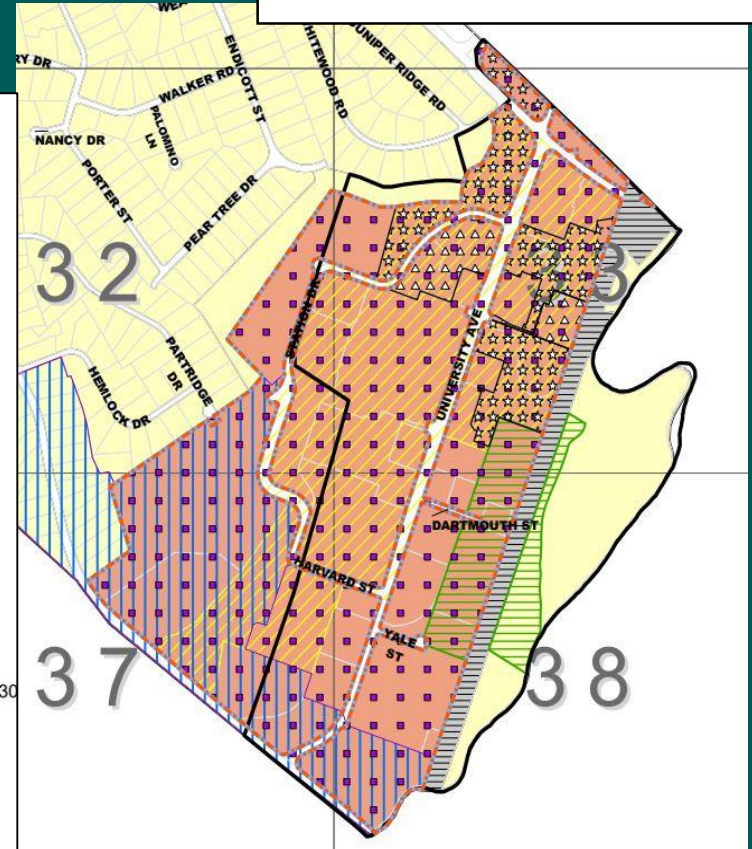
OVERLAY DISTRICTS

-  WCOD
-  USROD
-  ADULT USES
-  AAOD
-  UAMUD
-  WRPOD
-  MUMFROD
- FMUOD**
-  FMUOD1
-  FMUOD2
-  FMUOD3
-  FMUOD4
-  FMUOD5
-  FMUOD6
-  FMUOD7



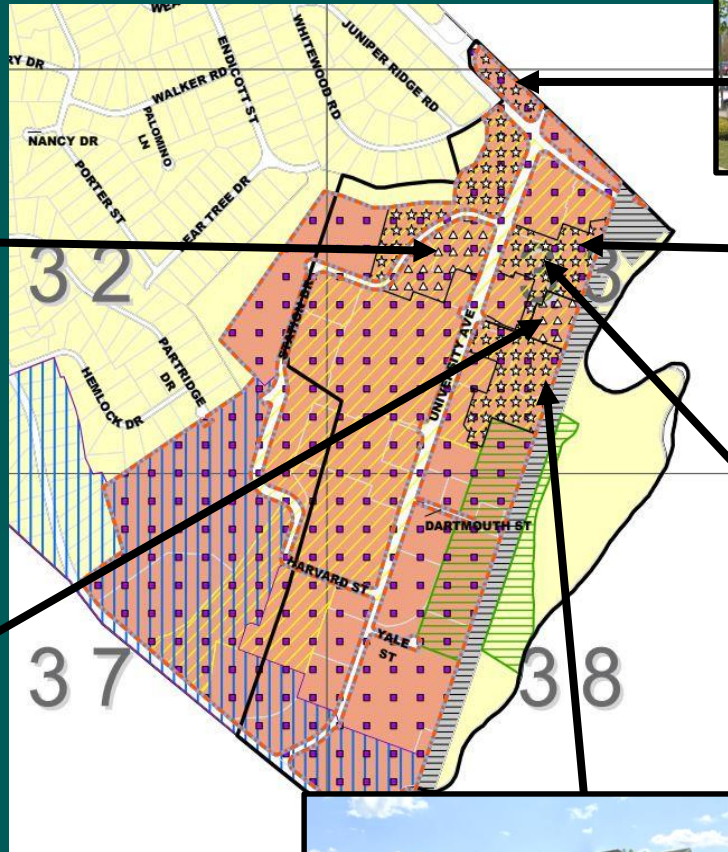
OVERLAY DISTRICTS

-  AAOD
-  ADULT USES
-  UAMUD
-  USROD
-  SRFOD
-  WCOD
-  WRPOD
-  FMUOD1
-  FMUOD2
-  FMUOD3
-  FMUOD4
-  FMUOD5
-  FMUOD6
-  FMUOD7
- Proposed MUMFROD 01/30**
-  MUMFROD-1
-  MUMFROD-2
-  MUMFROD-3
-  MUMFROD-4



PROPOSED ARTICLE I

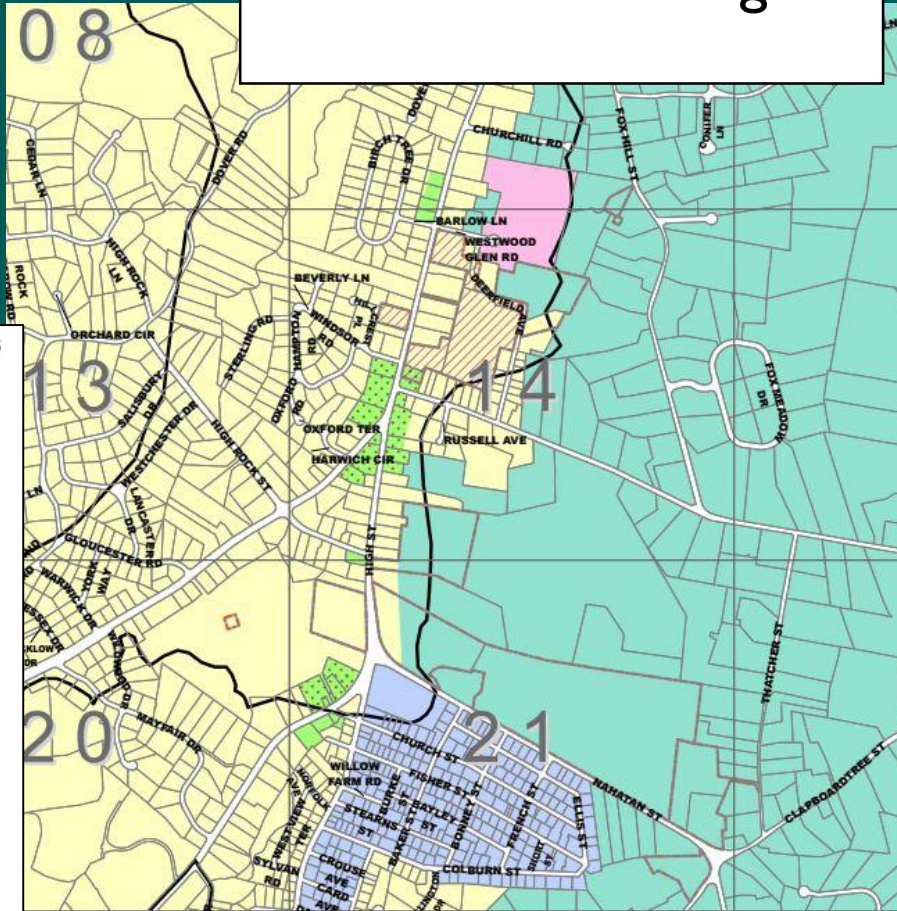
AMENDMENTS TO MIXED-USE MULTI-FAMILY RESIDENTIAL OVERLAY DISTRICT (MUMFROD)



