

**WARRANT
SPRING ANNUAL TOWN MEETING
APRIL 11, 2017**

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 11, 2017 at 7:30 PM**, then and there to act on the following Articles:

- Article 1 Authorize Board of Selectmen to Acquire, Obtain, Abandon or Relocate Easements
- Article 2 Committee Article
- Article 3 Elected Officials Salary
- Article 4 Personnel Board Classification and Pay Plan
- Article 5 Collective Bargaining
- Article 6 Fiscal 2017 Omnibus Budget
- Article 7 Fiscal 2018 Omnibus Budget
- Article 8 Fiscal 2018 Morse Institute Library Budget
- Article 9 Fiscal 2018 Bacon Free Library Budget
- Article 10 School Bus Transportation Subsidy
- Article 11 Amend By-Laws to Establish and Authorize Revolving Funds
- Article 12 Capital Equipment
- Article 13 Capital Improvement
- Article 14 Capital Stabilization Fund
- Article 15 Creation of Other Post-Employment Benefits (OPEB) Liability Trust Fund
- Article 16 Other Post-Employment Benefits (OPEB) Appropriation or Transfer of Funds
- Article 17 Rescind Authorized, Unissued Debt
- Article 18 Increase Personal Exemption Amounts
- Article 19 Section 101 Increase
- Article 20 COLA Increase
- Article 21 Statutory Minimum Survivor Allowance
- Article 22 Appropriate Funds for Design of New West Natick Fire Station
- Article 23 Amend By-Laws Regarding Town Meeting Member Contact Information
- Article 24 Rescind Previous Appropriation
- Article 25 Appropriate Funds to Offset Borrowing Authorization for Acquisition of the CSX Saxonville Branch
- Article 26 Appropriate Funds for Design and Development of the Cochituate Rail Trail
- Article 27 Appropriate Funds for Study and Design of the So-Called Golden Triangle Area
- Article 28 Amend Prior Appropriation Regarding Sewer System for Affordable Home
- Article 29 Appropriate Funds in Support of the Natick Affordable Housing Trust
- Article 30 Amend By-Laws Regarding the Established Dates for Town Election, Spring Annual Town Meeting, and Submission of Fiscal Documents
- Article 31 Sidewalk Snow and Ice Clearing for Safety
- Article 32 Extend the Term of the Charter and By-Law Review Committee
- Article 33 Amend the Natick Zoning By-Law to Include a Definition for Special Care Residence
- Article 34 Amend the Natick Zoning Bylaw to Create an Assisted Living Option Overlay District (ALOOD) (1)
- Article 35 Include Certain Parcels of Land on Eliot Street and Everett Street in the Assisted Living Option Overlay District (“ALOOD”).
- Article 36 Assisted Living Option Overlay District (ALOOD) (2)
- Article 37 Amend Zoning By-Law to Make Various Technical Corrections and Modifications
- Article 38 Amend Zoning By-Law to Change and/or to Specify SPGA Designations and Procedures

- Article 39 Amend the Natick Zoning By-Law to Create a Transitional Overlay Option Plan District (TOOP)
- Article 40 To Include Certain Parcels of Land on East Central Street, Lincoln Street, Wilson Street and Grant Street in the Transitional Overlay Option Plan District
- Article 41 Amend Zoning By-Law to Create an Independent Senior Living Overlay Option Plan/Elderly Family Residence Living Option Plan

ARTICLE 1

Authorize Board of Selectmen to Acquire, Obtain, Abandon or Relocate Easements (Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen, during Fiscal Year 2018, 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, provided however that such authorization pertains only to easements acquired at no cost to the Town; and, further, to authorize the Board of Selectmen, subsequent to a public hearing, during Fiscal Year 2018 to abandon or relocate easements acquired for any of the foregoing purposes; or otherwise act thereon.

ARTICLE 2

Committee Article (Board of Selectmen)

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

ARTICLE 3

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 2018 (July 1, 2017 through June 30, 2018) as provided by Section 108 of Chapter 41 of the General Laws, as amended; or otherwise act thereon.

ARTICLE 4

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 5

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) Supervisors and Administrators Association (DPW)
- b) The Natick Patrol Officers Association
- c) New England Police Benevolent Association, AFL-CIO, Local 182 - Police Superior Officers
- d) New England Police Benevolent Association, AFL-CIO, Local 182 - Dispatchers
- e) Local 1707 International Association of Firefighters
- f) The Deputy Fire Chiefs' Association
- g) Public Employees Local Union 1116 of the Laborers International Union of North America – Facilities Management Employees

Or otherwise act thereon.

ARTICLE 6

Fiscal 2017 Omnibus Budget (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 2017 (July 1, 2016 through June 30, 2017) and to provide for a reserve fund for Fiscal Year 2017, and to see what budgets for Fiscal 2017 will be reduced to offset said additional appropriations; or otherwise act thereon.

