TOWN OF WESTWOOD
COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE TOWN CLERK

Dorothy A. Powers, MMC, CMMC
Town Clerk
Justice of the Peace
Notary Public

POSTING DATE: August 27, 2019
NORFOLK, SS.

TO EITHER OF THE CONSTABLES IN THE TOWN OF WESTWOOD IN SAID COUNTY:

GREETING:

In the name of the Commonwealth of Massachusetts you are hereby directed to post in at least four public places in the Town in each of the four precincts, copies of the attached Amendments to the Town Zoning and General By-laws.

These amendments were voted under Articles 17, 18, 19, 20 and 22 of the Warrant for the 2019 Annual Town Meeting, which meeting was held on May 6, 2019.

Any claim of invalidity by reason of any defect in the procedure of adoption or amendment of the aforementioned bylaws may only be made within ninety days of the date of the posting of this notice. Copies of the bylaws are available in the office of the Town Clerk, Town Hall, 580 High Street, Westwood, Massachusetts.

Hereof fail not and make due return upon this warrant with your action thereon to the Town Clerk.

Attest:

Dorothy A. Powers, MMC, CMMC
Town Clerk

By virtue of this warrant, I have this day posted attested copies of the amendment to the Bylaws of the Town of Westwood voted under the aforementioned articles of the 2019 Annual Town Meeting on four bulletin boards erected by the town in public places in each of the four precincts of the Town.

Sgt. Paul Sicard, Constable
August 27, 2019

Re:  Westwood Annual Town Meeting of May 6, 2019 -- Case # 9463
Warrant Articles # 18, 19, 20, and 22 (Zoning)
Warrant Article # 17 (General)

Dear Ms. Powers:

**Articles 17, 18, 19, 20, and 22** - We approve Articles 17, 18, 19, 20, and 22 from the May 6, 2019 Westwood Annual Town Meeting.

**Note:** Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,

MAURA HEALEY
ATTORNEY GENERAL

Kelli E. Gunagan
By: Kelli E. Gunagan
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600

cc: Town Counsel Thomas P. McCusker, Esq.
To Whom It May Concern:

I hereby certify the following action taken under Article 17 of the Warrant for the Annual Town Meeting held on May 06, 2019:

**Annual Town Meeting Article 17:** The Finance and Warrant Commission recommended and the Town voted by unanimous vote in favor declared by the Moderator to adopt the following changes to Chapter 138, Town Meetings, §138-17, Rules of debate, G. & H., of the General Bylaws.

Section 138-17G is amended to add the word “electronic” after Standing; adding “electronic voting or” to read as:

G. Standing, **electronic**, or written vote. If the Moderator is unable to decide by the sound of the voices, or if his announcement of the vote is thereupon doubted by seven or more voters raising their hands for that purpose, the Moderator shall without debate determine the vote by ordering a standing vote, and he may appoint tellers to make and return the count, or he may order a vote by electronic voting or secret written ballot.

Section 138-17H is amended to add “An electronic vote or” following Secret ballot to read as:

H. Secret ballot. **An electronic vote or** written ballot, to be taken by a "yes" and "no" secret ballot, and in such manner as the Moderator shall determine, may be ordered on any motion by a majority of voters present and voting.

Witness my hand and seal of the Town of Westwood this 27th day of August, 2019

Attest:

Dorothy A. Powers, MMC, CMMC
Westwood Town Clerk

*Pending approval form the Attorney General*
To Whom It May Concern:

I hereby certify the following action taken under Article 18 of the Warrant for the Annual Town Meeting held on May 06, 2019:

Annual Town Meeting Article 18: The Finance and Warrant Commission recommended and the Town voted by unanimous vote in favor declared by the 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

<table>
<thead>
<tr>
<th>ACCESSORY USE</th>
<th>SRA</th>
<th>SRB</th>
<th>SRC</th>
<th>SRD</th>
<th>SRE</th>
<th>GR</th>
<th>SR</th>
<th>LBA</th>
<th>LBB</th>
<th>HB</th>
<th>I</th>
<th>IO</th>
<th>ARO</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 premises and shall be wholly within a building and have no exterior advertising display.</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>X</td>
<td>Y</td>
<td>Y</td>
</tr>
</tbody>
</table>

Witness my hand and seal of the Town of Westwood this 27th day of August, 2019

Attest:

Dorothy A. Powers, MMC, CMMC
Westwood Town Clerk
To Whom It May Concern:

I hereby certify the following action taken under Article 19 of the Warrant for the Annual Town Meeting held on May 06, 2019:

Annual Town Meeting Article 19: The Finance and Warrant Commission recommended and the Town voted by a 2/3 voice vote in favor declared by the Moderator 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.

Witness my hand and seal of the Town of Westwood this 27th day of August, 2019

Attest:

Dorothy A. Powers, MMC, CMMC
Westwood Town Clerk
To Whom It May Concern:

I hereby certify the following action taken under Article 20 of the Warrant for the Annual Town Meeting held on May 06, 2019:

Annual Town Meeting Article 20: The Finance and Warrant Commission recommended and the Town voted by Unanimous vote in favor declared by the Moderator to approve certain amendments to the Westwood Zoning Bylaw to amend Section 8.4 [Residential Retirement Community (RRC)].

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 a 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 (5) four and one-half (1½) 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.

<table>
<thead>
<tr>
<th>Total Number of Dwelling Units</th>
<th>Minimum Number of Affordable Dwelling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 7 units</td>
<td>0</td>
</tr>
<tr>
<td>8 to 9 units</td>
<td>1</td>
</tr>
<tr>
<td>10 to 15 units</td>
<td>2</td>
</tr>
<tr>
<td>16 to 22 units</td>
<td>3</td>
</tr>
<tr>
<td>23 to 26 units</td>
<td>4</td>
</tr>
<tr>
<td>27 or more units</td>
<td>15% of the total number of dwelling units, rounded up to the next whole number</td>
</tr>
</tbody>
</table>

Witness my hand and seal of the Town of Westwood  this 27th day of August, 2019
Attest:

Dorothy A. Powers, MMC, CMMC
Westwood Town Clerk
To Whom It May Concern:

I hereby certify the following action taken under Article 22 of the Warrant for the Annual Town Meeting held on May 06, 2019:

Annual Town Meeting Article 22: The Finance and Warrant Commission recommended and the Town voted unanimously in favor declared by the Moderator 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.

Witness my hand and seal of the Town of Westwood  this 27th day of August, 2019

Attest:

Dorothy A. Powers, MMC, CMMC
Westwood Town Clerk