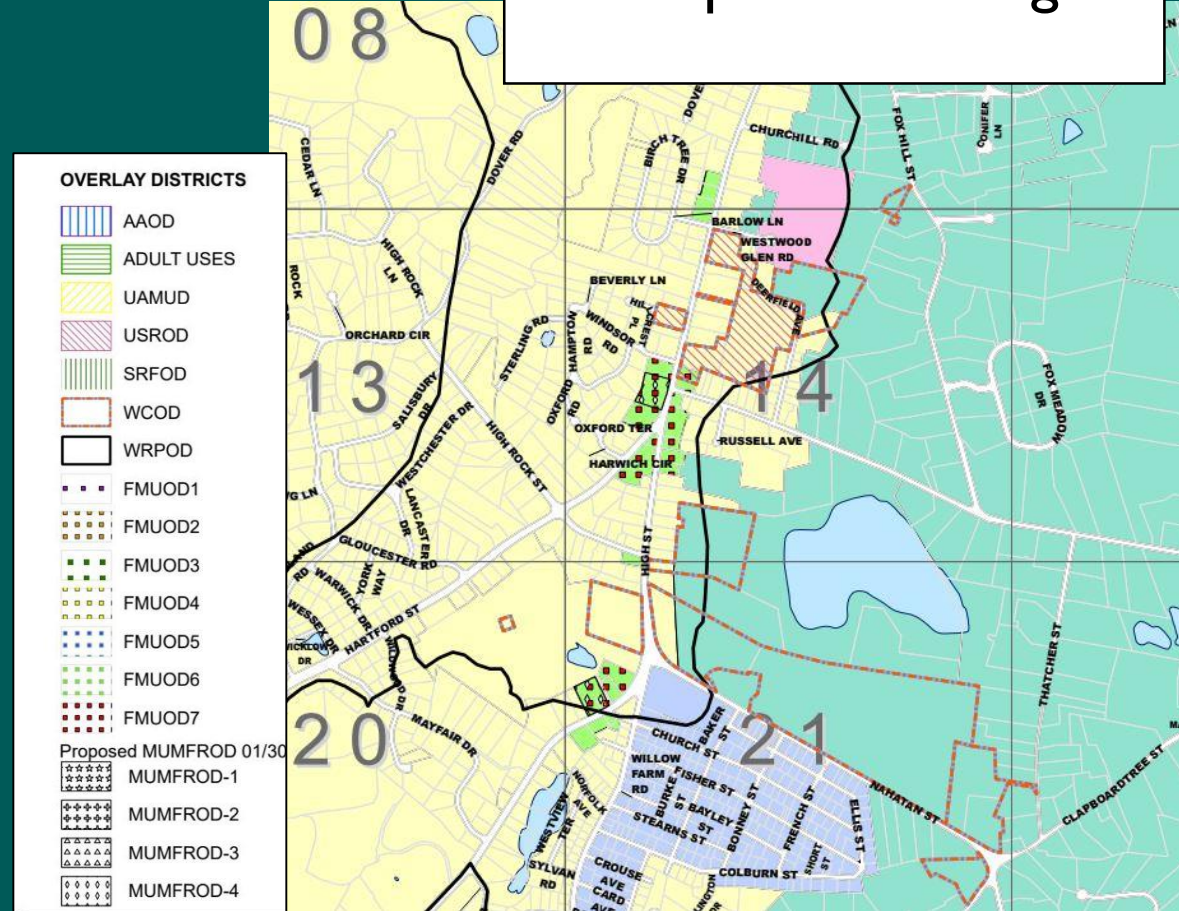
PROPOSED ARTICLE I

AMENDMENTS TO MIXED-USE MULTI-FAMILY RESIDENTIAL OVERLAY DISTRICT (MUMFROD)

