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## PLANNING BOARD

### NOTICE OF PUBLIC HEARING PROPOSED ZONING BYLAW & GENERAL BYLAW AMENDMENTS **FINAL DRAFT ARTICLE LANGUAGE 2/13/24**

Pursuant to Chapter 2 of the Acts of 2023, on March 29, 2023, Governor Maura Healey signed into law, an Act Extending pandemic related authorizations related to public meetings, allowing remote meeting options for public bodies through March 31, 2025. This meeting will be conducted via remote means. Members of the public who wish to access the meeting may do so by using the Webinar link below. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, for reasons of economic hardship and despite best efforts, we will post on the Town website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

The Westwood Planning Board opened a remote public hearing in accordance with the provisions of M.G.L. Chapter 40A, §5 on January 9, 2024, to consider the following proposed amendments to the Town of Westwood Zoning Bylaw and Official Zoning Map, and to the Town of Westwood General Bylaws. Following discussion on January 9, the Board continued the public hearing to a second session on January 30, 2024. Following discussion on January 30, the Board further continued the public hearing to a third session on February 13, 2024. Following discussion on February 13, the Board further continued the public hearing to a fourth session at an in-person meeting of the Planning Board on February 27, 2023, in the Main Library Community Meeting Room, at 660 High Street, Westwood, MA. Following discussion on February 27, the Board further continued the public hearing to a fifth hearing session which will be held as a remote public hearing in accordance with the provisions of M.G.L. Chapter 40A, §5 on **Tuesday, March 12, 2024 at 7:00 pm via Zoom**, to consider the following proposed amendments to the Town of Westwood Zoning Bylaw and Official Zoning Map, and to the Town of Westwood General Bylaws.

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

**Zoom Link:**

<https://us02web.zoom.us/j/89155283285?pwd=Mks5bTNTTVdHNkZ1U2tlN1RnZVJ5dz09>

**Passcode:** 731457

**Or One tap mobile:**

US: +13052241968,,89155283285# US +13092053325,,89155283285# US

**Or Telephone:**

Dial (for higher quality, dial a number based on your current location):

US: +1 305 224 1968, +1 309 205 3325, +1 312 626 6799 (Chicago), +1 646 931 3860,  
+1 929 205 6099 (New York), +1 301 715 8592 (Washington DC), +1 689 278 1000,  
+1 719 359 4580, +1 253 205 0468, +1 253 215 8782 (Tacoma), +1 346 248 7799 (Houston), +1 360 209 5623 ,  
+1 386 347 5053, +1 507 473 4847, +1 564 217 2000, +1 669 444 9171, +1 669 900 6833 (San Jose),  
Or US Toll Free: 888 475 4499, 833 548 0276, 833 548 0282, or 877 853 5257 US

**Webinar ID:** 891 5528 3285

International numbers available: <https://us02web.zoom.us/j/kpgUfwLO3>

Interested persons are encouraged to attend the public hearing via Zoom to make their views known. You may send written comments by email to [romulus@townhall.westwood.ma.us](mailto:romulus@townhall.westwood.ma.us) at least three business days in advance to allow time for receipt and distribution. Final meeting agenda and zoom information will be provided on Town's calendar on the homepage 3-5 days in advance at: <https://www.townhall.westwood.ma.us/>.

**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 9.9.5, 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 ~~A~~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 in 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).

**PB Article 2 – Zoning Bylaw & Zoning Map Amendments Relative 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, 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

- 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).

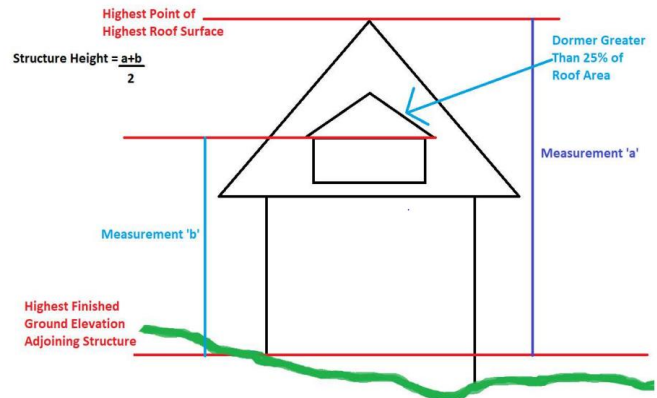
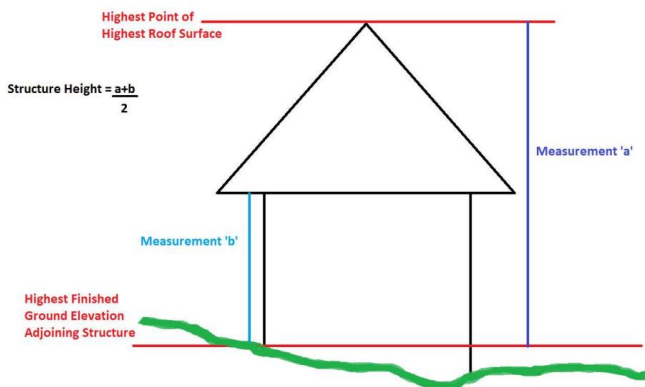
**PB Article 3 – Zoning Bylaw Amendments Relative to Definitions**