ARTICLE 7
Fiscal 2018 Omnibus Budget
(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 2018 (July 1, 2017 to June 30, 2018), and to provide for a reserve fund for Fiscal Year 2018; or to otherwise act thereon.

ARTICLE 8
Fiscal 2018 Morse Institute Library 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 2018 (July 1, 2017 through June 30, 2018); or otherwise act thereon.

ARTICLE 9
Fiscal 2018 Bacon Free Library 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 2018 (July 1, 2017 through June 30, 2018); or otherwise act thereon.

ARTICLE 10
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, for Fiscal Year 2018 (July 1, 2017 through June 30, 2018); or otherwise act thereon.

ARTICLE 11
Amend By-Laws to Establish and Authorize Revolving Funds
(Town Administrator)

To see if the Town will vote to amend the General By-Laws of the Town by adding a new section to establish and authorize revolving funds for use by certain Town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, sec.53E1/2 and to specify for each fund: (1) the programs or activities for which the revolving fund maybe expended; (2) the departmental receipts in connection with those programs or activities that shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; and (4) any reporting or another requirements the Town may impose, or otherwise act thereon.

ARTICLE 12
Capital Equipment
(Town Administrator)

To see if the Town will vote to appropriate and raise, borrow 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 13
Capital Improvement
(Town Administrator)

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

ARTICLE 14
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 15
Creation of Other Post-Employment Benefits (OPEB) Liability Trust Fund
(Town Administrator)

To see if the Town will vote to accept the provisions of Chapter 32B, Section 20 of the General Laws, originally accepted by vote of the 2011 Fall Annual Town Meeting under Article 8, as amended by section 15 of Chapter 218 of the Acts of 2016, which provides that the Town create an Other Post-Employment Benefits Liability Trust Fund, the assets of which shall be held solely to meet the current and future liabilities of the Town for group health insurance benefits for retirees and their dependents, or otherwise act thereon.

ARTICLE 16
Other Post-Employment Benefits (OPEB) Appropriation or Transfer of Funds
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide to, the Other Post-Employment Benefits Liability Trust Fund established pursuant to the provisions of Chapter 32B, Section 20 of the General Laws as amended by section 15 of Chapter 218 of the Acts of 2016, or otherwise act thereon.

ARTICLE 17
Rescind Authorized, Unissued 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 18
Increase Personal Exemption Amounts
(Board of Assessors)

To see if the Town will vote to increase the Personal Exemption Amounts by 52.5% 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 19
Section 101 Increase
(Town Administrator)

To see if the Town will vote to approve the Natick Retirement Board's vote to adopt the provisions Sections 27 and 28 of Chapter 131 of the Acts of 2010 to amend Massachusetts General Laws, Chapter 32, Section 101, to increase the benefit provided therein to widows and widowers of the Natick Retirement System from \$6,000 to \$9,000 per year; or to otherwise act thereon.

ARTICLE 20

**COLA Increase
(Town Administrator)**

To see if the Town will vote to approve the Natick Retirement Board's vote to increase the cost of living base for Natick Retirement System retirees and survivors from \$12,000 to \$13,000 for FY 18; to \$14,000 for FY 19; and to \$15,000 for FY 20 and future years consistent with the provision of Section 19 of Chapter 188 of the Acts of 2010; or to otherwise act thereon.

**ARTICLE 21
Statutory Minimum Survivor Allowance
(Town Administrator)**

To see if the Town will vote to approve the Natick Retirement Board's vote to adopt the provisions of Section 30 of Chapter 176 of the Acts of 2011 to increase the statutory minimum payment made to the survivors of deceased members of the Natick Retirement System pursuant to Massachusetts General Laws, Chapter 32, Section 12(2)(d), from \$250 to \$500; or to otherwise act thereon.

**ARTICLE 22
Appropriate Funds for Design of New West Natick Fire Station
(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from mitigation funds for the purpose of supplementing funding of design and associated work for construction of a new Fire Station at the location of Fire Station #4 and adjoining properties (West Natick Fire Station), said appropriation being in addition to funds appropriated under Article 33 of the 2016 Spring Annual Town Meeting, or otherwise act thereon.

**ARTICLE 23
Amend By-Laws Regarding Town Meeting Member Contact Information
(Board of Selectmen)**

To see if the Town will vote to amend the Natick Town By-Laws Article 2, by adding Section 3, Town Meeting Member Contact Information. The Natick Town Clerk collects, maintains, provides on request and publishes on the town website a Contact List of Town Meeting Members of the town that may also have been chosen by appointment when the position is vacant. The Contact List will be created by each Town Meeting Member who may provide the method by which each Town Meeting Member wants to be contacted. The Town Meeting Member may choose to provide the preferred method of contact such as an email address, a home address, a phone number or other method of contact that provides a reasonable method of access for his or her constituents. It is requested that the contact information be provided by the Town Meeting Member to the Town Clerk within seven days of election or appointment of a Town Meeting Member, or otherwise act thereon.

