

**WARRANT
SPRING ANNUAL TOWN MEETING
APRIL 8, 2014**

THE COMMONWEALTH OF THE MASSACHUSETTS

Middlesex, ss

To Any Constable of the Town of Natick in said County:
Greeting:

In the name of the Commonwealth of Massachusetts you are required to notify the qualified Town Meeting Members of the said Town of Natick to meet in the Natick High School, Natick on **Tuesday Evening April 8, 2014 at 7:30 PM**, then and there to act on the following Articles:

- Article 1 Appropriate Funds for the Family of Michael McDaniel Jr.
- Article 2 Authorize Board of Selectmen to Accept, Obtain, Abandon,
 Relocate Utility Easements
- Article 3 Transfer of Land to Conservation Commission: 0 Bradford Road
 End
- Article 4 Street Acceptance: Portion of Highland Street
- Article 5 Street Acceptance: Walnut Hill Drive
- Article 6 Shaw Park – Taking by Eminent Domain
- Article 7 Adopt MGL Chapter 147, Section 10F: Appointment of Parking
 Control Officers
- Article 8 Amend Town By-Laws: Article 41, Section 1 Regarding Contracts
- Article 9 Amend Town By-Laws: Renumber Article 54 (Civil Fingerprinting)
 to Article 55
- Article 10 Amend Town By-Laws: Ban of Marijuana Cultivation, Treatment
 Centers
- Article 11 Amend Zoning By-Laws: Extend Medical Marijuana Moratorium to
 12/31/2014 or Date of Approval of Local By-Law, Whichever
 is Earlier
- Article 12 Amend Zoning By-Laws: Medical Marijuana Treatment Centers
- Article 13 Reorganization of Zoning By-Laws: Phase I Document
- Article 14 Amend Zoning By-Laws: Flood Plain Amendments
- Article 15 Appropriate Fed Ex Mitigation Funds for Design of Route 30/Speen
 Street Intersection
- Article 16 Appropriate MathWorks Lakeside Campus Project Mitigation
 Funds for the Cochituate Rail Trail Project, Sidewalk Construction
 on Superior Drive, and Route 30/Speen Street Traffic Engineering
 Services
- Article 17 Committee Article
- Article 18 Homeless Student Transportation Subsidy

- Article 19 Fiscal 2014 Omnibus Budget Article
- Article 20 Elected Officials Salary
- Article 21 Personnel Board Classification and Pay Plan
- Article 22 Collective Bargaining
- Article 23 Fiscal 2015 Omnibus Budget Article
- Article 24 Morse Institute Library Fiscal 2015 Budget
- Article 25 Bacon Free Library Fiscal 2015 Budget
- Article 26 School Bus Transportation Subsidy
- Article 27 Stabilization Fund
- Article 28 Capital Stabilization Fund
- Article 29 Operational/Rainy Day Stabilization Fund
- Article 30 Establish Inflow & Infiltration Stabilization Fund
- Article 31 Establish One-to-One Technology Stabilization Fund
- Article 32 Other Post-Employment Benefits (OPEB) Fund
- Article 33 Establish Revolving Fund: Regional Coalition Tobacco Control Program
- Article 34 Re-authorization of Revolving Funds
- Article 35 Capital Equipment
- Article 36 Capital Improvement
- Article 37 Unpaid Bills
- Article 38 Rescind Authorized, Unused Debt
- Article 39 Board of Assessors: Increase Personal Property Exemptions
- Article 40 Amend Zoning By-Laws: Change Classification from I to RG: Pleasant Street
- Article 41 Appointment of Committee to Study Electronic Voting by Town Meeting
- Article 42 Facilitate Historic Building Preservation in Natick Through Amending Zoning By-Laws
- Article 43 Amend Zoning By-Laws: Change Classification from RG to RSA or RSC: Pleasant Street Area
- Article 44 Smart Growth Overlay (SGO) District for West Natick
- Article 45 Designation of Economic Opportunity Area

ARTICLE 1
Appropriate Funds for the Family of Michael McDaniel, Jr.
(Town Administrator)

To see if the Town will vote to appropriate the sum of \$100,000 to be given to the widow of Michael McDaniel Jr., long time employee of the Town of Natick Department of Public Works, killed in the line of duty on February 4, 2014; or otherwise act thereon.

ARTICLE 2
Authorize Board of Selectmen to Accept, Obtain, Abandon, Relocate
Utility Easements
(Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen, during Fiscal Year 2015, to acquire on behalf of the Town any and all easements for any of the following purposes: roads, sidewalks, vehicular and/or pedestrian access or passage, drainage and utilities; and to abandon or relocate easements acquired for any of the foregoing purposes; or otherwise act thereon.

ARTICLE 3
Transfer of Land to Conservation Commission: 0 Bradford Road End
(Board of Selectmen)

To see if the Town will vote to transfer from the Board of Selectmen to the Conservation Commission the care, custody, management and control of a parcel of land adjoining Pickerel Pond, identified as 0 Bradford Road End, containing approximately seventy-six (76) acres, and shown on Assessors' Map 14 as Lot 78; and, further to see if the Town will vote that the Board of Selectmen shall retain rights and obligations related to public water systems now or hereafter located on said parcel of land, including without limitation rights and obligations related to access to, egress from, and protection and maintenance of such public water systems; or otherwise act thereon.