Current Zoning



Proposed Zoning

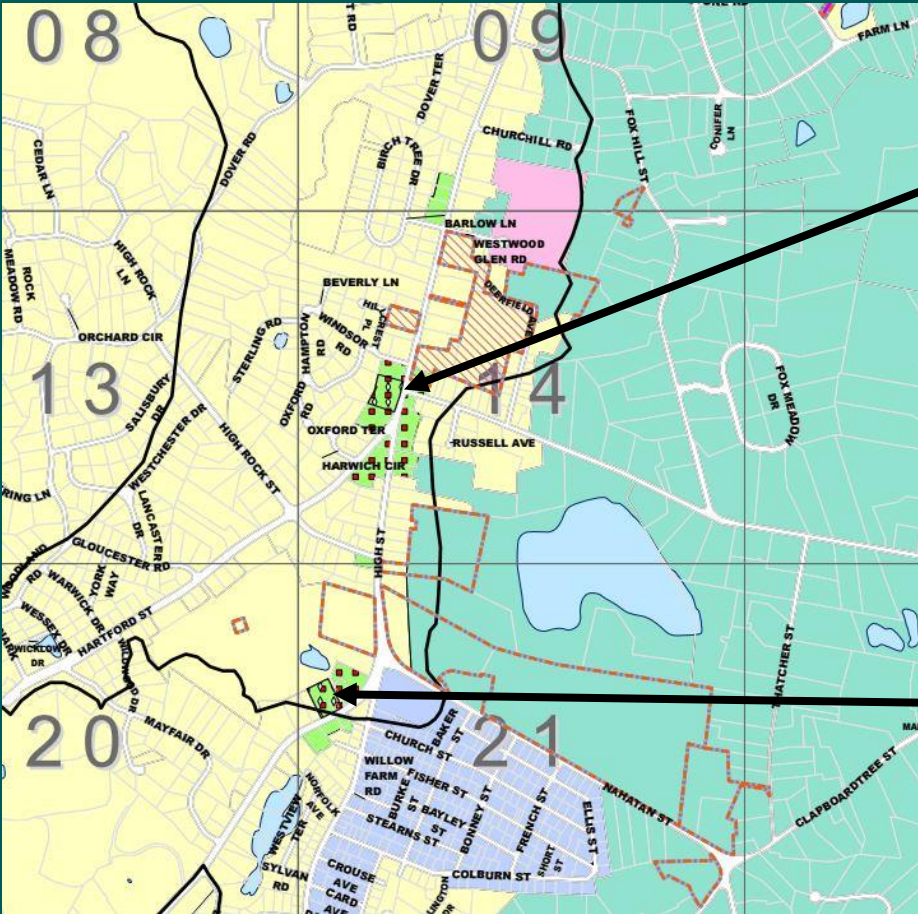


- OVERLAY DISTRICTS**
- WCOD
 - USROD
 - ADULT USES
 - AAOD
 - UAMUD
 - WRPOD
 - MUMFROD
- FMUOD**
- FMUOD1
 - FMUOD2
 - FMUOD3
 - FMUOD4
 - FMUOD5
 - FMUOD6
 - FMUOD7

- OVERLAY DISTRICTS**
- AAOD
 - ADULT USES
 - UAMUD
 - USROD
 - SRFOD
 - WCOD
 - WRPOD
 - FMUOD1
 - FMUOD2
 - FMUOD3
 - FMUOD4
 - FMUOD5
 - FMUOD6
 - FMUOD7
- Proposed MUMFROD 01/30
- MUMFROD-1
 - MUMFROD-2
 - MUMFROD-3
 - MUMFROD-4

PROPOSED ARTICLE I

AMENDMENTS TO MIXED-USE MULTI-FAMILY RESIDENTIAL OVERLAY DISTRICT (MUMFROD)



PROPOSED ARTICLE I

AMENDMENTS TO MIXED-USE MULTI-FAMILY RESIDENTIAL OVERLAY DISTRICT (MUMFROD)

Requirements in All MUMFROD Subdistricts

- EIDR permit application process allows proposals up permitted density
- Planning Board public hearing process with abutter notification
- Height, setback, parking requirements, drainage, lighting and landscaping review
- 15% of proposed units required to be affordable, 85% units are market rate
- 10% of units must have at 3 bedrooms
- Special permit process for residential in excess of permitted density

QUESTIONS?

**PROPOSED ARTICLE PB-2
WIRELESS COMMUNICATION FACILITIES**

PROPOSED ARTICLE 2

AMENDMENTS TO WIRELESS COMMUNICATION OVERLAY DISTRICT

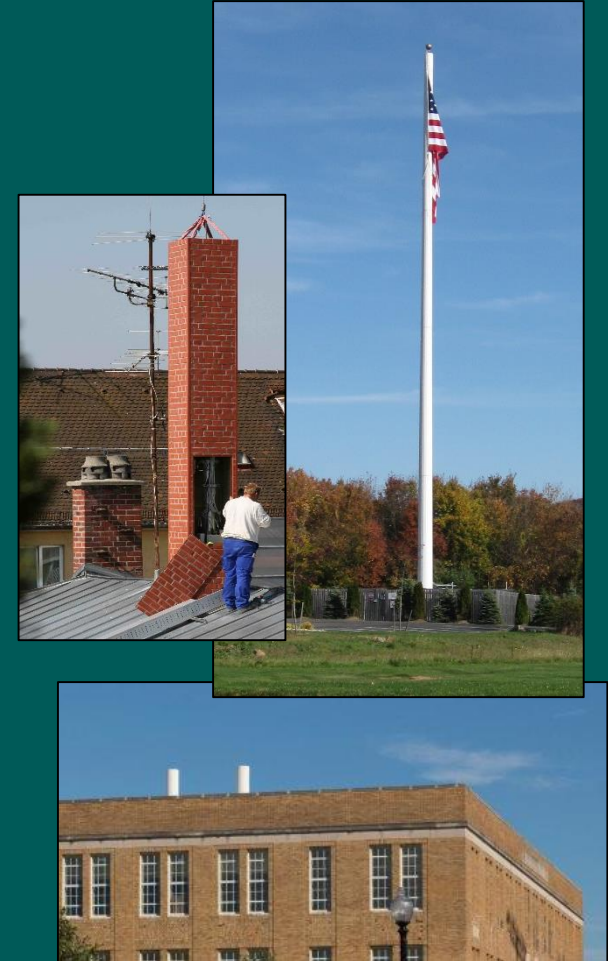
Amend Section 9.7 – University Avenue Mixed Use District (UAMUD)

Rooftop Wireless

- Project Development Review (PDR) Approval required
- No higher than 10 feet above existing roof surface
- Stealth enclosures required if visible from adjacent properties
- Subsequent antenna replacements permitted by Administrative PDR Approval

Monopole Wireless

- Special Permit Approval required with abutter notification
- Flagpole style stealth monopole with maximum 36” diameter
- No more than two (2) monopoles within the UAMUD
- Subsequent antenna replacements permitted by Administrative PDR Approval



