

**NOTICE OF PUBLIC HEARING
PROPOSED AMENDMENTS TO ZONING AND GENERAL BYLAWS**

**Draft Warrant Article Language
March 9, 2026
Subject to Further Revision**

Pursuant to Chapter 2 of the Acts of 2023, amended on March 28, 2025, Governor Maura Healey signed into law, an Act Extending pandemic related authorizations related to public meetings, allowing remote meeting options for public bodies through June 30, 2027. 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 on January 6, 2026, to consider the following proposed amendments to the Town of Westwood Zoning Bylaw, Official Zoning Map, and General Bylaws. Following review and consideration of the proposed amendments, the Board continued said hearing to January 20th, February 10th, February 24th, and again to March 10th. The next hearing session is scheduled for **March 10, 2026 at 7:00 p.m.** via Zoom, to consider the following proposed amendments to the Town of Westwood Zoning Bylaw, Official Zoning Map, and General Bylaws.

This next session of the Planning Board public hearing will be recorded by Westwood Media Center (WMC) and will become available for viewing on WMC's YouTube within 24 hours. Those wishing to participate are encouraged to attend via Zoom by following the link below or going to zoom.us and clicking on 'join meeting' before entering the meeting webinar ID.

Zoom Link: <https://us02web.zoom.us/j/84168134752?pwd=fddg9fGX53pQtxaD19jBE8lITdghsH.1>

Webinar ID: 841 6813 4752 Passcode: 585916

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US +1 929 205 6099 US (New York) +1 301 715 8592 US (Washington DC) +1 305 224 1968 US +1 309
205 3325 US +1 312 626 6799 US (Chicago) +1 386 347 5053 US +1 507 473 4847 US +1 564 217 2000
US +1 669 444 9171 US +1 669 900 6833 US (San Jose) +1 689 278 1000 US +1 719 359 4580 US +1
253 205 0468 US +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 360 209 5623 US

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Interested persons are encouraged to attend the public hearing via Zoom to make their views known. You may send written comments by email to eromulus@westwoodma.gov 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 westwoodma.gov.

Article PB-1: Zoning Bylaw Amendments Relative to Battery Energy Storage Systems
To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw, by adding a new Section 7.7 [Battery Energy Storage Systems Approval (BESS)], and amending other sections of the Zoning Bylaw related to BESS, including but not limited to, Section 2.0 [Definitions], Section 4.1 [Principal Uses], Section 4.2

[Notes for Table of Principal Uses], Section 4.3 [Accessory Uses], Section 4.4 [Notes for Table of Accessory Uses], Section 5.0 [Dimensional Requirements], Section 6.1 [Off-Street Parking], Section 6.3 [Enclosure, Screening and Buffers], and/or Section 7.6 [Solar Design Review and Approval], 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 2.0 [Definitions] by adding the following definitions to Section 2.0 in appropriate alphabetic order:

Aggregate Energy Capacity Total amount of energy stored that can be stored in all batteries that are part of the BESS measured in kilowatt-hours (kWh) or megawatt-hours (MWh)

Battery or Batteries A single cell or group of cells connected electrically in series, in parallel, or combination of both, which can charge, discharge and store energy electrochemically. For the purposes of this bylaw, batteries utilized in consumer products are excluded from these requirements.

Battery Energy Storage System (BESS) A system consisting of one or more battery modules for storing electrical energy, any equipment needed to support the safe and proper function or usage of the battery modules, and one or more physical containers providing secondary containment to any of the above in accordance with applicable federal, state and local laws, rules, and regulations. BESS are classified as Tier 1, Tier 2, Tier 3, and Tier 4 as follows:

Tier 1 BESS include systems with an aggregate energy capacity of less than 250 kWh.

Tier 2 BESS include systems with an aggregate energy capacity of between 250 kWh and 10 MWh.

Tier 3 BESS include systems with an aggregate energy capacity greater than 10 MWh and less than 100 MWh.

Tier 4 BESS include systems with an aggregate energy capacity equal to or greater 100 MWh.

Non-Solar BESS A Battery Energy Storage System (BESS) which is not a Solar BESS.

Solar BESS A Battery Energy Storage System (BESS) which facilitates the collection of solar energy directly or indirectly, making it subject to M.G.L. Chapter 40A Section 3, ninth paragraph.

- 2) Revise Section 4.1.3 [Table of Principal Uses] to add new Sections 4.1.7.8 through 4.1.7.12 to read as follows:

4.1.7.8 Solar BESS– Tier 1¹³

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

4.1.7.9 Solar BESS Tier 2, 3 or 4 pursuant to Section 7.6¹³

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

4.1.7.10 Non-Solar BESS – Tier 1, 2 or 3¹³

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>

4.1.7.11 Non-Solar BESS – Tier 4¹³

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<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>PB</u>	<u>N</u>	<u>N</u>

- 3) Revise Section 4.3.1 [Table of Accessory Uses] to add new Section 4.3.2.10 through 4.3.2.14 to read as follows:

4.3.2.10 Solar BESS – Tier 1¹³

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

4.3.2.11 Solar BESS Tier 2, 3 or 4 pursuant to Section 7.6¹³

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

4.3.2.12 Non-Solar BESS – Tier 1¹³

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

4.3.2.12 Non-Solar BESS – Tier 2¹³

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>

4.3.2.13 Non-Solar BESS – Tier 3¹³

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>

4.3.2.14 Non-Solar BESS – Tier 4¹³

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<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>PB</u>	<u>N</u>	<u>N</u>

- 4) Revise Note 13 in Section 4.2 [Notes for Table of Principal Uses] to add references to Solar BESS facilities so that Section Note 13 reads as follows:

¹³ All solar energy systems and all BESS facilities must comply with Section 5.0 [DIMENSIONAL REQUIREMENTS], and 5.2 [TABLE OF DIMENSIONAL REQUIREMENTS], including minimum setback requirements for the district in which they are installed.

- 5) Revise Section 7.6 [Solar Design Review and Approval] to add references to BESS so that Section 7.6 reads as follows:

SECTION 7.6 SOLAR AND SOLAR BATTERY ENERGY STORAGE SYSTEM (Solar BESS) DESIGN REVIEW AND APPROVAL

7.6.1 **Purpose.** The purpose of this Section is to facilitate the siting and location of Large Scale Solar, ~~and~~ Other Solar, and Solar Battery Energy Storage Systems (Solar BESSs), by establishing criteria for the layout, scale, safety and environmental impact of these types of solar energy systems. The intent is to provide more information and regulatory scrutiny to protect the public health, safety, and welfare of the community, while encouraging broader use and conversion to solar and renewable energy systems with minimal impact to neighborhoods.

7.6.2 **Applicability.** This Section shall only apply to Large Scale Solar, ~~and~~ Other Solar, and Solar BESS Tier 2, 3 or 4 energy systems as defined in Section 2.0 of this Bylaw. All Solar BESS Tier 1 shall be exempt from review under this Section and permitted subject to Building Permit requirements. Large Scale Solar, ~~and~~ Other Solar which is proposed as a principal use, Solar BESS Tier 2, 3 or 4 associated with Large Scale Solar, Solar BESS Tier 2, 3 or 4 associated with Other Solar which is proposed as a principal use, and Solar BESS Tier 3 or 4 associated with Other Solar which is proposed as an accessory use,

shall be subject to review pursuant to Section 7.6.3. Other Solar, which is proposed as an accessory use, and Solar BESS Tier 2 associated with Other Solar which is proposed as an accessory use, shall be subject to review pursuant to Section 7.6.4. A solar energy system and/or Solar BESS shall be considered a principal use if it is the only use on the parcel or if the footprint of the components of the solar energy system or Solar BESS exceeds the footprint of all other structures on the lot. Any review pursuant to this Section shall be limited to review of features related to site placement, setbacks, height and bulk of structures, impervious surface, landscaping, screening, parking, and stormwater management provisions consistent with M.G.L. Chapter 40A Section 3.