ARTICLE 4
Street Acceptance: Portion of Highland Street
(Board of Selectmen)

To see if the Town will vote to accept a portion of Highland Street as a public way, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on a plan or plans, a copy of which is on file in the office of the Town Clerk; to see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and acceptance of a portion of Highland Street, and any appurtenant drainage, utility or other easements related to said Highland Street, and/or to accept grants thereof; and, further, to authorize the Board of Selectmen and other applicable Town of Natick boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this article; or otherwise act thereon.

ARTICLE 5
Street Acceptance: Walnut Hill Drive
(Board of Selectmen)

To see if the Town will vote to accept Walnut Hill Drive as a public way, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on a plan or plans, a copy of which is on file in the office of the Town Clerk; to see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and acceptance of Walnut Hill Drive, and any appurtenant drainage, utility or other easements related to said Walnut Hill Drive, and/or to accept grants thereof; and, further, to authorize the Board of Selectmen and other applicable Town of Natick boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this article; or otherwise act thereon.

ARTICLE 6
Shaw Park – Taking by Eminent Domain
(Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen to acquire on behalf of the Town by eminent domain, pursuant to Chapter 79 of the Massachusetts General Laws or other applicable law, a fee interest in the property known as Shaw Park, located at 53 Eliot Street, Natick, MA, said property being shown as Parcel 61 on Town of Natick Assessors' Map No. 63, and containing approximately 34,228 square feet; the purpose of said eminent domain taking is to acquire clear title to said property, given that there appears to be no deed or other instrument on record conveying title to the Town of Natick, notwithstanding the vote of the March, 1934 Town Meeting under Article 33 to accept said property as a gift from Isabella P. Shaw; provided that no damages shall be awarded for said eminent domain taking; or otherwise act thereon.

ARTICLE 7
Adopt MGL Chapter 147, Section 10F: Appointment of Parking Control
Officers
(Board of Selectmen)

To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 147, Section 10F, to authorize the Board of Selectmen to appoint parking control officers who shall have only those powers and duties conferred or imposed on police officers by MGL Chapter 90, Section 20A or 20A½; or otherwise act thereon.

ARTICLE 8
Amend Town By-Laws: Contracts
(Town Administrator)

To see if the Town will vote to amend the first paragraph of Article 41, Section 1 of the Town By-Laws as follows.

1. In the first sentence, delete “Chapter 7” and insert in its place “Chapter 7C”.
2. In the second sentence, delete the word “consulting”.

As amended, the first paragraph of Chapter 41, Section 1 would read:

“The award of all contracts for the purchase of services, equipment, supplies or materials for all departments of the Town of Natick shall be made in accordance with Mass. Gen. Laws Chapter 30B; Chapter 30 Section 39M; Chapter 7C, Chapter 149; or other applicable law, as may be amended. Administrative policies and/or procedures shall be established by the Town Administrator and the Superintendent of Schools as appropriate. Such policies and/or procedures shall, at a minimum, identify the municipal officials having the authority to legally bind the Town in a contract. Such policies shall prescribe procurement procedures for architectural and engineering services for which no procurement process is required by applicable Massachusetts law.”; or otherwise act thereon.

ARTICLE 9
Amend Town By-Laws: Renumber Article 54 (Civil Fingerprinting) to
Article 55
(Town Administrator)

To see if the Town will vote to amend the Town of Natick By-Laws by renumbering the Civil Fingerprinting By-Law to be Article 55; this By-Law was voted at the 2013 Spring Annual Town Meeting under Article 40 to be inserted into the Town By-Laws as Article 54 whereas it should have been voted as By-Law Article 55; or otherwise act thereon.

ARTICLE 10

Amend Town By-Laws: Ban of Marijuana Cultivation, Treatment Centers (Bruce A. Snow, et al)

To see if the Town will vote to amend Article 50 of the Town of Natick By-Laws as follows:

1. Insert the following new section between Sections 14b and 15:
Section 14c Medical marijuana Treatment Center(s) and Marijuana Cultivation Regulated by a Complete Ban
1. Notwithstanding the passage of Chapter 369 of the Acts of 2012, "An Act for the Humanitarian Medical Use of Marijuana" (question 3 on the November 2012 Massachusetts ballot), medical marijuana treatment center(s) and marijuana cultivation are both regulated in the town of Natick by a complete ban.
 - a. "Medical Marijuana Treatment Center(s)" (per 105 C.M.R. 725.004) shall be defined as a not-for-profit business engaged in the acquisition, cultivation, distribution, possession, processing, sale, transference, or transportation of marijuana or tetrahydrocannabinol to the general public, patients, or their caregivers for an implied or stated medical purpose.
 - b. "Marijuana Cultivation" shall be defined as the improvement and preparation of soil, or use of aquiculture or other method, for the raising of a marijuana plant or crop

ARTICLE 11

Amend Zoning By-Laws: Extend Medical Marijuana Moratorium to 12/31/2014 or Date of Approval of Local By-Law, Whichever is Earlier (Town Administrator)

To see if the Town will vote to amend Section III-J of the Natick Zoning By-Laws, entitled Temporary Moratorium on Medical Marijuana Treatment Centers, added by vote of the 2013 Natick Spring Annual Town Meeting under Article 39, by adding a reference to the regulations issued by the Massachusetts Department of Public Health effective January 1, 2013, by adding a reference to registered marijuana dispensaries, and by extending the expiration date of the temporary moratorium from June 30, 2014 to December 31, 2014, or until the effective date of approval by the Massachusetts Attorney General of a Zoning By-Law amendment to regulate registered marijuana dispensaries voted by Natick Town Meeting, whichever is earlier; or otherwise act thereon.

