



**Town of Westford
PLANNING BOARD**

Town Hall, 55 Main Street
Westford, Massachusetts 01886
(978) 692-5524 · Fax: (978) 399-2732

AMENDED MEETING AGENDA

September 21, 2020

7:30 PM Meeting

Via webinar

Please see instructions for participation below

EXECUTIVE SESSION

Pursuant to M.G.L. c.30A, Section 21(a)(3), an Executive Session for the purpose of discussing litigation and settlement strategy and potential vote with respect to Town of Westford Planning Board v. Town of Westford Zoning Board of Appeals if an open meeting may have a detrimental effect on the litigating position of the public body and the chair of the Planning Board so declares with respect to the following case:

Commonwealth of Massachusetts Land Court C.A. NO. 20 MISC 000280

(Relative to BOA 2010 VAR – 0 & 37 Carlisle Road) Town of Westford Planning Board v. Town of Westford Zoning Board of Appeals & SMurph, LLC.

Open Forum

Public Hearing Items

1. **Public hearing to consider *Zoning Bylaw amendments* as described below to certain sections of the Zoning Bylaw in accordance with the provisions of Mass. General Laws Chapter 40A, Section 5. These amendments will be considered at the Westford Special Town Meeting beginning on **October 17, 2020**.**
 - i. **PB 2025 ZNG, Gender-Neutral Amendments to the Town’s Zoning Bylaw to Reflect Amendments to the Town Charter Pending Before the General Court, and Non-Substantive Changes**

To see if the Town will vote to amend the Town’s Zoning Bylaw to reflect pending amendments to the Town Charter that will change the name of the Board of Selectmen to the “Select Board,” by striking out, in every instance in which they appear in reference to that body, the words “Board of Selectmen” or “Selectmen” and inserting in place thereof the words “Select Board”; and by striking out, in every instance in which they appear in reference to Board members individually, the word “Selectman” and “Selectmen” and inserting in place thereof the words “Select Board Member” or “Select Board Members”; and further to authorize the Town Clerk to make non-substantive, ministerial revisions to ensure that gender and numerical issues in related text is revised to properly reflect such change in title, and to make other non-substantive, ministerial revisions to ensure consistency as to formatting of the bylaw’s text. This amendment is sponsored by the Select Board.
 - ii. **PB 2026 ZNG, Amend the Zoning Bylaw to clarify minimum lot frontage requirements**

To see if the Town will vote to amend Appendix C of the Zoning Bylaw – Table of Dimensional and Density Regulations – to clarify that the minimum Lot Frontage requirement must be satisfied with

Lot Frontage that is continuous and on a single way. This amendment is sponsored by the Planning Board.

iii. PB 2027 ZNG, Amend the Zoning Bylaw to extend the time for lapse of Special Permits from two to three years

To see if the Town will vote to amend Sections 9.2.2.1 and 9.3.6 of the Zoning Bylaw to be consistent with M.G.L. Chapter 40A, Section 9, to allow a municipality to extend the time a Special Permit shall lapse from two years to three years. This amendment is sponsored by the Planning Board.

iv. PB 2028 ZNG, Amend the Zoning Bylaw to clarify area standards for Accessory Dwelling Units

To see if the Town will vote to amend Section 3.3.4 – Standards – to provide greater consistency throughout the Zoning Bylaw by replacing the undefined terms “gross living space” and “gross floor space” found in Subsections 1 and 3a, with “gross floor area”, a term that is defined in General Definitions Section 10.2. This amendment is sponsored by the Planning Board.

v. PB 2029 ZNG, Amend the Zoning Bylaw to regulate Massage Establishments

To see if the Town will vote to amend Appendix A and Appendix B of the Zoning Bylaw to allow Massage Establishments in certain zoning districts either by right or by Special Permit from the Zoning Board of Appeals. This amendment is sponsored by the Planning Board.

vi. PB 2030 ZNG, Amend the Zoning Bylaw to delete Section 6.3: Growth Management (and related subsections) which expired on May 11, 2009

To see if the Town will vote to delete Section 6.3: Growth Management, the defined term “Growth rate limit” in Section 10.2: General Definitions, and related Appendix E. Section 6.3 of the Zoning Bylaw expired in 2009 and is no longer in effect. This amendment is sponsored by the Planning Board.

vii. PB 2031 ZNG, Amend the Zoning Bylaw to define and regulate Short-Term Rentals, and establish a Summer Village Short-Term Rental Overlay District

To see if the Town will vote to amend Section 10.2, Appendix A, and Appendix B of the Zoning Bylaw to define and regulate Short-Term Rentals, and to establish a Summer Village Short-Term Rental Overlay District where Short-Term Rentals will be allowed by right, and related changes. This amendment is sponsored by the Planning Board.

viii. PB 2032 ZNG, Amend Zoning Bylaw, to amend Section 10.2: General Definitions, Appendix A: Table of Principle Use Regulations, and Appendix B: Table of Accessory Uses Regulations to define and regulate Restaurant Drive-Through Facilities.

To see if the Town will vote to amend Section 10.2, Appendix A, and Appendix B to allow Restaurant Drive-Through Facilities in certain zoning districts by Special Permit from the Planning Board, and related changes. This amendment is sponsored by the Planning Board.

2. PB 2024 SP OSRD DEF SUB – 0, 19, 33 & 35 Hartford Road

*Public hearing to consider the application of **KMR Real Estate, LLC** for approval of a **Definitive Subdivision Plan** in accordance with **Section 218-11 of the Subdivision Rules and Regulations** and a **Special Permit** for an **Open Space Residential Development** in accordance with **Section 7.1 of the Zoning Bylaw** and any other permit or relief as may be required under the Town of Westford Subdivision and/or Zoning Bylaws in order to create an eight (8) lot subdivision (Colonel Rolls Drive). The subject properties are located at 0, 19, 33 & 35 Hartford Road and identified as Assessor’s Map 020 Parcel 0076*

Lot 0000, Map 020 Parcel 0075 Lot 0001, Map 020 Parcel 0074 Lot 0007, and Map 020 Parcel 0074 Lot 0008, and located in the Residence A (RA) zoning district.

Continued from: August 3, 2020

The Applicant has requested to continue to the October 5, 2020 meeting

General Business

- A. Rush Road (Rush Meadows) – Request for final bond release
- B. PB 04042 SPR – Request for administrative review and approval of installation of 325 linear feet of pavement from STA 0+10 to STA 3+35 on Lazy Day Drive within the Summer Village Development
- C. Discussion and possible recommendation of use of Sidewalk Gift Fund for sidewalk design on Carlisle Road from Melissa Drive to Applewood Drive

Correspondence, Reports and Updates

Review of Minutes: August 3, 2020

Instructions for participation:

Options available to access the Planning Board meeting remotely:

1. Register to watch the meeting through the GotoWebinar website at: <https://attendee.gotowebinar.com/register/2421071137474319887>. After registering, you will receive a confirmation email. There are basic instructions on how to use GoToWebinar available at: <https://www.youtube.com/watch?v=IQ3Xwwgbd8Y>
2. You may call in and listen on any phone (landline or cellphone) by dialing +1 (415) 655-0052 and using meeting code 953-136-438.
3. WCAT will record the meeting and it will be available within a few days of the meeting date. Please see their website for more details: <https://www.westfordcat.org/>

If you do not have access to one of these methods of participation, please submit written comments to Rebecca Cheney, Town Planner, rcheney@westfordma.gov by 3 pm on September 21, 2020.

If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact the Permitting Department at (978) 692-5524 or email etoothaker@westfordma.gov