7.6.3 Planning Board Design Review and Approval. Planning Board Design Review and Approval shall be required for any Large Scale Solar energy facility, ~~and~~ for any Other Solar energy facility proposed as a principal use, for any Solar BESS Tier 2, 3 or 4 associated with a Large Scale Solar project, for any Solar BESS Tier 2, 3 or 4 associated with an Other Solar project which is proposed as a principal use, and for any Solar BESS Tier 3 or 4 associated with a an Other Solar project which is proposed as an accessory use.

7.6.3.1 Procedures. An application for review and approval pursuant to this Section shall be accompanied by a site plan and other application material in accordance with Section 7.6.5. Said application shall be reviewed for compliance with the requirements specified in Sections 7.6.6 through 7.6.14 below and the Planning Board's rules and regulations.

7.6.3.2 Public Hearing. The Planning Board shall hold a public hearing in accordance with its rules and regulations and shall provide its decision forthwith to the Building Commissioner and Applicant.

7.6.3.3 Decision. The Planning Board shall make a determination that the application meets the purpose of this Section and that the proposal poses no negative or adverse impacts to the public health, public welfare, or public safety of the neighborhood. Aesthetics are not a reasonable cause for denial. The Planning Board may impose reasonable conditions at the expense of the Applicant, including conditions related to landscaping and screening requirements.

7.6.4 Administrative Design Review and Approval. Administrative Design Review and Approval shall be required for any Other Solar energy facility proposed as an accessory use, and Solar BESS Tier 2 associated with Other Solar which is proposed as an accessory use.

7.6.4.1 Procedures. An application for review and approval pursuant to this Section shall be accompanied by a site plan and other application material in accordance with Section 7.6.5, unless waived by the Town Planner. Said application shall be reviewed for compliance with the requirements specified in Sections 7.6.6 through 7.6.13 below. The Town Planner shall review the

application and shall provide a decision forthwith to the Building Commissioner and Applicant.

7.6.4.2 **Decision.** The Town Planner shall make a determination that the application meets the purpose of this Section and that the proposal poses no negative or adverse impacts to the public health, public welfare, or public safety of the neighborhood. Aesthetics are not a reasonable cause for denial. The Town Planner may impose reasonable conditions at the expense of the Applicant, including conditions related to landscaping and screening requirements.

7.6.4.3 **Further Review by Planning Board.** If an Applicant objects to any conditions of an Administrative Approval hereunder, the Applicant may apply to the Planning Board for further consideration of the Application. In such an event, the Planning Board shall hold a duly noticed public hearing and consider the Application pursuant to Section 7.6.3.

7.6.5 **Submittal Requirements.** Applicant shall provide the following documents, as deemed applicable by the Planning Board:

- a) A site plan prepared by a Registered Professional Engineer, Land Surveyor, Landscape Architect, or Architect showing property lines and physical features, including driveways, roads, walks, buildings, any easements, and proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening, vegetation, or structures, setbacks;
- b) Drawings of the solar energy system and/or Solar BESS showing the proposed layout of the system(s), and potential shading from nearby structures, the distance between the proposed solar energy system and/or Solar BESS and all property lines and existing buildings and structures, and the highest point of the solar array and/or Solar BESS;
- c) A side view or elevation labelling the proposed height and dimensions of the proposed solar energy system and/or Solar BESS;
- d) Documentation of the solar energy system and/or Solar BESS components, including but not limited to such as the mounting system, panels, and inverter;
- e) The name(s), and contact information of the agent(s) representing the project system(s);
- f) Photographs of the area proposed for the solar system and/or Solar BESS; and
- g) Operation and Maintenance Plan for Large Scale Solar, ~~and~~ Other Solar, and/or Solar BESS energy facilities proposed as a principal use only.

7.6.6. **Dimensional Regulations.** No component of a solar energy system and/or Solar shall be greater than twenty-five (25) feet in height measured from the highest point of the component to the grade directly below. For solar canopy arrays over parking spaces at commercial, industrial, municipal, or institutional facilities, the minimum height shall be fourteen (14) feet.

- 7.6.7 **Placement.** No component of a solar energy system and/or Solar BESS shall be located closer than 25 feet from the front lot line of the parcel on which it is located. Side and rear yard setbacks must meet the minimum side and rear setbacks set forth in Section 5.0 [DIMENSIONAL REQUIREMENTS], 5.2 [TABLE OF DIMENSIONAL REQUIREMENTS] for the zoning district in which the solar energy system and/or Solar BESS will be located.
- 7.6.8 **Lot coverage.** Ground-mounted solar energy systems shall not be included in the calculations for the lot coverage or impervious cover as defined in Section 2.0.
- 7.6.9 **Signage.** Signage to identify the owner and provide 24-hour emergency contact information shall be provided. Solar systems and/or Solar BESS shall not be used for displaying any advertising except for identification of the manufacturer or operator of the solar energy system and/or Solar BESS.
- 7.6.10 **Visual Impact.** The Planning Board may impose reasonable conditions to minimize visual impacts by preserving natural vegetation, screening abutting properties, or other appropriate measures.
- 7.6.11 **Utility Notification.** Applicant shall submit evidence that the property owner has submitted notification to the utility company of the intent to install an interconnected customer-owned generator.
- 7.6.12 **Exterior Lighting Plan.** Any exterior lighting shall be consistent with Section 6.4 [EXTERIOR LIGHTING] of the Zoning Bylaw.
- 7.6.13 **Operations & Maintenance Plan.** The project proponent shall submit a plan for the operation and maintenance of any ground-mounted solar energy system and/or Solar BESS which shall include measures for maintaining safe access to the installation, stormwater controls as well as procedures for operation maintenance of the installation and post installation repairs.
- 7.6.14 **Abandonment or Decommissioning.** Any solar energy system and/or Solar BESS abandoned or discontinued shall be fully removed within 90 days after date of discontinued operations by the Owner or Applicant. As a condition of approval, the Planning Board shall require a bond, in a form acceptable to the Town and with no expiration date, or shall place into escrow a sum of money sufficient to cover the costs of removing all components of the solar energy system and/or Solar BESS from the subject property. Said bond or escrow funds shall be held by the Town Treasurer. The Property Owner shall consent to the Town's authority to enter upon the property and to remove the facility, in the event the facility has been abandoned or discontinued without removal by the Owner or Applicant.

Article PB-2: Zoning Bylaw Amendments Relative to Adult Day Care

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Adult Day Care Facilities, including but not limited to, amendments to Section 2.0 [Definitions], Section 4.1 [Principal Uses], Section 4.2 [Notes for Table of Principal Uses], Section 4.3 [Accessory Uses], Section 4.4 [Notes for Table of Accessory Uses], Section 5.0 [Dimensional Requirements], and/or Section 6.1 [Off-Street Parking], 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) Section 4.3.1 [Table of Accessory Uses], Subsection 4.3.3.15 [Adult Day Care Facility] to read as follows:

4.3.3.15 Adult Day Care Facility for no more than twentythree
~~(2030)~~ adult clients and operated by the owner of the premises

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N

Article PB-4: Zoning Bylaw Amendments Relative to Definitions

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw Section 2.0 [Definitions], to amend or delete certain current definitions and/or to add certain new definitions, 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 2.0 [Definitions] to amend the definition for the term "Alterations" to read as follows:

Alterations As applied to a building or structure, a change or rearrangement in the structural parts or in the exit facilities, or an enlargement whether by extending on a side or by increasing in height, or the moving from one location or position to another. As applied to a site, any material change in materials, grading, landscaping, circulation, or other material factor determined by the Building Commissioner to result in an altered site.