ARTICLE 12
Amend Zoning By-Laws: Medical Marijuana Treatment Centers
(Town Administrator)

To see if the Town will vote to amend the Zoning By-Laws by adding a new Section 323.8, Registered Marijuana Dispensaries, as follows.

“323.8 Registered Marijuana Dispensaries.

323.8.1 Purposes

To provide for the establishment of registered marijuana dispensaries in appropriate places and under conditions in accordance with the passage of Chapter 369 of the Acts of 2012, an Act for the Humanitarian Medical Use of Marijuana. See also Appendix Sections 1-1, et seq., to Chapter 94C of the Massachusetts General Laws.

To minimize the adverse impacts of registered marijuana dispensaries on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said dispensaries.

To regulate the siting, design, placement, security, safety, monitoring, modification, and removal of registered marijuana dispensaries.

323.8.2 Applicability

The commercial cultivation (unless it meets the requirements for an agricultural exemption under Chapter 40A, Section 3 of the Massachusetts General Laws), production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana for medical use is prohibited unless allowed by special permit as a registered marijuana dispensary under Chapter 40A, Section 9 of the Massachusetts General Laws and this Section 323.8.

No registered marijuana dispensary shall be established except in compliance with the provisions of this Section 323.8.

Nothing in this By-Law shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

323.8.3 Definitions

“Debilitating medical condition” shall mean cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), hepatitis C, amyotrophic lateral sclerosis (ALS), Crohn’s disease, Parkinson’s disease, multiple sclerosis and other conditions as determined in writing by a qualifying patient’s physician.

“Marijuana” shall have the same meaning given as “marihuana” in Chapter 94C of the Massachusetts General Laws.

“Marijuana for medical use” shall mean marijuana that is designated and restricted for use by, and for the benefit of, qualifying patients in the treatment of debilitating medical conditions.

Registered marijuana dispensary” shall mean a not-for-profit entity, as defined by Massachusetts law only, registered under Chapter 369 of the Acts of 2012, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.

323.8.4 General Requirements and Conditions

323.8.4.1 Registered marijuana dispensaries, other than agricultural operations meeting the requirements for an exemption under Chapter 40A, Section 3 of the Massachusetts General Laws, may be allowed in the RC District by special permit issued by the Planning Board provided that the registered marijuana dispensary meets the requirements of this Section 323.8.

323.8.4.2 No registered marijuana dispensary shall be located on land in the RC District in which the underlying zoning is Highway Mixed Use III (HM III).

323.8.4.3 No registered marijuana dispensary shall be located within five hundred (500) feet of any other premises containing a registered marijuana dispensary.

323.8.4.4 No registered marijuana dispensary shall be located in any premises for which an alcoholic beverages license has been issued.

323.8.4.5 No registered marijuana dispensary shall be located inside a building containing residential units, including single family housing, multi-family housing, and transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.

323.8.4.6 No registered marijuana dispensary shall be located in a building that contains the office of any medical doctor or the office of any other professional practitioner authorized to prescribe the medical use of marijuana.

323.8.4.7 All registered marijuana dispensaries shall be contained within a building or structure.

323.8.4.8 No registered marijuana dispensary shall be located on a lot which is located within three hundred (300) feet of a Town of Natick boundary line, or a residential zoning district boundary line, or a house of worship, or a school, playground or day care facility.

323.8.4.9 No registered marijuana dispensary shall have a gross floor area of less than two thousand five hundred (2,500) square feet or in excess of twenty thousand (20,000) square feet.

323.8.4.10 The hours of operation of registered marijuana dispensaries shall be set by the Planning Board, but in any event no registered marijuana dispensary shall be open and/or operating between the hours of 8:00 PM and 8:00 AM.

323.8.4.11 No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a registered marijuana dispensary.

323.8.4.12 Signage for the registered marijuana dispensary shall include the following language: "Registration card issued by the MA Department of Public Health required". The required text shall be a minimum of two (2) inches in height.

323.8.4.13 Registered marijuana dispensaries shall provide the Natick Police Department, Natick Board of Health, Natick Building Commissioner, and Natick Planning Board with the names, phone numbers and email addresses of all management staff and keyholders to whom the Town of Natick can provide notice if there are emergencies or operating problems associated with the registered marijuana dispensary.

323.8.5 Special Permit Requirements

323.8.5.1 A special permit for a registered marijuana dispensary shall be limited to one (1) or more of the following uses:

- a) cultivation of marijuana for medical use;
- b) processing and packaging of marijuana for medical use, including marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments, and other products; or
- c) retail sale or distribution of marijuana for medical use to qualifying patients.