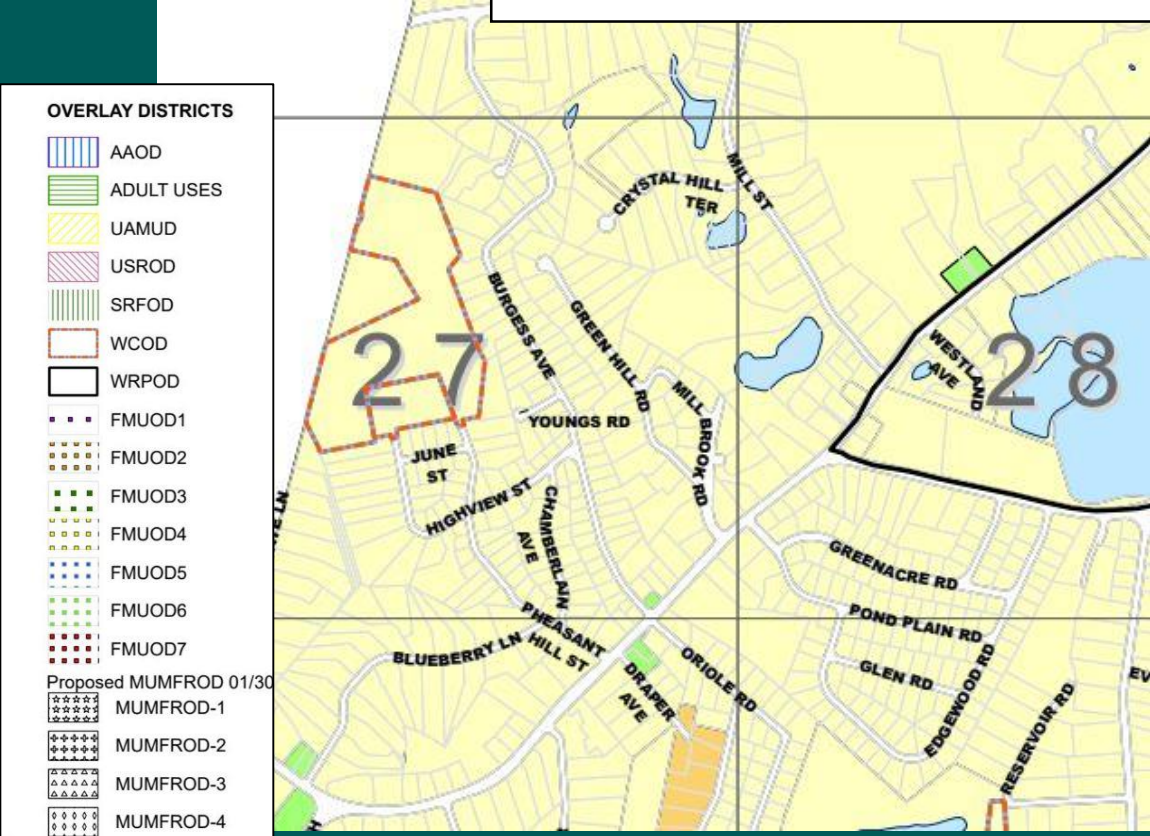
PROPOSED ARTICLE 2 AMENDMENTS TO WIRELESS COMMUNICATION OVERLAY DISTRICT

Current Zoning



- OVERLAY DISTRICTS**
- WCOD
 - USROD
 - ADULT USES
 - AAOD
 - UAMUD
 - WRPOD
 - MUMFROD
 - FMUOD**
 - FMUOD1
 - FMUOD2
 - FMUOD3
 - FMUOD4
 - FMUOD5
 - FMUOD6
 - FMUOD7

Proposed Zoning

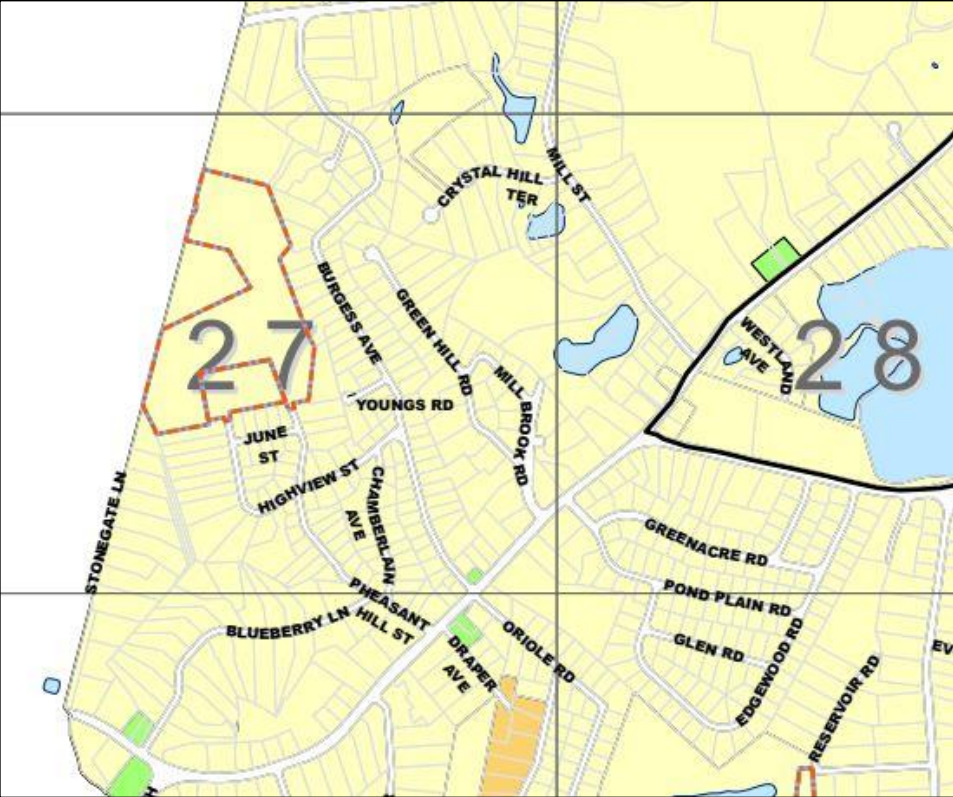


- OVERLAY DISTRICTS**
- AAOD
 - ADULT USES
 - UAMUD
 - USROD
 - SRFOD
 - WCOD
 - WRPOD
 - FMUOD1
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 - FMUOD5
 - FMUOD6
 - FMUOD7
 - Proposed MUMFROD 01/30**
 - MUMFROD-1
 - MUMFROD-2
 - MUMFROD-3
 - MUMFROD-4

PROPOSED ARTICLE 2

AMENDMENTS TO WIRELESS COMMUNICATION OVERLAY DISTRICT

Proposed Map Amendment to Improve Emergency Communications



Example of Stealth Monopole



Pheasant Hill Conservation Area & June Street Playground

QUESTIONS?