- 2) Revise Section 2.0 [Definitions] to amend the definition for the term "Temporary Structure" to read as follows:

Temporary Structure A structure without any foundation or footings, including a pod or storage container which is not associated with an ongoing construction project operating under a valid Building Permit, to be removed within a twelve (12) month time period. Said structure shall conform to the requirements of Section 5.2, Table of Dimensional Requirements and shall receive a permit from the Building Commissioner.

- 3) Revise Section 2.0 [Definitions] to amend the definition for the term "Motor Vehicle Light Service" to read as follows:

Motor Vehicle Light Service Premises for the supplying of fuel, oil, lubrication, or minor repair services, but not to include body work, washing, rinsing, polishing, waxing, painting and/or major repairs, and not to include an Electrical Vehicle Charging Facility, as separately defined.

- 4) Revise Section 2.0 [Definitions] to add a new definitions for "Accessory Electric Vehicle Charging Station", "Electric Vehicle Charging Facility", "Electric Vehicle Charging Station", and "Pay to Charge Electric Vehicle Charging Station", in appropriate alphabetic order, to read as follows:

Accessory Electric Vehicle Charging Station An electric vehicle charging station that is accessory use to another business, residential, or other use on a property, whether or not said station is a Pay to Charge Electric Vehicle Charging Station, but specifically excluding Electric Vehicle Charging Stations for personal use by the owners or tenants of the property on which they are located which shall be permitted without limitation.

Electric Vehicle Charging Facility A facility or location containing one (1) or more Pay to Charge Electric Vehicle Charging Stations which are not accessory to another business, residential, or other use on a property.

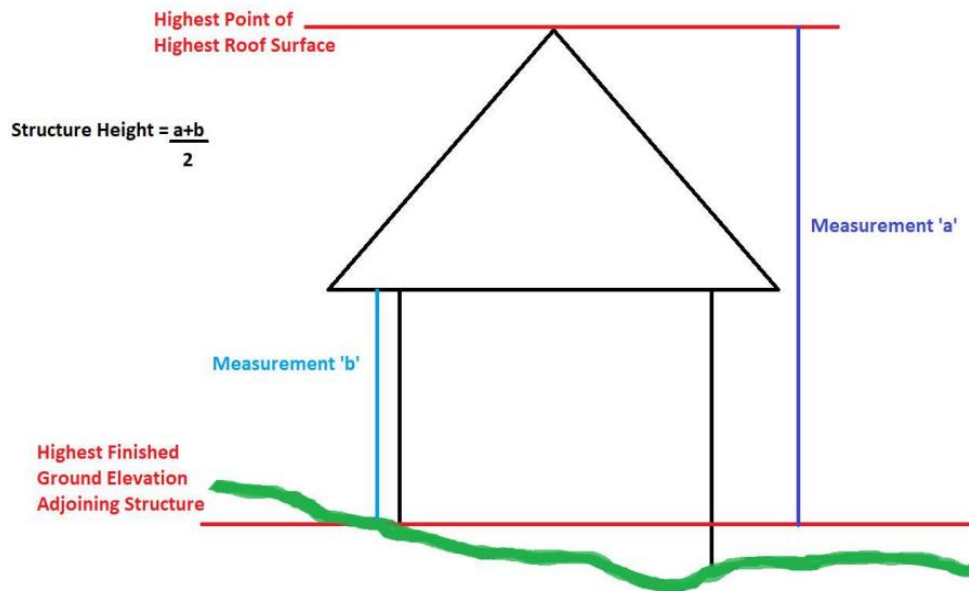
Article PB-5: Zoning Bylaw Amendments Relative Dimensional Regulations

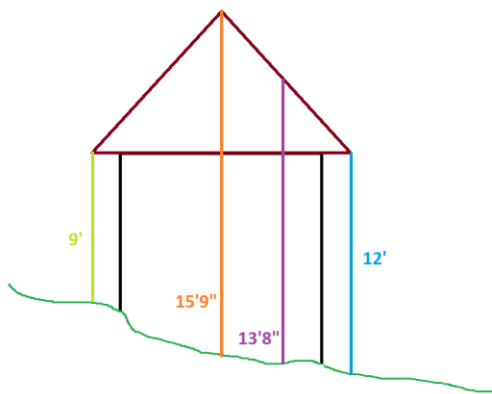
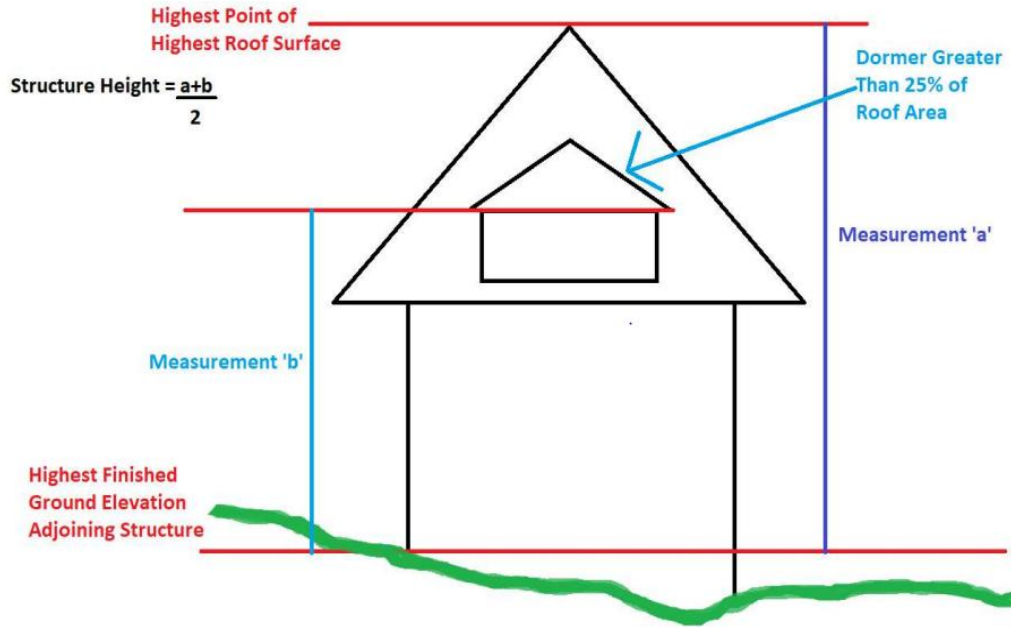
To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw Section 5.0 [Dimensional Requirements], and/or related amendments to Section 2.0 [Definitions], to clarify methods for measuring the height of a building, and the height of a portion of a building located within a setback area, pursuant to Section 5.3, Notes 5 and 7, 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 2.0 [Definitions] to amend the definition of "Building Height", to read as follows:

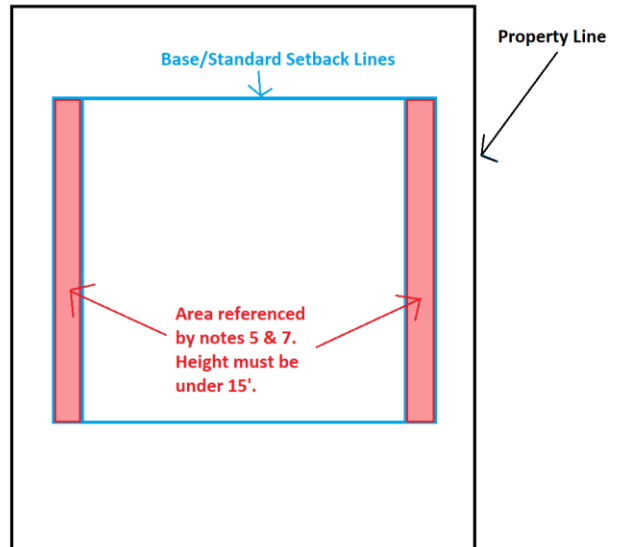
Building Height The vertical distance from grade plane to the average height of the highest roof surface. The limitations of height shall not apply to chimneys, ventilators, skylights, tanks, bulkheads, penthouses, amateur radio antennas and other necessary features usually carried above the roof line, 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. Notwithstanding the above, the height of any portion of a building or structure which is permitted within any setback area pursuant to Notes 5 and 7 of Section 5.3, shall be determined by a measurement of the actual dimension from grade to the highest point of the portion of the building or structure within the setback area. (See illustrations.)





Portion of building height measurement, as referenced in notes 5 & 7.

Notes 5 and 7 in section 5.3 refer to the height of a portion of a building or structure in residential districts. In these instances only, the height of the portion of the building in question shall be determined by the actual dimension from grade to the high point of the structure directly above.



Example of setback reduction areas in notes 5 & 7.

2) Revise Section 5.4.2 [Height Determination and Exceptions] to read as follows:

5.4.2 In all Districts, the height of a building or structure shall be measured as set forth in the definition of “Building Height” contained in Section 2.0 of this Bylaw, except that in Residential Districts, the height of a building or other structure shall be measured from the highest finished ground elevation adjoining the structure at the exterior walls. 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 not used in any way for human occupancy. Notwithstanding the above, where Notes 5 and 7 in Section 5.3 refer to the height of a portion of a building or structure in a residential district, in these instances only, the height of that portion of the building in question shall be determined by the actual dimension from grade to the high point of the structure directly above.

3) Revise Section 4.5.3.3 [Variance or Special Permit required for New or Expansion of Nonconformity] to read as follows:

4.5.3.3 **Variance or Special Permit required for New or Expansion of Nonconformity.** In the event that the Building Commissioner determines that a proposed alteration to a nonconforming structure increases the nonconformity or results in a new nonconformity and does not meet the requirements of Section 4.5.3.1 nor of Section 4.5.3.2, the Building Commissioner shall determine whether any proposed additional or increased nonconformities will be substantially more detrimental to the neighborhood than those that currently exist. If in the opinion of the Building Commissioner, the proposal is more detrimental, a variance shall be required in accordance with Section 10.4 of this bylaw. If the Building Commissioner determines that the additional nonconformities are de minimus or are not substantially more detrimental to the neighborhood than a special permit shall be required. In addition, no nonconforming structure, commercial or residential, shall be altered to accommodate a substantially different use, or to accommodate the same use in a substantially different manner or to a substantially greater extent, unless a variance allowing said alteration is granted by the Board of Appeals. Notwithstanding the above in this Section 4.5.3.3, in the event that a proposed structure does not comply with the 15-foot height measurement described in Sections 2.0 and 5.4.2 for any portion of a residential structure within a setback pursuant to Note 5 or Note 7 in Section 5.3, the Zoning Board of Appeals shall have discretion to consider a special permit pursuant to Section 10.3, which special permit would allow said structure, or portions thereof, to be constructed with an average height of 15 feet.

Article PB-6: Zoning Bylaw and/or Zoning Map Amendments Relative to Administrative-Office-Research (ARO) District

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw, and/or amendments to the Official Zoning Map, related to the Administrative-Research-Office (ARO) District, including but not limited to, amendments to Section 2.0 [Definitions], Section 4.1 [Principal Uses], Section 4.2 [Notes for Table of Principal Uses], Section 4.3 [Accessory Uses], Section 4.4 [Notes for Table of Accessory Uses], Section 5.0 [Dimensional Requirements], Section 6.1 [Off-Street Parking], and/or Section 6.3 [Enclosure, Screening and Buffers], as follows, and 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 6.3 [Enclosure, Screening and Buffers], Subsection 6.3.1 [Enclosure Requirements in Highway Business and Industrial Districts] to read as follows:

- 6.3.1 **Enclosure Requirements in Highway Business, ~~and Industrial, and Administrative-Research-Office~~ Districts.** In the Highway Business District, ~~and Industrial District, and Administrative-Research-Office~~ Districts, all uses permitted as of right, or authorized by special permit, and all uses accessory thereto, shall be conducted within a completely enclosed building or structure, except the following uses, provided that no portion of the use conducted outside shall extend nearer to any street or lot line than the corresponding setback distance specified for buildings in the same district:

6.3.1.1 Uses permitted as of right in any Single Residence District;

6.3.1.2 The dispensing of fuel and lubricants at a motor vehicle light service station;

6.3.1.3 The dispensing of food, beverages or goods on premises with drive-through service; ~~and~~

6.3.1.4 Automobile parking lots; ~~and~~

6.3.1.5 Commercial Outdoor Seating in association with permitted commercial uses pursuant to Section 4.4.2.

- 2) Revise Section 6.3 [Enclosure, Screening and Buffers], Subsection 6.3.2 [Buffer Areas in Nonresidential Districts] to read as follows:

- 6.3.2 **Buffer Areas in Nonresidential Districts.** Where a lot in any Industrial District abuts or is within two hundred (200) feet, or in any Administrative-Research-Office District where a lot abuts or is within one hundred (100) feet, or in any Local Business, or Highway Business District where a lot abuts or is within twenty (20) feet, of the boundary line of any Residential District (including any Residential District in an adjacent municipality), unless one of the Principal State Highways (as herein defined) or a railroad right-of-way lies between such lot and such Residential District, a buffer area

shall be provided on all portions of said lot so abutting (or within the foregoing specified distance of such Residential District). Such buffer area shall be as follows:

6.3.2.1 in the Industrial Districts, at least two hundred (200) feet wide, including the width of any land held by the Westwood Conservation Commission and any part of any public street (as hereinafter defined) located in such Industrial District and lying between such lot and Residential District; ~~and~~

6.3.2.2 in the Administrative-Research-Office District, at least one hundred (100) feet wide, including the width of any land held by the Westwood Conservation Commission and any part of any public street (as hereinafter defined) located in such Administrative-Research-Office District and lying between such lot and Residential District; and

6.3.2.~~2~~3 in the Local Business or Highway Business Districts, at least twenty (20) feet wide.

3) Revise Section 6.3 [Enclosure, Screening and Buffers], Subsection 6.3.4 [Uses within Buffer Areas] to read as follows:

6.3.4 **Uses within Buffer Areas.** Buffer areas, except as the same are part of a public street, shall be used only as provided herein. No building or structure, except for fences constructed in accordance herewith, shall be constructed or otherwise placed within any portion of the buffer area, whether or not used for business or industrial purposes. However, in any Industrial District ~~or Administrative-Research-Office District~~ the buffer area may contain driveways, and in a Local Business, Highway Business, ~~or Industrial, or Administrative-Research-Office~~ District the buffer area may contain sidewalks or pedestrian paths, as long as the applicable screening requirements set forth in Sections 6.3.4.1 or 6.3.4.2 are achieved to the satisfaction of the Planning Board. The following distances nearest the Residential District boundary shall be used and maintained so as to preserve the natural features of the area, including trees, woods, streams and ponds, and as a planting area for lawns with trees, shrubs and other landscape materials:

6.3.4.1 In the Industrial Districts, one hundred twenty-five (125) feet. The remaining seventy-five (75) feet of buffer area may be used for unenclosed surface off-street parking or other permitted outdoor uses, providing such uses are screened from view at normal eye level on said Residential District boundary line.