323.8.5.2 An application for a special permit for a registered marijuana dispensary shall include the following:

- a) the location of the proposed registered marijuana dispensary, including the street address, and the floors(s) and unit number(s) to be occupied;
- b) the proposed use of the subject registered marijuana dispensary;
- c) the name and address of each owner of the registered marijuana dispensary;
- d) copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the registered marijuana dispensary;
- e) evidence of the applicant's right to use the proposed site for the registered marijuana dispensary, such as a lease or consent of the property owner;
- f) if the applicant is a business organization, a statement under oath

disclosing all of its owners, shareholders, partners, members, managers, directors, and officers, and their addresses. If any of the above are entities rather than persons, the applicant must disclose the identity of the owners of such entities;

- g) a certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent Town of Natick tax list and certified by the Town of Natick Assessor; and
- h) Proposed security measures for the registered marijuana dispensary, including lighting, fencing, gates, surveillance equipment, alarms, etc., to ensure the safety of persons and to protect the premises from theft.

323.8.5.3 Mandatory Findings

In addition to the findings otherwise required by law for issuance of a special permit, the Planning Board shall not issue a special permit for a registered marijuana dispensary unless it finds that:

- a) the registered marijuana dispensary demonstrates that it shall meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and shall be in compliance with all applicable state laws and regulations; and
- b) the applicant has satisfied all of the conditions and requirements of this Section 323.8.

323.8.5.4 Term

A special permit granted under this Section 323.8 shall have a term limited to the duration of the applicant's ownership of, or leasehold interest in, the premises as a registered marijuana dispensary. A special permit may be transferred only with the approval of the Planning Board in the form of an amendment to the special permit with all information required in this Section

323.8.5.5 Annual Reporting. Each registered marijuana dispensary permitted under this By-Law shall as a condition of its special permit file an annual report with the Natick Board of Health, the Natick Community Development Department, and the Natick Town Clerk no later than January 31st, providing a copy of all current applicable state licenses for the registered marijuana dispensary and/or its owners and demonstrating continued compliance with the conditions of the special permit.

323.8.5.6 Abandonment or Discontinuance of Use

323.8.5.6.1 A special permit issued under this Section 323.8 shall lapse if not exercised within one (1) year of issuance.

323.8.5.6.2 A registered marijuana dispensary shall be required to remove all plants, equipment, supplies and materials related to the registered marijuana dispensary:

- a) prior to surrendering its state issued licenses or permits; or
- b) within three (3) months of ceasing operations; whichever comes first.

323.8.6 Invalidity

If any provision of this Section 323.8 or the application of any such provision to any person or circumstance shall be determined to be invalid or enforceable by final judgment or order of a court of competent jurisdiction, the remainder of this Section 323.8 shall continue in effect, to the extent permitted by law.”; or otherwise act thereon.

ARTICLE 13
Reorganization of Zoning By-Laws: Phase I Document
(Town Administrator)

To see if the Town will vote to amend and recodify the Zoning Bylaw as follows:

1. Delete, in their entireties, the following provisions of the existing Zoning By-Law:
 - Section I: General
 - Section II: Use Districts
 - Section III: Use Regulations
 - Section IV: Intensity Regulations
 - Section V: Special Requirements
 - Section VI: Administration
2. Substitute the following provisions in the document entitled “Zoning By-Law, on file in the office of the Town Clerk and the Planning Board:
 - Section 1.0 Purpose and Authority
 - Section 2.0 Districts
 - Section 3.0 Use Regulations
 - Section 4.0 Dimensional Controls
 - Section 5.0 Nonconforming Uses and Structures
 - Section 6.0 General Regulations
 - Section 7.0 Special Regulations
 - Section 8.0 Special Residential Regulations
 - Section 9.0 Special District Regulations
 - Section 10.0 Highway Districts
 - Section 11.0 Administration and Procedures
 - Section 12.0 Definitions

or otherwise act thereon.

ARTICLE 14
Amend Zoning By-Laws: Flood Plain Amendments
(Town Administrator)

To see if the Town will vote to amend the Zoning By-Laws by deleting in its entirety Section III-A.3 FLOOD PLAIN DISTRICT and inserting:

“III-A.3 FLOOD PLAIN DISTRICT

(a) **PURPOSE:** The purpose of the Flood-Plain District is to preserve and maintain the ground water table; to protect the public health and safety, persons and property against the hazards of flood-water inundation; and for the protection of the community against the costs which may be incurred when unsuitable development occurs in swamp, marshes, along water courses, or in areas subject to floods.

(b) **LOCATION OF FLOOD PLAIN DISTRICT:** The Flood Plain District is herein established as an overlay district. The underlying permitted uses are allowed provided that they meet the following additional requirements as well as those of the Massachusetts State Building Code dealing with construction in flood plains. The Flood Plain District includes:

1. All areas shown as being within the 100-year flood plain on the TOWN OF NATICK DRAINAGE STUDY, 100-YEAR FLOOD PLAIN MAP, 1" equals 100', September 1979 by Coffin & Richardson, Inc., Engineers, Boston, Massachusetts. As further described in the Drainage Report, Natick Massachusetts, September 1979 prepared by Coffin & Richardson.