PROPOSED ARTICLE PB-3
DEFINITIONS

PROPOSED ARTICLE 3
AMENDMENTS TO DEFINITIONS

Building Height

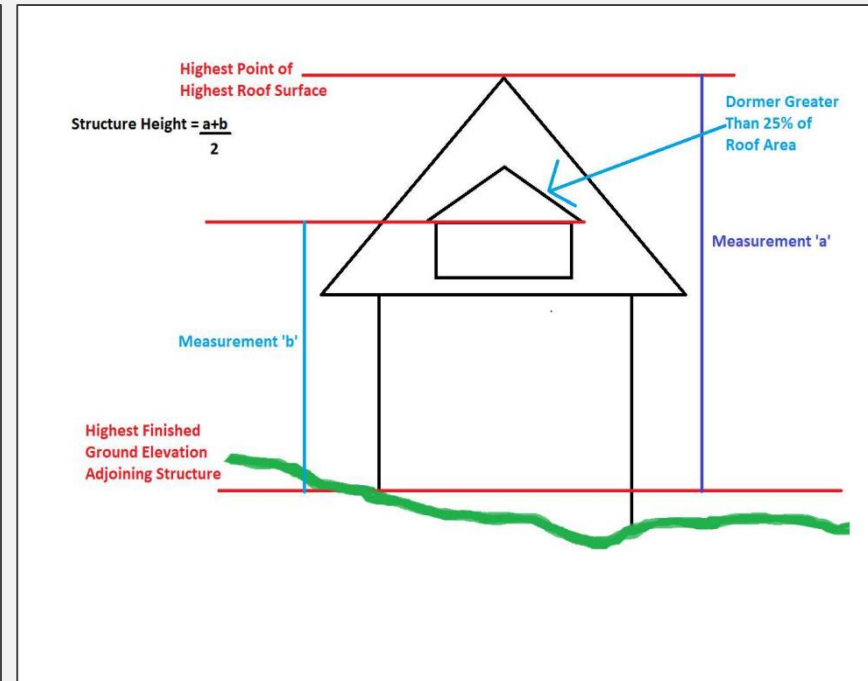
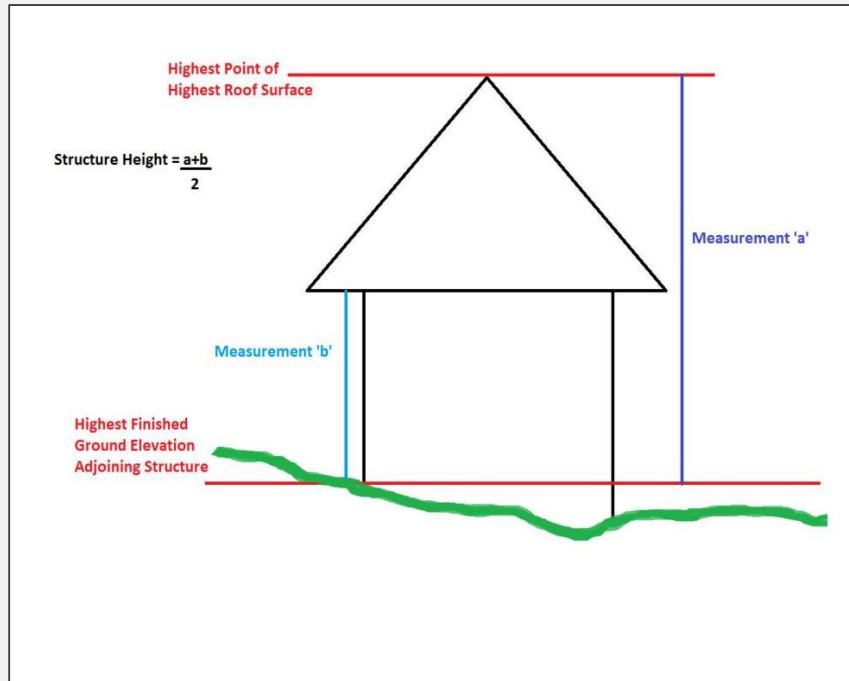
Proposed Revision to Definition:

Building Height The vertical distance from grade plane to the average height of the highest roof surface. The limitations of height shall not apply to chimneys, ventilators, skylights, tanks, bulkheads, penthouses, amateur radio antennas and other necessary features usually carried above the roof line, provided such features do not cover more than twenty-five percent (25%) of the area of the roof of the building or other structure and are used in no way for human occupancy. [\(See illustrations.\)](#)

PROPOSED ARTICLE 3

AMENDMENTS TO DEFINITIONS

Building Height Illustrations



PROPOSED ARTICLE 3
AMENDMENTS TO DEFINITIONS

Lot Width

Proposed Revision to Definition:

Lot Width The minimum distance between the side lot lines at all points between the front lot line through the extent of the required front setback distance and the nearest point of a principal building.

PROPOSED ARTICLE 3
AMENDMENTS TO DEFINITIONS

Rear Yard

Proposed Revision to Definition:

Yard, Rear A yard the full width of the lot and situated between the rear line of the lot and the nearest part of the principal building projected to the side lines of the lot.

PROPOSED ARTICLE 3
AMENDMENTS TO DEFINITIONS

Detached Accessory Structure

Proposed New Definition:

Detached Accessory Structure – A structure which is not physically attached to any primary structure on a property, is located remotely from that structure, and is self-supporting/freestanding. The use of an accessory structure shall not be dependent upon the primary structure and physical access must be independent. For example, a deck which is not connected to a house, but can be accessed directly from the interior would not be considered a detached structure.

PROPOSED ARTICLE 3
AMENDMENTS TO DEFINITIONS

Retaining Wall Height

Proposed New Definition:

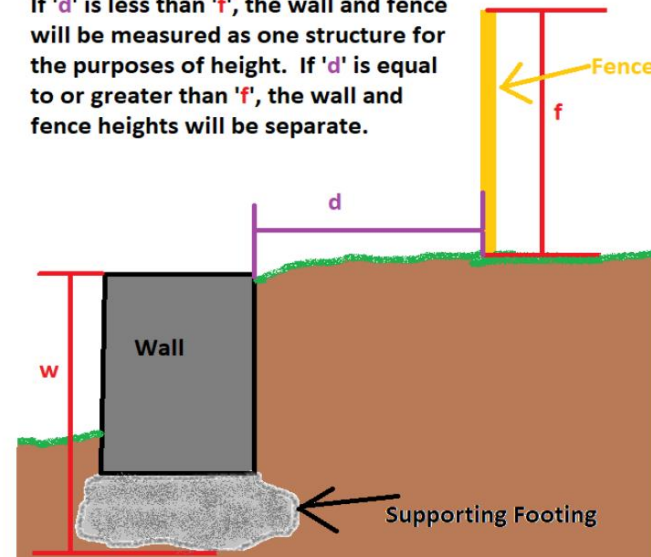
Retaining Wall Height – A retaining wall’s height is determined from the bottom of the footing (or lowest level of constructed support) to the top of the wall. In the case of two or more terrace-style walls, if the distance between walls is less than twice the height of the lower wall, they are considered the same wall/structure. If the separation distance is more than twice the height of the lower wall, they are considered as separate walls/structures. (See illustration.)

PROPOSED ARTICLE 3

AMENDMENTS TO DEFINITIONS

Retaining Wall Height Illustration

If 'd' is less than 'f', the wall and fence will be measured as one structure for the purposes of height. If 'd' is equal to or greater than 'f', the wall and fence heights will be separate.