6.3.4.2 In the Administrative-Research-Office District, seventy-five (75) feet. The remaining twenty-five (25) feet of buffer area may be used for unenclosed surface off-street parking or other permitted outdoor uses, providing such uses are screened from view at normal eye level on said Residential District boundary line.

6.3.4.23 In the Local Business or Highway Business Districts, twenty (20) feet. A suitable planting area shall be interpreted as requiring a substantially sight impervious screen of evergreen foliage at least eight (8) feet in height, or less dense planting of shrubs and trees complemented by a sight impervious fence at least five (5) feet and not more than eight (8) feet in height. Notwithstanding the foregoing, the plantings within any portion of a buffer area located within eight (8) feet of a public street or any other roadway shall be such as to avoid impairment of traffic visibility.

- 4) Revise Section 4.1.5 [Principal Use Table – Commercial Uses], sub-sections 4.1.5.3 [Animal Hospital or Animal Clinic], 4.1.5.6 [Retail Sales and services, less than 10,000 square feet], and 4.1.5.28 [Commercial Recreation, Indoor], so that these amended subsections read as follows:

4.1.5.3 Animal Hospital or Animal Clinic

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
N	N	N	N	N	N	N	BA	BA	Y	BA	BA	NPB

4.1.5.6 Retail Sales and services, less than 10,000 square feet

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
N	N	N	N	N	N	N	Y	Y	Y ⁴	Y	Y	NPB

4.1.5.28 Commercial Recreation, Indoor

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
N	N	N	N	N	N	N	BA	BA	BA	BA	BA	BAPB

Article PB-7/ 8: Zoning Bylaw Amendments and General Bylaw Amendments Relative to Short-term Rental Properties

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Short-Term Residential Rental Properties, including but not limited to, amendments to Section 2.0 [Definitions], Section 4.1 [Principal Uses], Section 4.2 [Notes for Table of Principal Uses], Section 4.3 [Accessory Uses], Section 4.4 [Notes for Table of Accessory Uses], Section 5.0 [Dimensional Requirements], Section 6.1 [Off-Street Parking], and/or Section 6.3 [Enclosure, Screening and Buffers; and to see if the Town will vote to approve certain amendments to the Town of Westwood General Bylaws to regulate and/or restrict the short-term rental of residential property in Westwood, as follows, and or take any other action in relation thereto.

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

1) Create a new Zoning Bylaw Section 8.6 [Short-Term Rentals] in the to read as follows:

8.6 SHORT-TERM RENTALS

8.6.1 Purpose. This section is intended to protect the health and safety of visitors and residents, ensure that the primary use of these properties remains as a residence, and to minimize the effect Short-Term Rentals (STRs) have on the character and livability of residential neighborhoods and the well-being of surrounding residents.

8.6.2 Applicability. The requirements of this section shall apply to any Short-Term Rental (STR). No property shall be offered as a STR except in compliance with each of the provisions of this bylaw. Nothing in this bylaw shall be construed to make the Town responsible for compliance with or enforcement of condominium bylaws or other governing documents, or any contract or agreement to which the Town is not a party.

8.6.3 General Requirements. STRs shall comply with all applicable federal, state, and local laws, regulations and codes. No STR shall be offered for lease or rental except in association with a valid Town-issued Certificate of Registration pursuant to the Town of Westwood General Bylaw Chapter 315 [Short-Term Rental (STR)].

2) Revise Zoning Bylaw Section 2.0 [Definitions] to add a new definitions for “Short-Term Rental” and “Long-Term Rental”, in appropriate alphabetic order, to read as follows:

Short-Term Rental (STR) The rental of a dwelling unit, or portion thereof, for 28 or fewer consecutive calendar days, as otherwise defined by M.G.L. Chapter 64G, Section 1. The term excludes (i) properties that are, or that are required by law to be, licensed as a lodging house, hotel, motel, or bed and breakfast establishment; and (ii) Accessory Dwelling Units (ADUs) or their associated primary dwelling units.

Long-Term Rental (STR) The rental of a dwelling unit, or portion thereof, for more than 28 consecutive calendar days. The term excludes (i) properties that are, or that are required by law to be, licensed as a lodging house, hotel, motel, or bed and breakfast establishment; and (ii) Accessory Dwelling Units (ADUs) or their associated primary dwelling units.

- 3) Revise Zoning Bylaw Section 4.3.1 [Table of Accessory Uses], to add a new Section 4.3.3.16 [Short-Term Rental] to read as follows:

4.3.3.16 Short-Term Rental (STR) in association with a valid Town-issued Certificate of Registration pursuant to The Town of Westwood General Bylaw Chapter 315 [Short-Term Rental (STR)].

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
<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>

- 4) Revise Zoning Bylaw Section 4.3.1 [Table of Accessory Uses], to amend Section 4.3.3.5 [Renting of Rooms] to read as follows:

~~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 Long-Term Rental (STR).~~

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N

- 4) Create a new General Bylaw Chapter 330 [Short-Term Rental] to read as follows:

Chapter 330 SHORT-TERM RENTAL (STR)

330-1 Purpose. This chapter is intended to protect the health and safety of visitors and residents, ensure that the primary use of these properties remains as a residence, and to minimize the effect Short-Term Rentals (STRs) have on the character and livability of residential neighborhoods and the well-being of surrounding residents.

330-2 Applicability. The requirements of this chapter shall apply to any Short-Term Rental (STR). No property shall be offered as a STR except in compliance with each of the provisions of this chapter. Nothing in this chapter shall be construed to make the Town responsible for compliance with or enforcement of condominium bylaws or other governing documents, or any contract or agreement to which the Town is not a party.

330-3 Enforcement Authority. The Town Planner shall be the Enforcement Authority for Chapter 330.

330-4 **Definitions.** The following terms used in this chapter shall be construed in accordance with the following definitions:

Primary Residence Any property at which a resident resides for at least nine (9) months of the calendar year.

Short-Term Rental (STR) The rental of a dwelling unit, or portion thereof, for 28 or fewer consecutive calendar days, as otherwise defined by M.G.L. Chapter 64G, Section 1. The term excludes (i) properties that are, or that are required by law to be, licensed as a lodging house, hotel, motel, or bed and breakfast establishment; and (ii) Accessory Dwelling Units (ADUs) or their associated primary dwelling units.

Short-Term Rental Operator (STR Operator) Any person operating a Short-Term Rental (STR). An Operator must be the owner of the Short-Term Rental Unit.

Short-Term Rental Unit (STR Unit) A dwelling unit, or portion thereof, that is being offered as a Short-Term Rental (STR).

330-5 **General Requirements.** Short-Term Rentals (STRs) shall comply with all applicable federal, state, and local laws, regulations and codes. No STR shall be offered for lease or rental except in association with a valid Town-issued Certificate of Registration pursuant to Section 330-8.