2. All special flood hazard areas within the Town of Natick designated as Zone A and AE on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Natick are panel numbers 25017C0509F, 25017C0517F, 25017C0519F, 25017C0528F, 25017C0529F, 25017C0536F, 25017C0538F dated July 7, 2014; and 25017C0537E, 25017C0539E, 25017C0543E, and 25017C652E dated June 4, 2010. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated July 7, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Commissioner, Conservation Commission and the Department of Public Works. (Art. 43, Spring ATM, 4/27/10)

In the event of any discrepancy between the above delineations of the 100-year flood plain, the Building Inspector, after consultation with the Natick Conservation Commission, shall determine which map will apply. The Natick Drainage Study can only be used in

areas where the Base Flood Elevations are equal to or more restrictive than the FIRM and FIS.
(Art. 43, Spring ATM, 4/27/10)

(c) PERMITTED USES:

1. Within a Flood Plain District, no structure or building shall be erected or extended and no premises shall be used except for one or more of the following uses: any woodland, grassland, wetland, agricultural, horticultural or recreational uses of land or water not requiring filling. Buildings and sheds accessory to any of the Flood Plain Uses are permitted. Any such building or structure shall be designed, placed and constructed to offer a minimum obstruction to the flow of water, and it shall be firmly anchored to prevent floating away.

2. The following are permissible exceptions to paragraph 1: In and Flood Plain District after the adoption of this provision, no land, building, or structure shall be used for sustained human occupancy, except dwellings theretofore lawfully existing. Building permits shall be issued on request whereby buildings and structures theretofore lawfully existing may be repaired, restored, altered, enlarged, or rebuilt, and structures accessory to the existing use may be constructed in compliance with all other zoning laws and applicable state and municipal laws and regulations, provided that any such altered or rebuilt foundation shall not extend beyond the pre-existing building foundation boundary. (Any such pre-existing use shall not be rescinded by any other part of the Flood Plain Zoning By-Law. For example, this shall pertain to pre-existing buildings and structures which are subsequently damaged or destroyed by fire or disaster).

3. The following is a permissible exception to Paragraphs 1 and 2: In any Flood Plain District after the adoption of this provision, the Board of Appeals may issue a permit for any use permitted outside a Flood Plain District based on the following conditions:

a. That any such use of such land will not interfere with the general purposes for which Flood Plain Districts have been established.

b. That any such use of such land will not be detrimental to the public health, safety or welfare.

c. The Board of Appeals will refer the question to the Planning Board, the Board of Health, the Board of Public Works, the

Board of Selectmen and the Town Conservation Commission for recommendations. It will consider those recommendations returned within 14 days by the above Boards.

d. In the floodway, designated on the Middlesex County FIRMS as stated in Section III-A.3(b)2. the following special conditions must be met:

1. All encroachments, including fill, new construction, substantial improvements to existing structures, and other development are prohibited unless certification by a registered professional engineer or architect is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the 100-year flood.
2. Any encroachment meeting standard of III. 3. d. 1. shall comply with the floodplain requirements of the State Building Code and Massachusetts Wetland Protection Act, G.L. Chapter 131, Sec. 40.
3. Floodway Data. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, Local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(Art. 43, Spring ATM, 4/27/10)

e. All public utilities and facilities, such as sewer, gas electrical, and water systems shall be located and constructed to minimize or eliminate flood damage, and

f. Adequate drainage systems, by use of natural or non-structural drainage whenever possible, shall be provided to reduce exposure to flood hazards.

4. Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than fifty (50) lots or five (5) acres, whichever is the lesser, within unnumbered A zones. (Art. 43, Spring ATM, 4/27/10)

5. Except as provided above, there shall be in the Flood Plain District:

a. No land fill or dumping in any part of the District;

- b. No drainage other than Flood-Control works by an authorized public agency;
- c. No damming or relocation of any water course except as part of an over-all drainage basin plan;
- d. No buildings or structure;
- e. No permanent storage of materials or equipment.

(d) **NOTIFICATION OF WATERCOURSE ALTERATION:** In a river or stream situation, the Building Commissioner shall notify the following of any alteration or relocation of a watercourse:

- 1. Adjacent Communities
- 2. NFIP State Coordinator (currently located at) Massachusetts
Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
- 3. NFIP Program Specialist (currently located at)
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

(Art. 43, Spring ATM, 04/27/10)

(e) **REFERENCE TO EXISTING REGULATIONS:** The floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- 1. Section of the Massachusetts State Building Code which Addresses floodplain and coastal high hazard areas (currently 780 CMR)
- 2. Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CRM 10.00);
- 3. Inland Wetlands Restriction, DEP (currently 310 CMR 13.00); and
- 4. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5).

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of the state regulations.”; or otherwise act thereon.

ARTICLE 15
Appropriate Fed Ex Mitigation Funds for Design of Route 30/Speen Street Intersection
(Town Administrator)

To see if the Town will vote to appropriate a sum of money from mitigation funds from the FedEx Ground Project to fund traffic engineering services in the Speen Street/Route 30 area, including appropriation of funds designated for the Towns of Wayland and Framingham for the same purpose; or otherwise act thereon.