**ARTICLE 24
Rescind Previous Appropriation
(Paul Griesmer et al)**

"To see what action(s) the town will take to rescind the appropriation under Article 3 of 2016 Special Town Meeting Number 1 in the amount of \$2,500,000 from the FAR Bonus Stabilization Fund in such a manner that the rescinded appropriation falls back to or is restored to and/or, if necessary, is appropriated back to the FAR Bonus Stabilization Fund or otherwise act thereon."

**ARTICLE 25
Appropriate Funds to Offset Borrowing Authorization for Acquisition of the
CSX Saxonville Branch
(Town Administrator)**

To see if the Town will vote to appropriate a sum of money received by the Town in the form of donations, grants or gifts in support of the Cochituate Rail Trail project, said funds to be applied against the borrowing authorization for acquisition of the CSX Saxonville Branch under Article 3 of the 2016 Special Town Meeting #2, or otherwise act thereon.

ARTICLE 26
Appropriate Funds for Design and Development of the Cochituate Rail Trail
(Board of Selectmen)

To see if the Town will vote to appropriate a sum of money from available funds for design and development of the Cochituate Rail Trail, or otherwise act thereon.

ARTICLE 27
Appropriate Funds for Study and Design of the So-Called Golden Triangle Area
(Town Administrator)

To see if the Town will vote to appropriate a sum of money from mitigation funds for study and design of the so-called Golden Triangle area, generally described as the intersection of Speen Street and Route 30 in Natick and Framingham, including access/egress for the Massachusetts Turnpike; or otherwise act thereon.

ARTICLE 28
Amend Prior Appropriation Regarding Sewer System for Affordable Home
(Town Administrator)

To see if the Town will vote to amend the vote under Article 33 of 2015 Fall Annual Town Meeting, which vote appropriated from Free Cash an amount not to exceed \$35,000 for the purpose of constructing and installing a force main sewage disposal system for a two-family affordable home being constructed by the Affordable Housing Trust Fund at 299/301 Bacon Street by deleting reference to a "force main" sewer system given that the current design calls for a gravity system; or otherwise act thereon.

ARTICLE 29
Appropriate Funds in Support of the Natick Affordable Housing Trust
(Natick Community Development Advisory Committee and
Natick Affordable Housing Trust)

To see if what sum the town will appropriate in support of the statutory responsibilities and mission of the Natick Affordable Housing Trust Fund; or otherwise act thereon.

ARTICLE 30
Amend By-Laws Regarding the Established Dates for Town Election, Spring Annual Town Meeting, and Submission of Fiscal Documents
(Town Administrator)

To see if the Town will vote to amend the General By-Laws of the Town to modify the established dates on which the Town Election will be held and on which the Spring Annual Town Meeting shall be called, and further, to modify the established date by which the Town Administrator must submit the preliminary budget for the next fiscal year; or otherwise act thereon.

ARTICLE 31
Sidewalk Snow and Ice Clearing for Safety
(Victoria Grafflin, et. al.)

To see if the Town will vote to amend the Natick Bylaws to include regulations and guidance to require reasonable efforts by residents and property owners for the removal of snow and ice from sidewalks, and to provide for the Board of Selectmen to develop regulations to accomplish the objectives of this petition, or otherwise act thereon.

ARTICLE 32
Extend the Term of the Charter and By-Law Review Committee
(Charter and By-Law Review Committee)

To see whether the Town will Vote to Extend the Term of the Charter and By-Law Review Committee; or Otherwise Act Thereon.

ARTICLE 33

**Amend the Natick Zoning By-Law to Include a Definition for Special Care Residence
(Richard Glaser et al)**

To see if the Town will vote to add a definition for “Special Care Residence” to Article I, Section 200 of the Town of Natick Zoning Bylaw, or otherwise act thereon.

Suggested definition:

A “Special Care Residence” is a type, or part, of an Assisted Living Facility that provides an enhanced level of supports and services for one or more residents to address their specialized needs due to cognitive or other impairments. Such a residence must provide a planned activity program that addresses resident needs, as applicable, in the following areas of resident function: gross motor activities; self-care activities; social activities and sensory and memory enhancement activities.

(This definition is drawn from 651 CMR 12.02 and 651 CMR 12.04(4)(b)).