PROPOSED ARTICLE 3
AMENDMENTS TO DEFINITIONS

Combined Wall and Fence Height

Proposed New Definition:

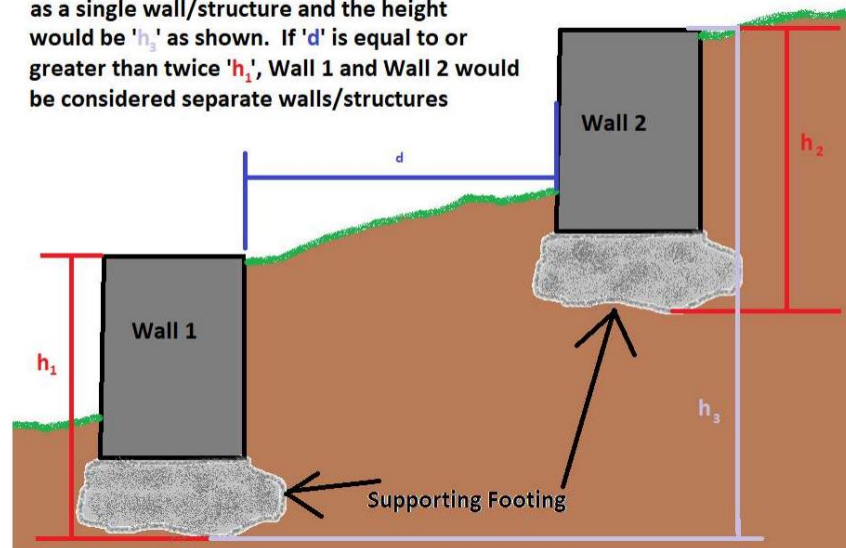
Combined Wall and Fence Height – When a fence is installed adjacent to and above a wall (retaining or otherwise), and not separated by a distance equal to the fence’s height, the wall and fence shall be measured together. If they are separated by more than the height of the fence, the fence is determined to be independent of the wall for the purposes of determining height. (See illustration.)

PROPOSED ARTICLE 3

AMENDMENTS TO DEFINITIONS

Combined Wall and Fence Height Illustration

If 'd' is less than twice the measurement of 'h₁', then Wall 1 and Wall 2 will be considered as a single wall/structure and the height would be 'h₃' as shown. If 'd' is equal to or greater than twice 'h₁', Wall 1 and Wall 2 would be considered separate walls/structures



PROPOSED ARTICLE 3

AMENDMENTS TO DEFINITIONS

Affordable Housing/Affordable Dwelling Units

Proposed Revision to Definition:

Affordable Housing/Affordable Dwelling Units ~~Dwelling units available at a cost of no more than thirty (30) percent of gross household income to households at or below eighty (80) percent of the Boston PMSA median income as most recently reported by the U.S. Housing and Urban Development (HUD), including units listed under M.G.L Chapter 40B and the State's Local Initiative Program. All Affordable Housing/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 Executive Office of Housing & Livable Communities (EOHLC), or successor, or affordable dwelling units developed under additional programs adopted by the Commonwealth of Massachusetts or its agencies, where dwelling units are subject to a restriction in the chain of title limiting the sale price or rent, or limiting occupancy to an individual or household of a specified income, or both. Such dwelling units shall be affordable to households at or below eighty (80) percent of the Boston-Cambridge-Quincy, MA-NH Area Median Income as most recently reported by the U.S. Department of Housing and Urban Development (HUD). All said dwelling units shall be designed to 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. Where Affordable Housing is required pursuant to any Section of this Bylaw, the minimum number of Affordable Dwelling Units shall be as follows:~~

PROPOSED ARTICLE 3
AMENDMENTS TO DEFINITIONS

Affordable Housing/Affordable Dwelling Units

Proposed Revision to Definition (continued):

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

QUESTIONS?

**PROPOSED ARTICLE PB-4
MAP REFERENCES FOR OVERLAY DISTRICTS**

PROPOSED ARTICLE 4

REMOVAL OF ADDRESSES AND PARCEL NUMBERS FROM OVERLAY DISTRICTS

Amend Overlay District Sections

- Section 9.1.2 [Adult Uses Overlay District (AUOD)]
- Section 9.4.2 [Wireless Communications Overlay District (WCOD)]
- Section 9.8.2 [Substance Rehabilitation Facility Overlay District (SRFOD)]
- and any other sections where references are to specific parcels

Remove Specific Parcel Number and Address References

Replace with Zoning Map References

PROPOSED ARTICLE 4

REMOVAL OF ADDRESSES AND PARCEL NUMBERS FROM OVERLAY DISTRICTS

9.1.2 **Location.** The AUOD is herein established as an overlay district. The AUOD shall include the area as shown on the Official Zoning Map within the Adult Uses Overlay District (AUOD), which area is generally located east of University Avenue, ~~between~~ in the vicinity of Yale Street and ~~Rosemont Road~~ Dartmouth Street. ~~The AUOD is located on the following parcels as shown on the Westwood Board of Assessors Map 38, Lots 3, 4, 5, 9 and 14, as of May 5, 1997.~~

PROPOSED ARTICLE 4

REMOVAL OF ADDRESSES AND PARCEL NUMBERS FROM OVERLAY DISTRICTS

9.4.2 **Location.** The Wireless Communication Overlay District— (WCOD—) is herein established as an overlay district. The WCOD shall include all land within the Administrative-Research-Office (ARO), Highway Business (HB), Industrial (I), and Industrial-Office (IO) districts, as well as other specific parcels as shown on the Official Zoning Map within the Wireless Communication Overlay District (WCOD) and as described herein.

~~9.4.2.1—The WCOD shall comprise all land within the following zoning districts:~~

~~Administrative-Research-Office (ARO)~~

~~Highway Business (HB)~~

~~Industrial (I)~~

~~Industrial-Office (IO)~~

~~9.4.2.2—The WCOD shall also include the following specific parcels, or discreet portions of parcels, as shown on the Westwood Board of Assessors' Map, as of January 1, 2014:~~

~~Parcel 04-001 (Hale Reservation, limited to existing utility easement);~~

~~...~~

PROPOSED ARTICLE 4

REMOVAL OF ADDRESSES AND PARCEL NUMBERS FROM OVERLAY DISTRICTS

9.8.2 **Location.** The Substance Rehabilitation Facility Overlay District (SRFOD) is herein established as an overlay district. The SRFOD shall include the ~~following specific parcels, as area~~ shown on the Official Zoning Map within the Substance Rehabilitation Facility Overlay District (SRFOD) Westwood Board of Assessors' Map, as of January 1, 2021:

~~Parcel 17-172 (40 Allied Drive/Circumferential Highway);
Parcel 17-173 (100 Allied Drive/Circumferential Highway);
Parcel 17-174 (122 Allied Drive/Circumferential Highway);
Parcel 17-176 (333 Dedham Elm/Circumferential Highway); and
Parcel 17-177 (259 Dedham Elm/Circumferential Highway).~~

QUESTIONS?