ARTICLE 16
Appropriate MathWorks Lakeside Campus Project Mitigation Funds for the Cochituate Rail Trail Project, Sidewalk Construction on Superior Drive, and Route 30/Speen Street Traffic Engineering Services
(Town Administrator)

To see if the Town will vote to appropriate a sum of money from mitigation funds from the MathWorks Lakeside Campus Project to fund the Cochituate Rail Trail Project, sidewalk construction on Superior Drive, and Route 30/Speen Street traffic engineering services; or otherwise act thereon.

ARTICLE 17
Committee Article
(Board of Selectmen)

To see if the Town will vote to receive the reports of town officers, boards, and committees; or otherwise act thereon.

ARTICLE 18
Homeless Student Transportation Subsidy
(Superintendent of Schools)

To see if the Town will vote to appropriate, raise, or transfer from available funds, a sum of money for the purpose of transporting homeless students living in temporary shelters located in Natick to and from school as required by

the McKinney-Vento Homeless Education Assistance Act; or otherwise act thereon.

ARTICLE 19
Fiscal 2014 Omnibus Budget Article
(Town Administrator)

To determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest, during Fiscal Year 2014 (July 1, 2013 through June 30, 2014) and to provide for a reserve fund for Fiscal Year 2014, and to see what budgets for Fiscal 2014 will be reduced to offset said additional appropriations; or otherwise act thereon.

ARTICLE 20
Elected Officials Salary
(Town Administrator)

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town of Natick for Fiscal Year 2015 (July 1, 2014 through June 30, 2015) as provided by Section 108 of Chapter 41 of the General Laws, as amended; or otherwise act thereon.

ARTICLE 21
Personnel Board Classification and Pay Plan
(Town Administrator)

To see if the Town, pursuant to the authority contained in Section 108A of Chapter 41 of the General Laws, will vote to amend the by-laws by adding to Article 24, Section 3, a new paragraph deleting certain position titles, adding new position titles and effecting changes in the salary ranges as presently established; or otherwise act thereon.

ARTICLE 22
Collective Bargaining
(Town Administrator)

To see if the Town will vote to raise and appropriate, or otherwise provide, the funds necessary to implement the Terms of Agreements reached between the Town and the following collective bargaining units:

- a) Local 1707 International Association of Firefighters
- b) The Deputy Fire Chiefs Association;

or otherwise act thereon.

ARTICLE 23
Fiscal 2015 Omnibus Budget Article
(Town Administrator)

To determine what sum of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest during Fiscal Year 2015 (July 1, 2014 to June 30, 2015), and to provide for a reserve fund for Fiscal Year 2015; or to otherwise act thereon.

ARTICLE 24
Morse Institute Library Fiscal 2015 Budget
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Morse Institute Library, for Fiscal Year 2015 (July 1, 2014 through June 30, 2015); or otherwise act thereon.

ARTICLE 25
Bacon Free Library Fiscal 2015 Budget
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Bacon Free Library, for Fiscal Year 2015 (July 1, 2014 through June 30, 2015); or otherwise act thereon.

ARTICLE 26
School Bus Transportation Subsidy
(Superintendent of Schools)

To see if the Town will vote to appropriate and raise, or transfer from available funds, a sum of money for the purpose of operation and administration of the school bus transportation system, and to reduce or offset fees charged for students who elect to use the school bus transportation system for transportation to and from school; or otherwise act thereon.

ARTICLE 27
Stabilization Fund
(Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the stabilization fund established under Article 22 of the warrant for Annual Town Meeting of 1961, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

ARTICLE 28
Capital Stabilization Fund
(Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Capital Stabilization Fund established under Article 2 of the warrant for Fall Annual Town Meeting of 2010, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

ARTICLE 29
Operational/Rainy Day Stabilization Fund
(Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Operational Stabilization Fund established by vote of the 2011 Spring Annual Town Meeting under Article 4, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

ARTICLE 30
Establish Inflow & Infiltration Stabilization Fund
(Town Administrator)

To see if the Town will vote to create an Inflow and Infiltration Stabilization Fund for the purpose of funding upgrades to Town sewer lines to reduce inflow and infiltration, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

ARTICLE 31

**Establish One-to-One Technology Stabilization Fund
(Town Administrator)**

To see if the Town will vote to create a One-to-One Technology Stabilization Fund for the purpose of funding the One-to-One Technology Program in the Natick Public School System, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

**ARTICLE 32
Other Post-Employment Benefits (OPEB) Fund
(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of funding the Other Post-Employment Benefits Liability Trust Fund authorized by vote of the 2011 Fall Annual Town Meeting under Article 8 pursuant to the provisions of Chapter 32B, Section 20 of the General Laws, as amended; or otherwise act thereon.

