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**Town of Westwood**  
Commonwealth of Massachusetts



**PLANNING BOARD**

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To: Jane O'Donnell, Finance and Warrant Commission Administrator  
Finance and Warrant Committee Members

From: Brian Gorman, Planning Board Chair  
Planning Board Members  
Abby McCabe, Town Planner

Date: February 26, 2020

Re: Planning Board Zoning Bylaw Warrant Articles for Annual Town Meeting

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At the Planning Board's meeting on February 25th, the Planning Board voted to withdraw the zoning article related to Morrison Park and Field. The Planning Board's recommendations as voted on February 25, 2020 are summarized below. One board member was absent for the public hearing, thus, four members were present.

**Article 1**      **Select Board Article – Zoning Amendment Related to Medical Uses**

The Planning Board voted 2-0-2 (two members in favor and two members abstained) to recommend favorable action by the Finance and Warrant Commission and that the Planning Board co-sponsor the article.

**Planning Board Sponsored Articles:**

**Article 2:**      **Zoning Amendment to Renting of Rooms (Accessory Uses in Residential Districts)**

The Planning Board voted 3-1-0 (one member voted against) to forward this article to the Finance and Warrant Commission.

**Article 3:**      **Zoning Amendment Related to Prohibitive Uses**

The Planning Board voted to 4-0 to forward this article to the Finance and Warrant Commission.

**Article 4:**      **Zoning Bylaw and Zoning Map Amendment Related to Morrison Park and Field**

The Planning Board 4-0 to withdraw this article.

**Article 5: Zoning Amendments Relative to Fire Arms & Explosives Sales and Services**

The Planning Board voted 4-0 to forward this article to the Finance and Warrant Commission.

**ZONING ARTICLES:**

**Article 1 Summary: Zoning Amendments Related to Medical Uses**

This proposed warrant article would address inconsistencies within the Zoning Bylaw with respect to various medical uses. The article would better align Section 2.0 [Definitions] with Section 4.1 [Table of Principal Uses].

Keeps the existing definitions for “Office of Healthcare Professional” and “Medical Centers or Clinics” and would add Medical Centers and Clinics to the use chart.

**ARTICLE 1- Zoning Amendment Related to Medical Uses**

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to various medical uses by amending Section 4.1.2 [Table of Principal Uses], or take any other action in relation thereto:

*New language shown in underlined red font, language to be removed shown in strikethrough*

- 1) Amend Section 4.1.5 [Table of Principal Uses - Commercial Uses] by changing the title of Section 4.1.5.22 from “~~Office of a doctor or dentist not a resident on premises~~” to “Office of Health Care Professional”, and by adding new Section 4.1.5.23 “Medical Center or Clinic”, and renumber subsequent sections as appropriate:

**4.1.5 COMMERCIAL USES**

PRINCIPAL USE	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.1.5.22 <del>Office of doctor or dentist not a resident on premises</del> <u>Health Care Professional</u>	N	N	N	N	N	BA	N	Y	Y	Y	Y	Y	Y
<u>4.1.5.23 Medical Center or Clinic</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N<sup>8</sup></u>	<u>N</u>	<u>N</u>

2) Amend Section 4.2 [Notes for Table of Principal Uses] by adding a new Note 8 to read as follows, and renumber subsequent notes as appropriate:

<sup>8</sup> Except in accordance with all applicable provisions of Section 9.7 [University Avenue Mixed Use District (UAMUD)].

3) Amend Section 9.5.8.1.9 [Use Permitted by FMUOD Special Permit in any FMUOD] to replace “Office of doctor or dentist” with “Office of Health Care Professional” as follows:

9.5.8.1.9 ~~Office of doctor or dentist~~ Office of Health Care Professional;

4) Amend Section 6.1.2 [Table of Parking Requirements] to replace Section 6.1.5.3 “Office of doctor or dentist” with “Office of Health Care Professional” as follows:

6.1.5.3 ~~Office of doctor or dentist~~ Office of Health Care Professional

One (1) space for each two hundred fifty (250) square feet of floor area or fraction thereof devoted to selling, storage, service and all other activities related to such use, exclusive of cellar and basement areas used only for storage or services incidental to the operation or maintenance of the premises

**Article 2: Zoning Amendment Related to the Renting of Rooms for Residential Properties**

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw as follows, or take any other action in relation thereto: ***New language shown in underlined red font, language to be removed shown in strikethrough***

1) Add new definitions to Section 2.0 [Definitions] for “Short Term Rental” and “Long Term Rental” as follows:

Short-Term Rental  ~~Renting of rooms by resident owner, or the furnishing of table board in a dwelling by the resident owner, to a single family or to not more than three (3) persons other than members of the family for over five (5) consecutive days up to 29 consecutive days.~~

Long-Term Rental  ~~Renting of rooms by resident owner, or the furnishing of table board in a dwelling by the resident owner, to a single family or to not more than three (3) persons other than members of the family for 30 or more consecutive days.~~

2) Amend Section 4.3.3 [ACCESSORY USES IN RESIDNETIAL DISTRICTS] to amend Section 4.3.3.5 and to add new Sections 4.3.3.6 and 4.3.3.7, as follows, and renumber subsequent sections as appropriate:

ACCESSORY USE	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.3.3.5 Renting of rooms by a resident owner, or the furnishing of table board in a dwelling by the resident owner, to not more than three (3) persons other than members of the family. <u>Long Term Rental</u>	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N
<u>4.3.3.6 Short-Term Rental</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>4.3.3.7 Renting of rooms for fewer than five (5) consecutive days</u>	N	N	N	N	N	N	N	N	N	N	N	N	N

**Article 3: Zoning Amendment Related to Prohibitive Uses**

To see if the Town will vote to approve certain amendments to Section 1.4 [Applicability] in order to clarify that uses not listed and expressly permitted in the Zoning Bylaw or otherwise permitted in a district or listed in the Use Regulations Section 4.0 shall be deemed prohibited; or take any other action in relation thereto: *New language shown in underlined red font, language to be removed shown in strikethrough*

1) Amend Section 1.4 as follows:

1.4 **APPLICABILITY.** All buildings or structures hereinafter erected, reconstructed, altered, enlarged or moved, and the use of all premises in the Town, shall be in conformity with the provisions of the Zoning Bylaw. No building, structure or land shall be used for any purpose or in any manner other than is expressly permitted within the district in which

such building, structure or land is located. Any use not listed herein or otherwise permitted in a district shall be deemed as prohibited. Where the application of this Bylaw imposes greater restrictions than those imposed by any other regulations, permits, restrictions, easements, covenants or agreements, the provisions of this Bylaw shall control.

**Article 4: Zoning Amendment Relative to Fire Arms/Explosives Sales and Services**

To see if the Town will vote to approve certain amendments to the Zoning Bylaw to the Table of Principal Uses [4.1.2] affecting Section 4.1.5.41 Fire Arms/Explosives Sales and Services as follows; or take any other action in relation thereto: *New language shown in underlined red font, language to be removed shown in strikethrough*

1) Amend Section 4.1.5.41 as follows:

PRINCIPAL USE	DISTRICTS												
	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.1.5.41 Fire Arms/Explosives Sales and Services	N	N	N	N	N	N	N	<del>BA</del> <u>N</u>	<del>BA</del> <u>N</u>	BA	BA	N	N