

**Town of Westwood**  
Commonwealth of Massachusetts

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**NOTICE OF PUBLIC HEARING**  
**April 23, 2019**  
**Zoning Amendments**

The Westwood Planning Board will hold a public hearing on **Tuesday, April 23, 2019 at 7:00 PM in the Downey School Cafeteria at 250 Downey Street, Westwood, Massachusetts 02090**, to consider the following proposed amendments to the Town of Westwood Zoning Bylaw.

The Planning Board held a public hearing on proposed zoning amendments on February 26, 2019 and continued hearings were held on March 4 and March 12. The Planning Board will hold a hearing on April 23 on the following zoning amendment articles and will make a recommendation to Town Meeting.

**Article 1 - ZONING AMENDMENT RELATED TO ACCESSORY USES IN HIGHWAY BUSINESS**

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw to permit retail uses such as cafeterias, snack bars, gift shops and vending machines as accessory uses serving employees and clientele of the principal use in the HB (Highway Business) zoning district by amending Section 4.3.5.1 [Table of Accessory Uses], or take any other action in relation thereto.

- 1) Amend Section 4.3.5 to read as follows (*underlined wording indicates new language, wording to be removed shown with strikethrough*):

**4.3.5 ACCESSORY USES IN INDUSTRIAL, HIGHWAY BUSINESS AND ARO DISTRICTS**

ACCESSORY USE	DISTRICTS													
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO	
4.3.5.1 Retail uses, such as cafeterias, snack bars, gift shops and vending machines dispensing food, soft drinks and incidental merchandise items; provided that any such uses shall be conducted primarily for the convenience of employees and the clientele of the principal use of the	N	N	N	N	N	N	N	N	N	N	<u>NY</u>	Y	Y	BA

premises and shall be wholly within a building and have no exterior advertising display.														
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**Article 2 - ZONING AMENDMENT TO INCREASE FENCE & WALL HEIGHT**

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw to amend the Section 2.0 [Definitions] definition for "Structure", in relation to fence and wall heights.

- 1) Amend Section 2.0 definition for structure as follows (*underlined wording indicates new language; words to be removed have strikethrough*):

Structure An assembly of materials forming a construction for occupancy or use including among others, buildings, stadiums, gospel and circus tents, reviewing stands, platforms, staging, observation towers, communication towers, flag poles, water tanks, trestles, piers, wharfs, open sheds, coal bins, shelters, fences and display signs, tanks in excess of 500 gallons used for the storage of any fluid other than water and swimming pools. A freestanding fence or wall ~~six (6)~~ seven (7) feet or less in height, or a fence installed on or immediately adjacent to a wall such that the fence and wall together have a combined height of ~~six (6)~~ seven (7) feet or less, measured from the lowest point of grade adjacent to the fence, or combined wall and fence, will not be considered a structure.

**Article 3 - ZONING AMENDMENT TO ACCESSORY USES IN RESIDENTIAL DISTRICTS**

To see if the Town will vote to amend Section 4.3.3 [Accessory Uses in Residential Districts] to amend the requirements for private garage and the parking and storage of more than three motor vehicles in Section 4.3.3.2 to read as follows, or take any action in relation thereto.

- 1) Amend Section 4.3.3.2 to read as follows (*underlined wording indicates new language, wording to be removed shown with strikethrough*):

4.3.3 ACCESSORY USE IN RESIDENTIAL DISTRICTS	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.3.3.2 Private garage and/or the parking or storage area of more than three (3) motor vehicles <u>within an enclosed structure, or more than three (3) vehicles visible at normal eye level from an abutting residential lot, or of</u>	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N

<p>more than one (1) commercial vehicle with a gross vehicle weight of less than 26,000 pounds, but only where in connection with a Principal Use on the same premises.</p>												
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**Article 4 - ZONING AMENDMENTS TO RESIDENTIAL RETIREMENT COMMUNITY (RRC)**

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw to amend Section 8.4 [Residential Retirement Community (RRC)], or take any action in relation thereto.