**ARTICLE 33
Establish Revolving Fund: Regional Coalition Tobacco Control Program
(Town Administrator)**

To see if the Town will vote pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws, to establish a Tobacco Control Program Revolving Fund in order to utilize money received by the Town of Natick through grants, retail tobacco dealer permit fees and fines in order to implement the terms of the regional grant received from the Metrowest Health Foundation and to administer programs and enforcement with the goal of reducing tobacco use throughout the community; further, to authorize the Public Health Director, under the supervision of the Board of Health, to expend money from such revolving fund; and to limit the total amount which may be expended from such fund up to and including \$25,000 during the fiscal year beginning July 1, 2014; or take other action relative thereto; or otherwise act thereon.

**ARTICLE 34
Re-authorization of Revolving Funds
(Town Administrator)**

To see if the Town will vote to authorize the use of revolving funds previously established pursuant to votes of Town Meeting; to determine: 1) the programs and purposes for which each such revolving fund may be expended; 2) the departmental receipts which shall be credited to each such revolving fund; 3)

the board, department or officer authorized to expend money from each such revolving fund; and 4) a limit on the total amount which may be expended from each such revolving fund in the fiscal year which begins on July 1, 2014; or otherwise act thereon.

ARTICLE 35
Capital Equipment
(Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum of money as may be required for capital equipment for the various departments of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise; or otherwise act thereon.

ARTICLE 36
Capital Improvement
(Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum of money to implement a Capital Improvement Program, to protect the physical infrastructure of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise; or to otherwise act thereon.

ARTICLE 37
Unpaid Bills
(Town Administrator)

To see if the Town will vote to raise and appropriate, or otherwise provide such sums of money as may be required for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Natick; or otherwise act thereon.

ARTICLE 38
Rescind Authorized, Unused Debt
(Town Administrator)

To see if the Town will vote to rescind the authorization for unissued debt that has been determined is no longer needed for the completion of various projects; or otherwise act thereon.

ARTICLE 39
Increase Personal Property Exemptions
(Board of Assessors)

To see if the Town will vote to increase the Personal Exemption Amounts by 45% under the provisions of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988 which provides for "Optional Additional Property Tax Exemptions" allowing an annually determined, uniform increase in the amount of exemption in General Laws, Chapter 59 Section 5 Clauses 17D, 22, 22A, 22B, 22C, 22E, 37A, and 41C (elderly person, disabled veteran, or blind person); or otherwise act thereon.

ARTICLE 40
Amend Zoning By-Laws: Change Classification from I to RG: Pleasant
Street
(James M. Williamson, et al)

To see if the Town will vote to amend its Zoning Bylaws, Section II, Item IIB, Subsection 1, entitled "Location of Districts" by changing the zoning classification from Industrial I to RG on portions of two parcels identified as Assessors Map 64 Parcel 44 (22 Pleasant Street, South Natick) and Assessors Map 64 Parcel 48 (Town of Natick). Said area to be rezoned includes only that area of said parcels that is presently zoned Industrial I. Being the same area designated as "Manufacturing District No. 5" by the Annual Town Meeting of 1931 (Article 61) and described therein as "the tract between the Hunnewell Playground and the Canal, extending from the Charles River on the east to a western boundary line parallel with and distant 330 feet eastward from the eastern line of Pleasant Street".

ARTICLE 41
Appoint Committee to Study Electronic Voting at Town Meeting
(Town Moderator)

To see if the Town will vote to authorize the Town Moderator to appoint a committee to consist of not more than seven (7) members for the purpose of studying the subject of electronic voting by Town Meeting members, said committee to submit a report with recommendations to Town Meeting no later than the 2015 Natick Spring Annual Town Meeting; or otherwise act thereon.

ARTICLE 42
Facilitate Historic Building Preservation in Natick Through Amending
Zoning By-Laws
(Randy Johnson, et al)

To see if the Town will vote to amend the Zoning By-Laws to encourage the adaptive re-use of religious facilities by broadening and modifying use and dimensional regulations that may otherwise impede historic or architectural preservation efforts.

ARTICLE 43

Amend Zoning By-Laws: Change Classification from RG to RSA or RSC: Pleasant Street Area (John W. Newton, et al)

To see if the Town will vote to amend its Zoning By-Laws (Section II, Item IIB, Subsection I, entitled "Location of Districts" by changing to zoning classification from RG to RSA or RSC (the specific subsection to be determined through consultation with the Planning Board subsequent to the date of the Article submission and prior to the Spring Town Meeting).

Such change to be applied to the following parcels identified as Assessors Map 64, parcels 64.45, 64.45A (20 Pleasant Street); 63.11 (18 Pleasant Street); 63.10 (16 Pleasant Street); 63.9 (4 Merrill Road); 64.47 (6 Merrill Road); 64.46 (7 Merrill Road); and 64.44 (22 Pleasant Street) specifically that portion fronting on Pleasant Street and abutting on the North parcels 64.45 and 64.45A. Said areas to be rezoned includes only the areas of said parcels that are presently zoned RG. Specifically excluded is Town of Natick property identified as Hunnewell Fields, being parcel 64.48 which is predominately zoned RG, excluding that portion now zoned Ind 1, which portion is the subject of rezoning proposal included elsewhere on this warrant.