PROPOSED ARTICLE PB-5
ACCESSORY APARTMENTS

PROPOSED ARTICLE 5

AMENDMENT OF ACCESSORY APARTMENT SECTION

Amend Section 8.5

8.5.6.2 The gross floor area of the Accessory Apartment shall not be less than five hundred (500) square feet.

8.5.6.3 The gross floor area of the Accessory Apartment shall not exceed the lesser of nine hundred (900) square feet, or thirty-three percent (33%) of the gross floor area of the combined dwelling or dwellings if the footprint of the principal dwelling remains unchanged, or twenty-four percent (24%) of the gross floor area of the combined dwelling if the footprint of the principal dwelling is enlarged.

QUESTIONS?

**PROPOSED ARTICLE PB-6
TEMPORARY CONSTRUCTION DUMPSTERS**

PROPOSED ARTICLE 6

TEMPORARY CONSTRUCTION DUMPSTERS

Amend General Bylaw Chapter 342. Solid Waste

§ 342-2. Waste and/or recycling containers regulated.

For the purpose of controlling the maintenance and operation of dumpsters to protect and promote public health, safety, environmental conservation, and general welfare, no person or entity shall operate, keep, store, use or maintain a waste and/or recycling container associated with a non-residential or multi-family residential property, including without limitation a dumpster, compactor or other container intended or used for trash or recycling materials, including temporary construction dumpsters, except in accordance with this Section.

PROPOSED ARTICLE 6

TEMPORARY CONSTRUCTION DUMPSTERS

§ 342-3. Dumpster covers and enclosures required.

Any waste and/or recycling container associated with a non-residential or multi-family residential property, shall have an impermeable lid or cover integral to the dumpster, compactor or container itself, and shall be located on an impervious surface designed to prevent the discharge of contaminated run-off or leachate into the soil, groundwater, or surface water. All such containers shall be fully screened within a gated dumpster enclosure so as not to be visible at eye level from any point on an abutting parcel or within any public right-of-way. Dumpster enclosures shall be solidly constructed of wood, stone, brick or similar materials, and shall not include chain link fencing, with or without vinyl privacy slats. Dumpster enclosure gates shall be closed and fastened at all times other than during brief periods of active loading and/or unloading of trash and/or recycling materials. Notwithstanding the above, a temporary dumpster associated with a non-residential or multi-family residential property shall not require integral cover, enclosure or screening, but shall be covered by a securely fastened impermeable tarp or other means sufficient to prevent the discharge of contaminated run-off or leachate into the soil, groundwater, or surface water.

PROPOSED ARTICLE 6

TEMPORARY CONSTRUCTION DUMPSTERS

§ 342-4. Dumpster maintenance.

All waste and/or recycling containers, including temporary construction dumpsters associated with a non-residential or multi-family residential property, shall be in good condition free of damage caused by wear or misuse that would allow leaks or access by rodents. All such containers shall be deodorized and washed on a semi-annual basis to prevent persisting putrescence or the buildup of potentially harmful or dangerous residues. The Health Director or Sanitarian may require more frequent cleaning, if necessary. If rodent activity or other site hygiene issues are prevalent, the Health Director or Sanitarian may require additional design/containment requirements utilizing best available technology.

QUESTIONS?

PLANNING BOARD PUBLIC HEARING
CONTINUED TO MARCH 12, 2024
AT 7:00 PM VIA ZOOM

(SEE ZOOM LINK ON TOWN WEBPAGE)

***Westwood Finance and Warrant Commission
FEBRUARY 12, 2024 MEETING
ZOOM WEBINAR
7:00 PM
Meeting Minutes***

Finance Commission Chairperson George Hertz called the meeting to order at 7:00PM. He then read the Open Meeting Law pursuant to Chapter 2 of the Acts of 2023.

Finance and Warrant Commission members who were present: William Bruce Jr., John Carey, James Ferraro, Lauren FitzPatrick, Seth Frederickson, Mike Gay, George Hertz, Caitlyn Jurczak, George Laham, Kristina Patyjewicz, Christopher Poreda, Sean Weller, and Alexander Yale.

Chairperson Hertz then granted permission to Westwood Media Center to live stream and record the meeting. He also asked if anyone else would like to record this meeting.

He then welcomed all participants, members, presenters and members of public and press to the FinCom February 12, 2024 Meeting.

The Finance Commission administrator, Ms. Wong then called the ROLL.

Afterwards, Chairperson Hertz led members in the Pledge of Allegiance.

Members were provided with the final agenda and all other related materials prior to the meeting.

Prior to the evening's presentations, Chairperson Hertz made some introductory comments:

- He pointed out that it has been an extremely difficult operating budget year. He watched the Select Board meetings with Ms. McManus' budget presentations and stated the budgets are very tight. This year, the Commission will be very dependent on their respective subcommittees delving into their portions of the budget and reporting back to the Commission if they are comfortable with their recommendations.

Evening's Presentations:

- Marianne LeBlanc Cummings [Select Board Chair], Christopher Coleman [Town Administrator], Stephanie McManus [Asst. Town Administrator/Finance Director], Molly Kean [Asst. Town Administrator/HR Director], Members of the Select Board- FY25Municipal Budget and FY25 Overall Budget + Update on ATM 2024 'Select Board' Warrant Articles

Chairperson Hertz introduced the evening's first presentation. Ms. Marianne LeBlanc Cummings [Select Board Chair], Mr. Christopher Coleman [Town Administrator], Ms. Stephanie McManus [Asst. Town Administrator/Finance Director], Ms. Molly Kean [Asst. Town Administrator/HR Director], and Members of the Select Board were present. Ms. Cummings called the Select Board's meeting to order at 7:04PM. She made some introductory comments reiterating that it has been very

challenging budget cycle. Ms. Cummings stated that the budget they are presenting tonight shows it is balancing the town's needs. Before Ms. McManus started her budget presentation, Ms. Cummings called the roll for the Select Board. Ms. McManus mentioned that she sent out the FY25 Proposed Municipal Budget and FY25 Overall Proposed Budget books to the Commission prior to tonight's meeting and the information they are presenting is included in those documents. She also thanked Town officials, department heads, School department and FinCom for their collaboration in presenting a balanced budget that preserves high level of services. In her presentation, Ms. McManus covered the following topics: FY25 Proposed Municipal Budget summary overview, details on FY25 operating budget (includes fixed costs), the FY25 Overall Proposed Budget (includes project revenue sources and proposed expenditures), and the next steps in the budget cycle. Members asked questions during her presentation.

