

Westwood Records

Special Town Meeting June 19, 2007

The Meeting was called to order at 8:00 p.m. by Moderator Stephen Gordet who declared the presence of a quorum. The Return on Warrant was read, after which all stood for the Pledge of Allegiance to the Flag

One Resolution was present and read.

WHEREAS, Edward E. Rosenberg served on the Aid to the Elderly and Infirm from 2000 to 2007 and as Chairman from 2001 to 2007, and also served as a Registrar of Voters from 2000 to 2007, and

WHEREAS, during his term of office on the Aid to the Elderly and Infirm Committee, he showed compassion and worked extremely hard to provide assistance to those residents in need, and

WHEREAS, during his term of office he was extremely forthright, principled, and conscientious, and always ensured that the Committee acted and decided in the best interest of the residents, and

WHEREAS, during his term of office as a Registrar of Voters, he was present at every Town Meeting and gave generously of his time, displaying reliability and diplomacy, and

WHEREAS, while a resident of Westwood he gave of himself generously to the Town in a variety of organizations and endeavors, and

BE IT THEREFORE RESOLVED that the Town of Westwood, by vote of those present at the 2007 Special Town Meeting, officially recognize and express their gratitude to Edward E. Rosenberg for his dedicated service to the Town, and

BE IT FURTHER RESOLVED that this Resolution be placed in the official records of the Town and a copy be given to Edward E. Rosenberg.

ARTICLE 1.

TO AMEND SECTION 9.6.7.5 OF THE ZONING BY-LAW

The Finance Commission made its recommendation for Indefinite Postponement and the town voted in favor 662 YES to 381 NO, motion for reconsideration failed by a 2/3s vote declared by the moderator to amend the Westwood Zoning By-Law Section 9.6.7.5 by inserting a new section 9.6.7.5, as provided below, and to take any other action in relation thereto:

9.6.7.5 The maximum building/structure height in any portion of MUOD 1, MUOD 2 or MUOD 3 shall be seventy feet and a maximum of six (6) stories for any hotel use. The maximum building/structure height in any portion of MUOD 1, MUOD 2 or MUOD 3 for any authorized use other than a hotel shall be fifty feet and a maximum of four (4) stories. Unoccupied mechanical features pursuant to Section 9.6.7.6 shall not be included in the calculation of building/structure height.

ARTICLE 2.

TO AMEND SECTION 9 OF THE ZONING BY-LAW

The Finance Commission Recommended Indefinite Postponement and the town voted in favor 633 YES to 324 NO, motion for reconsideration failed by a 2/3s vote declared by the moderator to amend Section 9 of the Westwood Zoning By-Law by inserting a new section 9.6.7.8, as provided below, and to take any other action in relation thereto:

9.6.7.8 No Retail Sales and Service Establishment located within MUOD 1, MUOD 2 or MUOD 3 shall exceed 25,000 square feet in area, inclusive of all warehouse, storage and other facilities associated therewith.

ARTICLE 3.

TO AMEND SECTION 9.6.7 OF THE ZONING BY-LAW

The Finance Commission Recommended Indefinite Postponement and the town voted in favor by a 2/3s vote declared by the moderator to amend Section 9 of the Westwood Zoning By-Law by amending section 9.6.7., as provided below, and to take any other action in relation thereto:

Alternative Regulations. The following alternative regulations may be used for a project in the MUOD rather than the regulations applicable to the underlying district as provided in Section 5.2, Table of Dimensional Requirements, Section 5.4, Height Regulations, Section 5.5.4, Corner Clearance, Section 5.5.5 Uses within Setbacks, Section 6.3.2, Buffer Areas in Nonresidential Districts and Section 6.5, Floor Area Ratio Limitation. However, in the event that the regulations set forth below are more restrictive than the regulations contained in Sections 5.2, 5.4, 5.5.4, 5.5.5, 6.3.2 and 6.5, then the regulations set forth below shall be mandatory.

ARTICLE 4.

TO AMEND SECTION 9.6.8.1 OF THE ZONING BY-LAW

The Finance Commission Recommended Indefinite Postponement and the town voted in favor 463 YES to 341 NO, reconsideration failed by a 2/3s vote declared by the moderator to amend the Westwood Zoning By-Law Section 9.6.8.1 by inserting after the words "A minimum of two hundred (200) housing units" the words "and a maximum of five hundred (500) units," and to take any other action in relation thereto.

ARTICLE 5.