- 1) Amend Section 8.4.2 as follows (*underlined wording indicates new language; words to be removed have strikethrough*):

8.4.2 **General.** A RRC is a development of land comprising townhouse or apartment type dwellings, under-over type dwellings, multiple type dwellings, or any combination of such housing types, with resident services, operated or sponsored ~~Coordinated Unit~~ by a corporation or organization having among its principal purposes the provision of housing for retired and aging persons. Such facility may also include an assisted living residence ~~restorative care center/skilled nursing facility. A Coordinated Unit is a building or group of buildings under common management and serving purposes which assist the elderly in maintaining an independent lifestyle.~~ The program of resident services may include assisted living residence ~~restorative care center/skilled nursing, transportation, laundry, financial, barber/beautician, medical evaluation, home health, adult day care and respite care services, meals on wheels, both scheduled and unscheduled exercise, recreational and educational activities, and other similar services or activities.~~ These programs and services will be primarily for the benefit of residents of the RRC and/or the Town.

- 2) Amend Section 8.4.3.4 as follows:

8.4.3.4 **Building Height.** The maximum building height shall be no more than 65 feet as set forth in the definition of "Building Height" contained in Section 2.0 of this Bylaw measured by the vertical distance from grade plane to the average height of the highest roof surface. ~~five (5) stories, provided that no more than sixty percent (60%) of the building footprint shall be built upon to a height in excess of four (4) stories. Building footprints shall be measured at the building foundation, but shall exclude covered walkways connecting adjacent buildings.~~

- 3) Amend Section 8.4.3.5 as follows:

8.4.3.5 **Density Limitation.** The total number of dwelling units within a RRC shall not exceed five ~~four and one-half (4½)~~ dwelling units including assisted living units per acre or one and one-half (1½) nursing facility beds per acre.

- 4) Add new Affordable Housing Requirement Section as follows:

**8.4.3.6 Affordability Requirements.** Where any project authorized under a RRC Special Permit will result in the development of at least eight (8) new dwelling units, the minimum number of dwelling units specified in the table below shall be restricted to meet the definition of Affordable Housing in Section 2.0 of this Bylaw and in the Rules and Regulations. All such affordable dwelling units shall be contained within the RRC 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.

<b><u>Total Number of Dwelling Units</u></b>	<b><u>Minimum Number of Affordable Dwelling Units</u></b>
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

**Article 5 - HOUSEKEEPING**

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

- 1) Add “Access Approval Overlay District (AAOD)” to the list of overlay districts in Section 3.1.3 [Overlay Districts]
- 2) Amend Alternative Dimensions Table 9.5.9 to change the Section reference from 9.5.14.2.4.3 to read as follows (*underlined wording indicates new language*):

Minimum Public Amenity Areas or other public amenities required under Section 9.5.15.2.4.3

- 3) Delete the words “Section 8.4, Senior Residential Development (SRD)” in the second paragraph under Section 9.7.12.5 [Relationship to Underlying Districts and Regulations].
- 4) Amend the second paragraph in Section 9.7.12.5 [Relationship to Underlying District Regulations] to correct the Section reference referring to Section 8.5, Residential Retirement Community (RRC) to Section 8.4.

The complete text and material relative to the proposed amendments are available for viewing on the Town's website under the Planning Division "Zoning Amendments" at [http://www.townhall.westwood.ma.us/gov/depts/commdevdepts/zoning\\_amendments.htm](http://www.townhall.westwood.ma.us/gov/depts/commdevdepts/zoning_amendments.htm) or at the office of the Planning Board at 50 Carby Street between 8:30 a.m. and 4:30 p.m. Monday through Thursday and 8:30 a.m. and 1:00 p.m. on Fridays. Interested persons are encouraged to attend the public hearing and make their views known to the Planning Board.

Westwood Planning Board

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