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:

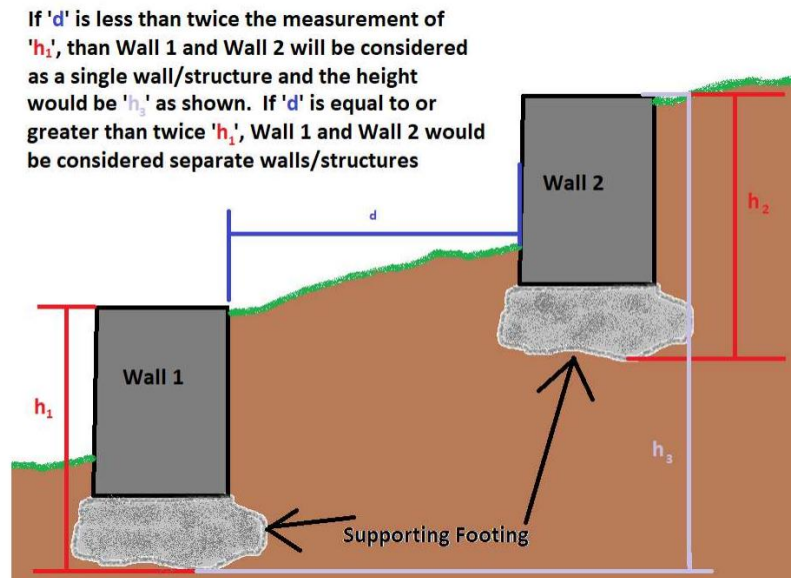
Yard, Rear A yard the full width of the lot and situated between the rear line of the lot and the nearest part of the principal building projected to the side lines of the lot.

- 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.

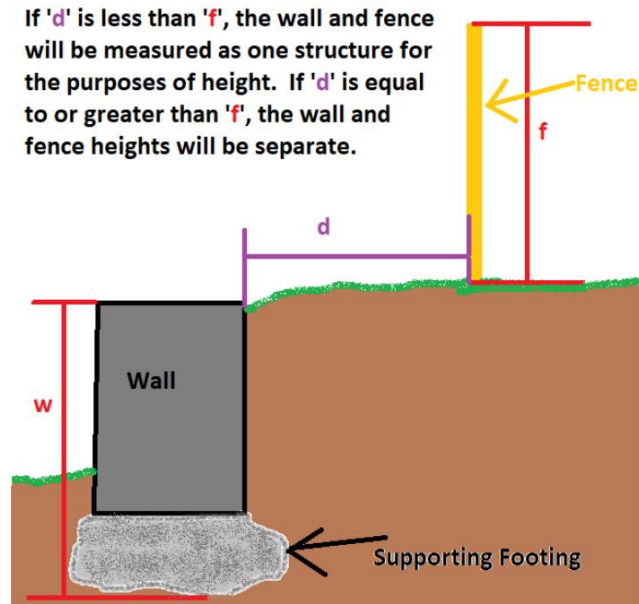
- 5) Add a new definition for “Retaining Wall Height” to read as follows, including illustration:

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.)



- 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.)



- 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~~ 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.

Subsequent revisions may be made to the complete text of proposed warrant articles during the course of the Planning Board's public hearing. Revised text will be made available for viewing on the Town's website under "Current Applications Link" for the Planning Board at [www.westwoodpermit.org](http://www.westwoodpermit.org) and under the Planning Division's "Zoning Amendments" webpage. Interested persons are encouraged to attend the public hearing via Zoom to make their views known to the Planning Board. The final meeting agenda and zoom information will be provided on the Town's meeting calendar on the website 3-5 days in advance at: <https://www.townhall.westwood.ma.us/>.

Westwood Planning Board