During the presentation, Ms. McManus provided an update on the FY25 Capital Articles- Borrowing Articles. The Select Board voted at their February 5th meeting to move the following projects as budget article #11-13: Fire- Squad Truck Replacement, Schools- High School Roof replacement and DPW- Conant Road Culvert Construction. Vice Chair Poreda mentioned that the Conant Road Project was not on their agenda during their Capital Planning Subcommittee meeting and the subcommittee will have a follow up discussion with Ms. McManus.

One member asked a question about the reasoning for the increase in residential property taxes. Select Boardman Mr. Gotti gave a brief PowerPoint presentation explaining the increase.

Chairperson Hertz asked what the penalty fee is if Westwood fails the recycling test again. Ms. McManus will provide a follow up answer.

Next, Mr. Coleman presented the updates on the Select Board Warrant Articles. He stated that the Select Board voted at their February 5th meeting to use miscellaneous article # 4 to create Select Board Article #13- Adoption Fee Schedule for Sealing of Weights and Measures. Vice Chair Poreda suggested that the Town should look into the measurement of electricity for the electric vehicle charging stations are accurately measured and sealed. The Town could charge for the consumption of electricity usage to provide Town residents a sense of security ensuring that the electric vehicle charging station is being using by Town vehicles or town residents. Mr. Coleman will look under the Massachusetts General Laws and see if the seals and measurements covers electric vehicle charging stations. Lastly, Mr. Coleman stated the Select Board will be discussing and voting on the other warrant articles.at their February 26th meeting.

The Chair thanked Ms. McManus for all of her hard work in putting the budget together. Then he reiterated that it has a very tight budget year and asked subcommittees to really look into their

respective operating budgets and report back to the Commission that it is indeed a balanced budget. He would like to provide residents some insurance that the Town has a tightly managed budget. The Select Board adjourned their meeting at 7:56PM.

- *Tim Piwowar [WPS Superintendent], Lemma Jn-Baptiste [Director of Finance and Operations], Tony Mullin [School Committee Chair]- FY25 School Budget*

The Chair introduced the evening's final presentation. Mr. Tim Piwowar [WPS Superintendent], Ms. Lemma Jn-Baptiste [Director of Finance and Operations], and Tony Mullin [School Committee Chair] were present. Mr. Piwowar thanked all of his team members for their hard work in putting the School budget together. Then, he gave some background information as to how they built the School's budget. During his presentation, Mr. Piwowar covered the following topics: Budget cost drivers, budget requests, enrollment considerations, Pine Hill Consolidations, FY25 Budget Elementary specials, and other staffing changes. Next, Mr. Piwowar transitioned over to other topics covering Special Education, non-salary budget changes and revenue assumptions, capital budget, a comparison chart with other Towns, and future priorities.

Members asked questions during his presentation. One member requested the School shares their prioritizations in capital projects with respect to the new fire station. Mr. Piwowar stated his team is focusing on the visioning work for the School building and will have a draft report completed in October to inform what will be in next year's capital budget cycle.

Chairperson Hertz thanked Mr. Piwowar for his thoroughness as it has been reflected in his presentation tonight.

Chair's update:

Chairperson Hertz wanted to make sure all of the subcommittees have their meetings scheduled. All subcommittee chairs reported whether they already had their meeting or if their meeting has been scheduled. Then, the Chair reminded members that Commission will be meeting in person at their first Public Hearing on February 27th.

Vice Chair's update:

Vice Chair Poreda reported that the Capital & Long-Range Planning subcommittee had their meeting with the Municipal side and they will have their meeting with School via Zoom tomorrow. Nothing surprising came out of their meeting and the Subcommittee asked a lot of questions. The Vice Chair stated they will give a full briefing at the Subcommittee Presentation meeting. He also pointed out again that the Conant Road Culvert construction project was not in the Subcommittee's agenda so they will follow up on that topic. Lastly, he mentioned that he attended a virtual town meeting sponsored by the Hale Education and at that meeting, Hale Education said that "money is not

available from Westwood”. There shouldn’t be a warrant article seeking for a borrowing authority for money for conservation restriction for Hale. Chairperson Hertz accepted Mr. Poreda’s comment while mentioning that he read in the editor’s comments in Westwood Living magazine article that Westwood will not be participating in the Hale Conservation Restriction. Furthermore, the Chair thought it was a good move that the Commission separated the operating budget from the Capital budget side which allowed the Capital Long-Range Planning Subcommittee to have a better understanding on the Town’s prioritization on Capital projects.

Old Business:

Members were asked to review and approve the meeting minutes for January 16, 2024. A motion was offered and seconded. A ROLL CALL took place. Nine members approved the minutes and four members abstained. One member was absent.

Public and Press:

The Chair asked if there are any questions or comments from the public or press. Ms. Wong read a few resident comments from the Q&A box.

One resident commented on the Westwood Fire Department overtime account for the proposed FY25 budget. She wanted to know what the minimum staffing does the proposed budget provide 24/7 with only \$100K of additional OT. The Chair commented that the resident asked an interesting question and stated the Public Safety subcommittee will look into the OT funds. He also stated that the Fire station staffing level is a policy issue determined by the Select Board. The Public Safety subcommittee chair mentioned the overtime does not fund the firefighters as a minimum standard but is used for vacation, sick time, training, etc. Moreover, the resident expressed her concerns about the staffing needs at the Westwood Fire Department. She also wanted to know what the plan is to get to 11 firefighters in each working group and to fund the minimum of 11 firefighters 24/7. Chairperson Hertz thanked the resident for her question and reiterated that the staffing level is a policy decision made by the Select Board and the Fire Department Chief. FinCom can only analyze what the Select Board’s recommendations are.

Another town resident commented that Westwood Fire Department ambulance runs bring in revenue. She wanted to know when was the last increase to fees, what is being charged now per ambulance run, and how does the Town of Westwood compare to other towns in MA with fees. The resident also wanted to know if the Town charge mutual aid towns more money for ambulance runs. She felt that Westwood does their fair share of mutual aid to surrounding towns and some towns do not reciprocate as much. The Chair stated the Public Safety subcommittee will look into the issue of fees and the charges of the ambulance runs. He is not certain what comparative data is available and pointed

out that the charging other towns is possibly a policy decision made between the Fire Chief and the Select Board or Town Administrator.

Chairperson Hertz thanked the residents for their comments and questions.

The Chair thanked members for attending and asked for a motion to adjourn. A motion was offered and seconded. A ROLL CALL vote was taken unanimously in favor.

Meeting Adjourned at 8:53PM

For a complete video of the 2/12/24 FinCom Meeting please see the following link:

<https://westwoodmediacenter.tv/>