330-6 **Eligibility.** Any Short-Term Rental Operator (STR Operator) seeking to establish a Short-Term Rental Unit (STR Unit) must apply for and receive a STR Certificate of Registration, following the procedure set forth in Section 330-8. The following eligibility requirements shall apply to applicants seeking a Certificate:

- A. The STR Unit must be compliant with all applicable state and local codes, including building codes, fire codes and health codes.
- B. The STR Unit shall not be subject to any outstanding violations, including but not limited to violations of building, sanitary, zoning, or fire codes, orders of abatement, stop work orders, or other requirements, laws or regulations that prohibit the Operator from offering the dwelling unit as a STR Unit.
- C. The STR Unit shall not be restricted for below market rate housing nor subject to any local, state, or federal income-eligible or income-restricted program.
- D. The STR Operator shall not have been subject to the suspension or revocation of a STR Certificate of Registration, either associated with the

subject property or with any other property in the Town of Westwood, pursuant to Section 330-11 within the immediately prior twenty-four month (24-month) period.

330-7 Occupancy. The occupancy of any STR Unit shall be limited to the number of bedrooms within the dwelling unit multiplied by 2, up to a maximum of eight (8) persons, in compliance with applicable state and local law, regulations and code. In addition, no STR shall operate on the same property as a lodging house as defined in Chapter 310.

330-8 Certificate of Registration. All STR Units shall be annually registered with the Town. A STR Certificate of Registration, with or without conditions, shall be issued by the Town Planner following receipt and satisfactory review of all submittal items required pursuant to Section 330-9, and upon determination of eligibility pursuant to Section 330-6.

~~A. Prior to the issuance of a STR Certificate of Registration, the Town Planner shall request a report from the Town of Westwood Health Division, Building Division, and Fire Department, each of which may conduct a pre approval health and safety inspection pursuant to Section 330-12.~~

B. The STR Certificate of Registration shall be subject to the Applicant's compliance with all applicable federal, state and local laws, including provisions of this Chapter and the Town of Westwood's Zoning Bylaw.

C. The STR Certificate of Registration shall be valid for one (1) calendar year or portion thereof. Each Application for an annual renewal of a STR Certificate of Registration shall be considered and processed in the same manner as the initial Application for STR Certificate of Registration.

D. The STR Certificate of Registration shall include a registration number, and shall identify the type of STR Unit, the specific rooms that may be used as sleeping accommodations, and the maximum occupancy for each such room and for the STR unit as a whole.

E. A STR Certificate of Registration shall be non-transferable; and shall become null and void upon any change in property ownership and/or upon any change in the Primary Residence of the Short-Term Rental Operator that makes the unit ineligible for operation as a Short-Term Rental under this Chapter.

F. The STR Operator may request Modification of a STR Certificate of Registration during the term of the Certificate of Registration, to alter the floor plan and/or maximum occupancy of an STR Unit, or to change the contact information for the STR Operator or secondary contact person. In

such event, the Town Planner shall review and process the Modification Application in the same manner as it would review and process the initial Application, including the mailing of a modified notice to abutters pursuant to Section 330-10. No Modification shall be granted for a change property ownership or change in Primary Residence of the STR Operator.

G. The Town Planner may deny an Application for STR Unit for good cause.

330-9 Submittal Requirements. In connection with an application for a Certificate of Registration, the operator shall provide to the Town Planner all documentation that the Town Planner shall require, which shall include, but not be limited to:

- A. An Initial Application Fee of two hundred and fifty (\$250.00) per Short Term Rental Unit, or Renewal Application Fee of two hundred and fifty (\$250.00) per Short Term Rental Unit, or Modification Application Fee of one hundred (\$100.00) per Short Term Rental Unit, as applicable.
- B. Proof of Primary Residence by the STR Operator in the form of an affidavit provided by the Town and signed by the STR Operator.
- C. In a case where the STR Unit is subject to restriction by a homeowners association, a certification signed by the officially designated representative of the homeowners association, stating that the Master Deed, Bylaws, or other governing documents expressly permit the proposed STR.
- D. Floor plan of the STR property, clearly indicating the specific room or rooms to be offered as the STR Unit. The floor plan shall identify each room by a numerical or alphabetical identifier. The floor plan may be sketched by hand, if the sketch is determined to be acceptable by the Town Planner, Building Commissioner and Health Director. The floor plan shall be legibly labelled with the numerical or alphabetical identifier and the use of each room (e.g., bedroom, living room, etc.). The floor plan shall identify the maximum occupancy for each bedroom and the maximum occupancy for the Short Term Rental Unit.
- E. ~~Parking plan demonstrating~~ A simple parking description of the residence which explains whether a sufficient number of off-street parking spaces to accommodate all persons inhabiting the property at maximum occupancy, at the rate of at least one (1) parking space per four (4) occupants. Notwithstanding the above, the Town Planner shall be authorized to reduce the minimum parking requirements in cases where the STR is located within one (1) mile of an MBTA Commuter Rail station or MBTA bus route.

F. Local contact information for the STR Operator and at least one additional contact person who shall be reachable 24 hours a day in the absence of the STR Operator, including each person's name, address, email address, and active cell phone numbers. Either the STR Operator or the additional contact person shall respond in person, within two hours of contact by a Town official, to any issue or emergency that arises in association with a Short-Term Rental.

G. Such other information and/or documentation as the Town Planner determines necessary and relevant.

330-10 Notice to Abutters. Within fourteen (14) days of the issuance of a STR Certificate of Registration, the Town Planner shall send by regular mail a notice of such issuance to the owners of immediately abutting properties, which notice shall contain the contact information for the STR Operator and the additional contact person(s).

330-11 Suspension or Revocation of STR Certificate of Registration. A STR Certificate of Registration may be suspended or revoked by the Select Board for good cause, following a duly noticed public hearing. Good cause shall include, without limitation, the issuance of two (2) or more violation notices for the STR Unit, or property on which the STR unit is located, within a twelve-month (12-month) period, arising from any violation of any municipal ordinance, state law, or building code. In the case of revocation or suspension of a STR Certification of Registration, a new Certificate of Registration may not be issued for a period of at least twenty-four (24) months. In the event the Select Board suspends or revokes an STR Operator's right to operate an STR, the Town Planner shall notify the Massachusetts Commissioner of Revenue of the suspension or revocation.

~~**330-12 Inspections.** Prior to the issuance of an initial STR Certificate of Registration, and prior to the issuance of any annual renewal thereof, the Health Division, Building Division, and Fire Department shall conduct individual or joint health and safety inspections. Said inspections, which shall be conducted on a schedule determined by each division or department, and shall be conducted on weekdays during normal Town business hours, are intended to verify that the proposed STR Unit (i) meets all Building Code, Health Code, Fire Code and applicable regulatory requirements, and (ii) meets all requirements of this Chapter and of the Town of Westwood Zoning Bylaw, and all regulations promulgated pursuant to this Chapter. When deemed necessary, additional inspections shall be made to investigate complaints and/or concerns regarding non-compliance issues or health and safety~~

concerns. Said additional inspections shall be conducted in conformity with applicable federal, state and local law, but may be performed during weekend and/or evening hours.

330-13 Operational Requirements. The following operational requirements shall apply to all STR Units:

- A. No person shall operate a STR without a current STR Certificate of Registration pertaining to the STR Unit.
- B. STRs shall comply with all applicable federal, state, and local laws, regulations and codes, including any required health and safety inspections that may be required.
- C. A STR Operator may rent their STR Unit for no more than ~~ninety (90)~~ thirty (30) days during the period of validity for the Certificate of Registration issued therefor.
- D. A STR must be operated consistent with the terms set forth on the STR Certificate of Registration and with applicable law, including, but not limited to, with regard to the specified rooms to be used as sleeping accommodations, the maximum occupancy of each room, the maximum occupancy of the unit as a whole, and any other stated conditions.
- E. The following items shall be prominently displayed within each STR Unit:
 - a) A diagram, size 8" x 11" or larger, indicating the location of all fire extinguishers, gas shut-off valves, fire exits and fire alarms inside the STR Unit, as well as in the building where the STR Unit is located. Said diagram shall include one or more evacuation routes highlighted in red. Said diagram shall be posted (i) in each bedroom within the STR Unit, (ii) on all egress doors from the STR Unit, and (iii) in all common areas accessible to the STR Unit;
 - b) A conspicuously placed binder containing the following information:
 - i. Local contact information for the STR Operator and at least one additional contact person who shall be reachable 24 hours a day in the absence of the Operator, including each person's name, address, email address, and active cell phone numbers.