ARTICLE 44

SMART GROWTH OVERLAY (SGO) DISTRICT FOR WEST NATICK (George Richards, et al)

To see if the Smart Growth Overlay District (SGO) of the Zoning By-Laws shall be amended to include the area around the West Natick Train Station along West Central Street as follows:

Add to Section III-A.6 AFFORDABLE HOUSING, C- SMART GROWTH OVERLAY DISTRICT (SGO District), Section 2. DEFINITIONS, *SGO District* –, at the end of said paragraph and after the period, the following:

The word "District" shall include the word "Districts" where the context so admits and as approved by Town Meeting as an SGO District.

At Section III-A.6 AFFORDABLE HOUSING, C- SMART GROWTH OVERLAY DISTRICT, Section 3.1 Establishment., at the end of said paragraph, delete the period and add the following:

as well as the parcels of land along West Central Street in the area of the West Natick Train Station to be within the SGO District, to be known as West Natick Smart Growth Overlay District (WSGO) shown on the Town of Natick Assessor's,

Map 39 as Lots: 22, 23, 23A, 23BU1, 23BU2,
23C, 23D, 23E, 26, 27, 28, 29,
30, and

Map 40 as Lots: 58A, 58B, 58C, 58D, 58E,
58F, 59, 60, 61, 64, 70, 71,
71A, 72, 87, 88, 89 and 89A.

that are superimposed over the underlying zoning district(s) and is shown on the Zoning Map of the Town of Natick, "Southwest Quadrant."

Add to Section III-A.6 AFFORDABLE HOUSING, C- SMART GROWTH OVERLAY DISTRICT, Section 7.1 List of Requirements, Paragraph b), below iii), the following:

- iv) Multi-family residential units: WSGO area of SGO District, 21.7 units per acre.

Or otherwise act thereon.

ARTICLE 45
Designation of Economic Opportunity Area
(Economic Development Committee)

To see if the Town will vote to authorize the Board of Selectmen to submit to the Massachusetts Economic Assistance Coordinating Council an application to designate the Downtown Mixed Use District, and the Light Industrial zones on Middlesex Avenue, off of North Main Street and abutting Bigelow Avenue and Washington Avenue, as well as those on North Avenue and South Avenue as one or more Economic Opportunity Area (EOA); or otherwise act thereon.

The above articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with Chapter 2 of the Acts of 1938 and Amendments thereto and the Town Charter and subject to the referendum provided thereby.

You are directed to serve this warrant by causing an attested copy of said Warrant to be posted in the Post Office in said Natick, to wit: Precinct 1; Reliable Cleaners, 214 West Central Street; Precinct 2, Cole Recreation Center, 179 Boden Lane; Precinct 3, Kennedy Middle School, Mill St.; Precinct 4, TCAN, Summer Street; Precinct 5, Wilson Middle School, Rutledge Road; Precinct 6, East Natick Fire Station, 2 Rhode Island Avenue; Precinct 7, Lilja Elementary School, Bacon Street; Precinct 8, Natick High School, 15 West Street; Precinct 9: Community Senior Center, 117 East Central Street and Precinct 10, Memorial Elementary School, 107 Eliot St.

Above locations being at least one public place in each Precinct, in the Town of Natick, and also posted in the Natick U.S. Post Office, Town Hall, Bacon Free Library and Morse Institute Library seven days at least before April 8, 2014; also by causing the titles of the articles on the warrant for the 2014 Spring Annual Town Meeting to be published once in the Newspaper called "The Metrowest Daily News", with notice of availability of an attested copy of said Warrant, said Newspaper published in the Town of Natick and said publication to be Friday, February 14, 2014.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at or before the time appointed for holding said meeting.

Given under our hands this 10th day of February, 2014.

CAROL A. GLOFF
Chair

JOSHUA OSTROFF
Vice Chair

NICHOLAS S. MABARDY
Clerk

CHARLES M. HUGHES
Member

RICHARD P. JENNETT, JR.
Member

Board of Selectmen for the Town of Natick

Certified copies of the Warrant are available at the Office of the Town Clerk, Natick Town Hall, 13 East Central St., Natick, MA between the hours of 8:00 AM – 5:00 PM, Monday through Wednesday; 8:00 a.m.-8:00 p.m. on Thursday and 8:00 AM-12:30 p.m. Friday and at the Town web site www.natickma.gov.

**OFFICER'S RETURN
COMMONWEALTH OF MASSACHUSETTS**

Natick, Middlesex

Pursuant to the warrant for the 2014 Natick Spring Annual Town Meeting, I have this day notified the qualified Town Meeting Members to assemble at the time, place and for the purpose within mentioned by posting the warrant as within directed and in accordance with the Town of Natick Home Rule Charter and the Town of Natick By-Laws.

DATE(S) DULY POSTED _____

Signature of Constable

Date

**OFFICER'S RETURN
COMMONWEALTH OF MASSACHUSETTS**

Natick, Middlesex

Pursuant to the Town of Natick Home Rule Charter and the Town of Natick By-Laws, I have caused the titles of the articles on the warrant for the 2014 Natick Spring Annual Town Meeting and a notice of availability of an attested copy of said warrant to be published in the newspaper called *The MetroWest Daily News*, in the issue published in the said Town of Natick on February 14, 2014.

Signature of Town Administrator

Date