TO MAINTAIN RESTRICTIVE COVENANTS AND BUFFER ZONE

The Finance Commission Recommended Indefinite Postponement and the town voted unanimously to direct the Board of Selectmen not to amend the gift of the restrictive covenants encumbering 213 Whitewood Road, such gift having been previously authorized and approved by Town Meeting on May 1, 2006, in order to make the Agreement between the Westwood Station developer and the abutting neighborhood legally binding, and including such restrictions as an extension of the Town's existing 150' wide buffer zone and certain other development restrictions to protect the integrity of the abutting neighborhood, without the express written assent of the abutting neighborhood as represented by the Whitewood Acres Neighborhood Association, Inc., and to take any other action in relation thereto.

ARTICLE 6

TRAFFIC MITIGATION ON CANTON STREET

The Finance Commission Recommended Indefinite Postponement and the town voted 472 YES to 242 NO to take any actions necessary, including by acquiring, conveyance, gift, eminent domain or otherwise, any necessary interests in land and to seek all necessary approvals from any governmental boards, agencies or instrumentalities to either:

1. Install a Canton Street cul-de-sac and to install traffic calming on the surrounding streets. This action is more fully described as "Concept A" in the Vanasse Hangen Brustlin, Inc. ("VSB") Report dated September 22, 2006, on file at the Westwood Town Hall.
or

2. Implementing a one-way restriction immediately south of Oceana Way that will restrict cars entering north of Oceana Way and to install traffic calming on the surrounding streets. This action is more fully described as "Concept C" in the VSB Report dated September 22, 2006, on file at the Westwood Town Hall, and to take any other action in relation thereto.

All such actions shall be taken prior to the issuance of a Building Permit by the Town to construct any portion of the Westwood Station Project.

ARTICLE 7

TRAFFIC MITIGATION ON EVERETT STREET AND FORBES ROAD

The Finance Commission Recommended Indefinite Postponement and the Town voted Unanimously in favor to take any actions necessary to design and implement traffic calming and traffic mitigation measures on Forbes Road, Everett Street and surrounding streets, such measures to be designed and agreed upon by the Board of Selectmen and interested residents of the Forbes Road and Everett Street area, including consultation with the Town's traffic consultant and any other professionals, boards or committees, and to take any other action in relation thereto. All such actions shall be taken prior to the issuance of a Building Permit by the Town to construct any portion of the Westwood Station project and with the Developer of Westwood Station to pay all costs associated with the design and implementation of such traffic calming and/or traffic mitigation measures.

ARTICLE 8.

REQUIREMENT OF NOISE BARRIER

The Finance Commission Recommended Indefinite Postponement and the Town voted Unanimously in favor to take any actions necessary to enter into an agreement with the Developer of Westwood Station ("Developer") to commit to construct, prior to commencing the construction of any Phase of the Westwood Station Project ("WS"), an 8 foot high Noise/Safety Barrier ("NS Barrier"), and to take any other action in relation thereto. Such NS Barrier is to mitigate the noise effects upon the adjacent WS Neighborhood ("Neighborhood") of the ongoing construction of WS and the noise associated with the activity (traffic, pedestrians, business operations, etc.). Such NS Barrier to also alleviate the crime impact generated by WS so as to mitigate pedestrian traffic from WS into the Neighborhood. Said NS Barrier to be constructed of natural wooden material, sturdy enough to withstand any winds or other environmental impacts, situated on a berm (natural or otherwise) at the edge of the wooded Town Buffer Zone and start at the intersection of Whitewood Road and Blue Hill Drive (as redesigned) and continue until it ends at or near the properties abutting Partridge Drive on the east side of the wooded Town Buffer Zone adjacent to said properties of any other abutters along said NS Barrier. Such NS Barrier to be maintained at Developer's or its successor's expense and at no expense to the Town. Such actions to be agreed upon in a Memorandum of Understanding or other Contractual Agreement between the Town and the Developer of Westwood Station prior to the issuance of a Building Permit by the Town for the construction of any Phase of the Westwood Station project.

ARTICLE 9

The Finance Commission recommended and the Town voted by a two-thirds vote declared by the Moderator to raise and appropriate the sum of Four Hundred Seventy-Five Thousand Dollars (\$475,000) to reconstruct the existing fields at Westwood High School, and for costs incidental and related thereto; that to raise this appropriation, the Town Treasurer with the approval of the Board of Selectmen is authorized to borrow the sum of Four Hundred Seventy-Five Thousand Dollars (\$475,000), under and pursuant to Chapter 44, Section 7(25), of the General Laws, as amended, or any other enabling authority, and to issue bonds or notes of the Town therefore; and further, that the Board of Selectmen is authorized to apply for and accept any gifts and/or grants that may become available for the project.

All business on the Warrant having been acted upon, a motion was made and seconded to adjourn at 11:15 p.m.