Public Works Department. Such requests may include requests for information to verify certification(s) submitted to the Town Planner in connection with a STR Certificate of Registration.

- 330-14 Regulations.** The Select Board may issue regulations for the implementation of this Chapter, including but not limited to, for the establishment of appeal procedures, and for the establishment of a cap on the number of Certificates of Registration to be issued in a given calendar year.
- 330-15 Appeals.** Unless provided otherwise in Select Board regulations, any person aggrieved by any action or failure to act by any Town staff member in relation to a STR, shall have the right of appeal to the Select Board. Such appeal must be made in writing and filed with the Office of the Select Board within fourteen (14) days of the date of the contested action or lack thereof.
- 330-16 Penalties.** Any person violating this Chapter shall be fined in the amount of \$100 for the first violation, \$200 for the second violation, and \$300 for the third and any subsequent violations. Each day of a continuing violation shall count as a separate violation.
- 330-17 Reporting.** A list of STR Units with active STR Certificates of Registration shall be published on the Town website and updated monthly. Said list shall include the STR Certificate of Registration number, STR address, maximum STR Unit occupancy, and the name of the STR Operator.
- 330-18 Severability.** If any provision of this Chapter is held to be invalid, such provision shall be severed and the remaining sections shall remain in full force and effect.

Article PB-10: ~~Zoning Bylaw and/or Zoning Map Amendments Relative to Flexible Multiple Use Overlay Districts (FMUODs)~~

~~To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Flexible Multiple Use Overlay Districts (FMUODs), including but not limited to, amendments to permitted and prohibited uses within various FMUOD overlay districts, amendments to dimensional requirements for FMUOD overlay districts, and/or amendments to review and approval procedures for development within FMUOD overlay districts; and/or amendments to the Official Zoning Map related to FMUOD overlay districts, including but not limited to, expansion of current FMUOD overlay districts, and/or establishment of new FMUOD overlay districts; or take any other action in relation thereto.~~

[Article PB-10 was removed by Planning Board at their 12/16/25 meeting, which was after this notice was submitted to Hometown Weekly for publication on 12/18/25.]

Article PB-11: Housekeeping Amendments

To see 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 clarify such sections, which may be discovered prior to the conclusion of the public hearing, including the following, 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 3.1.3 to replace the term “ Mixed-use & Multi-family Residential Overlay District” with the term “Mixed Use & Multi-Family Residential Overlay District”, so that the revised Section 3.1.3 reads as follows:

3.1.3 Overlay Districts:

Access Approval Overlay District (AAOD)
Adult Uses Overlay District (AUOD)
Flood Area Overlay District (FAOD)
Flexible Multiple Use Overlay District (FMUOD)
~~Mixed-use~~Mixed Use & ~~Multi-family~~Multi-Family Residential Overlay District (MUMFROD)
Substance Rehabilitation Facility Overlay District (SRFOD)
University Avenue Mixed Use Overlay District (UAMUD)
Upper Story Residential Overlay District (USROD)
Water Resource Protection Overlay District (WRPOD)
Wireless Communications Overlay District (WCOD)

- 2) Revise Section 3.5 [Lots in Two Districts] to add an example to clarify how this section of the bylaw is applied, so that the revised Section 3.5 reads as follows:

3.5 LOTS IN TWO DISTRICTS

Where a district boundary line divides a lot laid out and duly recorded prior to the effective date of the establishment of such boundary, the regulations applying to the less restricted district may be considered as exceeding not more than fifty (50) feet into the portion of the lot in the more restricted district, but only if the lot has frontage on a street in the less restricted district. For example, where the front portion of a parcel on High Street falls within the Local Business A (LBA) District, and the rear portion of that same parcel falls within the Single Residence C (SRC) District, a commercial use that is permitted in the LBA District may extend up to 50 feet into the portion of the parcel which falls within the SRC District, and the dimensional requirements applied to any commercial structure located within that 50-foot portion of the property that falls within the SRC District shall be the dimensional requirements that are applicable to structures in the LBA District.

- 3) Revise Sections 4.1.7.5, 4.1.7.6 and 4.1.7.7 to replace references to Section 7.7 with references to Section 7.6, so that Sections 4.1.7.5, 4.1.7.6 and 4.1.7.7 read as follows:

4.1.7.5 Other Solar pursuant to Section 7.~~7~~⁶¹³

4.1.7.6 Roof-mounted Solar pursuant to Section 7.~~7~~⁶¹³

4.1.7.7 Large Scale Solar pursuant to Section 7.~~7~~⁶¹³

- 4) Change the numbering of Section 4.1.6 [Industrial Uses, Continued] on page 4-6 to Section 4.1.7 [Other Uses, Continued] so that Section 4.1.7 reads as follows:

4.1.~~6~~ ~~INDUSTRIAL~~OTHER USES, CONTINUED

- 5) Revise Section 4.5.3.3 to replace the word “than” with the word “then” in the third sentence, so that Section 4.5.3.3 reads as follows:

4.5.3.3 **Variance or Special Permit required for New or Expansion of Nonconformity.** In the event that the Building Commissioner determines that a proposed alteration to a nonconforming structure increases the nonconformity or results in a new nonconformity and does not meet the requirements of Section 4.5.3.1 nor of Section 4.5.3.2, the Building Commissioner shall determine whether any proposed additional or increased nonconformities will be substantially more detrimental to the neighborhood than those that currently exist. If in the opinion of the Building Commissioner, the proposal is more detrimental, a variance shall be required in accordance with Section 10.4 of this bylaw. If the Building Commissioner determines that the additional nonconformities are de minimus or are not substantially more detrimental to the neighborhood, ~~then than~~ a special permit shall be required. In addition, no nonconforming structure, commercial or residential, shall be altered to accommodate a substantially different use, or to accommodate the same use in a substantially different manner or to a substantially greater extent, unless a variance allowing said alteration is granted by the Board of Appeals.

- 6) Correct the numerical reference in Section 4.1.6.8 [Self-Storage or Mini-Storage Facility] so that Section 4.1.6.8 reads as follows:

4.1.6.8 Self-Storage or Mini-Storage Facility per Section ~~7.6~~^{7.5}

SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
N	N	N	N	N	N	N	N	N	PB	PB	PB	N

- 7) Correct the numbering of Section 4.5.3.4.2 so that Section 4.5.3.4.2 reads as follows:

4.5.3.4.2 The building as reconstructed:

- 4.5.3.4.2.1 Shall be located on the same footprint as the original structure, and shall only be as great in volume or area as the original nonconforming structure; or
- 4.5.3.4.2.2 Shall comply with all current setbacks, and building coverage and height requirements, except that if the lot does not comply with lot, area and frontage requirements, it must comply with a building height limit of twenty-five (25) feet.
- 4.5.3.4.2.3 In the event that the proposed reconstruction does not meet the provisions of Section 4.5.3.4.2, a special permit pursuant to Section 4.5.3.2, or a variance pursuant Section 4.5.3.3, as applicable, shall be required from the Board of Appeals for such reconstruction.

- 8) Revise Section 6.1.13 to replace the second occurrence of "6.1.13.2" with "6.1.13.4", so that Section 6.1.13 reads as follows:

6.1.13 **Off-Site Municipal Parking Lot.** Where an existing property does not meet the minimum parking requirements for a permitted use, off-site municipally-owned parking spaces may be used to meet the minimum parking requirements, provided:

- 6.1.13.1 That such spaces are located within a Municipal Parking Lot, so dedicated by the Select Board;
- 6.1.13.2 That such spaces are within four hundred (400) feet walking distance of the building entrance to be served;
- 6.1.13.3 That such off-site parking shall not be used to accommodate increased parking requirements due to new construction and/or expansion of existing buildings or structures; and
- 6.1.13.24 That the Select Board or its designee documents to the Building Commissioner that there is in fact sufficient capacity in the Municipal Parking Lot to accommodate the excess parking required.

- 9) Correct the numerical reference in Section 6.1.6.6 [Self-Storage or Mini-Storage Facility] so that Section 6.1.6.6 reads as follows:

6.1.6.6 Self-Storage or Mini-Storage Facility per Section 7.6.57.5.5	<p>Not less than one (1) space for each two hundred fifty (250) square feet floor area in office use, one (1) space for each two thousand (2,000) square feet floor area in use for storage, and one (1) space for each five hundred (500) square feet floor area in other uses, provided that there is reserved area on the site for potential future parking expansion to not less than one (1) space per five hundred (500) square feet of floor area</p> <p>Not less than one (1) space for each employee on the largest shift, plus one (1) space per 500 sq. ft. of sales floor area, plus two (2) spaces for any resident manager or caretaker, plus one (1) space per 50 storage units.</p>
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- 10) Revise Section 7.2.2 [Applicability] to remove Sections 7.2.2.6 and 7.2.2.7, which should have been deleted at the time of prior revisions to Section 7.1 [Administrative Earth Material Movement] and Section 7.6 [Solar Design Review and Approval], which prior revisions established specific review and approval procedures for Administrative Earth Material Movement and Solar Design Review independent of Section 7.2; and to relocate the comma in Section 7.2.2.2, so that Section 7.2.2 reads as follows:

7.2.2 **Applicability.** The following types of activities and uses shall require review and approval pursuant to the provisions of this Section, unless found to be de minimis by the Building Commissioner. Nothing herein shall be deemed to permit any use or structure not otherwise permitted as of right or by special permit under this Zoning Bylaw, or to give rise to an implication as to whether or not a particular use or structure is permitted as of right or by special permit under this Zoning Bylaw. The following shall require approval hereunder:

- 7.2.2.1 Construction, expansion, exterior alteration (exclusive of signs governed by the provisions of Section 6.2), or change of use of any municipal, institutional, commercial, industrial, or multi-family property.
- 7.2.2.2 Reconfiguration, restriping, or expansion, by three (3) or more parking spaces, of a parking area or facility containing five (5) or more parking spaces.
- 7.2.2.3 Any change in use which results in a use prohibited or requiring a special permit in a Water Resource Protection Overlay District, whether or not within such a district and whether or not requiring a building permit.

7.2.24 Construction of an Open Space Residential Development (OSRD) pursuant to Section 8.3 of this bylaw.

7.2.2.5 Construction, installation or alteration of a Minor Wireless Communication Facility pursuant to Section 9.4 of this bylaw.

~~7.2.2.6 Exporting, importing or regrading on premises subject to Earth Material Movement (EMM), pursuant to Section 7.1 of this bylaw.~~

~~7.2.2.7 **Solar Arrays, Facilities, and Photovoltaic Installations.** Large Scale Solar and Other Solar shall require review and approval pursuant to Section 7.6 of this bylaw. Roof mounted Solar is not subject to review pursuant to Section 7.2 or Section 7.6 and may be installed upon issuance of applicable Building and Electrical Permits.~~

11) Correct the misplaced location of a period in Section 9.2.13 so that Section 9.2.13 reads as follows:

9.2.13 **Requirement to Submit New Technical Data.** If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s).
Notification shall be submitted to:

9.2.13.1 Massachusetts NFIP State Coordinator, Massachusetts Department of Conservation and Recreation, 251 Causeway Street, Boston, MA 02114; and

9.2.13.2 Massachusetts NFIP Program Specialist, FEMA Risk Analysis Branch Chief, Federal Emergency Management Agency, Region I, 99 High Street, 6th Floor, Boston, MA 02110.

12) Correct the numbering of Sections 9.5.11.11 [Prohibited Signs], 9.5.11.12 [Sign Materials], and 9.5.11.13 [Sign Illumination], so that these section read as follows:

9.5.11.11 ~~118~~ **Prohibited Signs.** Billboards, roof signs, internally illuminated signs, flashing signs, variable lit signs, variable message signs (except as permitted in Section 9.5.11.5), flags, balloons, streamers, pennants, banners, strings of lights, ribbons, spinners and other similar devices, shall be prohibited in any project authorized under a FMUOD Special Permit. No sign which indicates the time, date and temperature shall be considered

a flashing sign provided such signs meet all other provisions of this Section.

9.5.11.~~129~~ **Sign Materials.** Signs shall be manufactured using industry standard materials that are consistent with a high quality project. Structurally necessary brackets, posts or other supports may be visible if compatible with the appearance of the sign they support. Conduit, tubing, raceways, conductors, transformers and similar equipment shall be concealed from view, to the greatest practical extent.

9.5.11.~~130~~ **Sign Illumination.** Indirect illumination of a sign by properly shielded light fixtures, or by edge-lighting, or by halo lighting, or internal illumination of only the lettering, wording or insignia portions of a sign, shall be permitted. In all cases illumination shall only be permitted by steady white light. Notwithstanding the above, awning signs shall not be internally illuminated.

13) Revise Section 9.7.11.19.1 to replace the second occurrence of "9.7.11.19.1.3" with "9.7.11.19.1.4", and renumber subsequent sections as appropriate, so that Section 9.7.11.19.1 reads 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.~~34~~ The subsequent replacement of antennas and/or 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.~~45~~ 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.

14) Change the numbering of Section 9.8.9 [Other Required Approvals] to Section 9.8.10 [Other Required Approvals] that Section 9.8.10 reads as follows:

9.8.~~9~~10 **Other Required Approvals.** Applications for additional approvals and/or special permits, required pursuant to this Bylaw, including but not limited to approvals and/or special permits required under Section 7.1 [Earth Material Movement (EMM)], Section 7.2 [Environmental Impact and Design Review (EIDR)], Section 9.3 [Water Resource Protection Overlay District (WRPOD)], and Section 9.7 [University Avenue Mixed Use District (UAMUD)], shall be filed concurrently with the SRFOD special permit application required under this Section. No SRFOD Special Permit shall become effective unless and until all other required approvals and/or special permits have been obtained.

Received on Mon., March 9, 2026 @9:44 am
By: Westwood Town Clerk

[Additional Housekeeping Amendments will be added to this Warrant Article throughout the duration of the public hearing if more errors or inconsistencies are identified.]

The most current text of each proposed article will be available for viewing on the Town's website the Planning Division's "Zoning Amendments" webpage at <https://www.townhall.westwood.ma.us/departments/community-economic-development/zoning-amendments>.

Interested persons are encouraged to attend the public hearing sessions via Zoom to make their views known to the Planning Board. The final meeting agenda and zoom information for each hearing session will be provided on the Town's meeting calendar on the website 3-5 days in advance at [westwoodma.gov](https://www.westwoodma.gov).

Westwood Planning Board