ARTICLE 34

**Amend the Natick Zoning Bylaw to Create an Assisted Living Option Overlay District
(ALOOD) (1)
(Richard Glaser et al)**

To see if the Town will vote to amend the Natick Zoning Bylaw to create an Assisted Living Option Overlay District (ALOOD) limited to residential zoning districts, including but not limited to:

1. specifying the purpose and objectives of such ALOOD;
2. setting any and all dimensional and intensity regulations, including a requirement for minimum size of any parcel or parcels included in the ALOOD, for such ALOOD;
3. specifying whether uses within such ALOOD shall require a Special Permit and which Town board shall be the Special Permit Granting Authority;
4. specifying the authority of the Special Permit Granting Authority to grant waivers or allow modification of dimensional or intensity regulations and the criteria for such waivers and/or modifications;
5. establishing requirements for the provision of Open Space or Open Space Public Benefit Amenity for any parcel or parcels included in the ALOOD;
6. establishing such other requirements as the Town deems appropriate for uses allowed within the ALOOD; and take any other action consistent with the creation of this ALOOD, or otherwise act thereon.

1. Amend Article I by adding:

Section 110 – PURPOSE OF ASSISTED LIVING OPTION OVERLAY DISTRICT (ALOOD)

Within the purposes expressed in Section 100 of this Bylaw and in General Laws Chapter 40 A the particular intent of these Bylaws with respect to establishing an Assisted Living Option Overlay District (ALOOD) is to provide a residential environment within residentially zoned districts that offers supportive services to individuals 55 years of age or older who are unable to live independently in the community, including individuals with specialized needs due to cognitive or other impairments, by offering supervision and/or assistance with basic activities of daily life.

2. Create New section III-K to be added to Zoning Bylaw after the existing Highway Overlay District Sections:

Section III-K ASSISTED LIVING OPTION OVERLAY DISTRICT (“ALOOD”)

1. **APPLICABILITY:** An applicant may seek a Special Permit for the redevelopment of land and buildings located in an ALOOD District in accordance with the provisions of this Bylaw from the Planning Board (ALOOD Project), which shall act as the Special Permit Granting Authority (SPGA) under this section. The ALOOD shall overlay any parcel or combination of contiguous parcels in common ownership or control, or pursuant to a petition in which evidence is provided that the purchase of such parcel or parcels is under agreement

(“ALOOD PARCEL”), approved by Town Meeting to be included in the ALOOD, subject to the following requirements:

- a. Such ALOOD PARCEL shall be located in a residentially zoned district and consist of at least five (5) contiguous acres.
- b. Such ALOOD PARCEL shall have a minimum of 200 feet of frontage on a Town or State road.

2. USE AND OTHER ZONING REGULATIONS

- a. Allowed Uses: In addition to any uses allowed in the underlying residential zoning district, which shall continue to be allowed uses, Assisted Living Residences and Special Care Residences, either as a single use, or as combined uses in one or more buildings, shall be allowed uses within the ALOOD subject to the following requirements:
 - i. An Assisted Living Residence located in the ALOOD shall provide assisted living units consisting of one or more rooms within an Assisted Living Residence providing living facilities for no more than two occupants, including room or rooms for living, sleeping and eating (“ALR Unit”).
 - ii. Both Assisted Living Residences and Special Care Residences may include common areas and community dining facilities, and may provide personal care services, activities of assistance with daily living, and other related programs and services. This may include, but is not strictly limited to, meal care services, beauty salon, sundry shop, and banking and recreational facilities.
 - iii. The SPGA, in order to approve the Special Permit/Site Plan Approval for an Assisted Living Residence or a Special Care Residence, must find that the overall impact of the facility will not substantially derogate from the cumulative impact associated with other uses allowed as a matter of right or by special permit within the zoning district.
- b. All regulations of the underlying residential zoning district shall apply within the ALOOD except for projects approved pursuant to this Section, which shall be governed by the regulations set forth in this Section, provided however that the requirements set forth in Section III-A.3, Flood Plain District, and III-A.5, Aquifer Protection District, shall apply to projects within the ALOOD District.
- c. Intensity, Dimensional and Open Space Regulations
 - i. Number of Living Units: Any development permitted under the ALOOD Bylaw shall be limited to eight (8) ALOOD units per acre (43,560 S.F.). An ALOOD unit is a patient bed with respect to a Special Care Residence and an ALR Unit with respect to an Assisted Living Residence. For example, a five (5) acre ALOOD PARCEL could have a maximum of forty (40) ALR Units, or twenty (20) ALR Units and a twenty (20) bed Special Care Residence, or a forty (40) bed Special Care Residence, or any other combination thereof.
 - ii. Floor Area Ratio: For any development permitted under the ALOOD Bylaw the floor area ratio (FAR) shall not exceed 0.25.
 - iii. Open Space: Any development approved under the ALOOD shall provide that a minimum of thirty-three (33%) per cent of the ALOOD PARCEL is retained as permanent Open Space or an Open Space Public Benefit Amenity. At least fifty (50%) percent of the Open Space shall not be wetlands or land subject to seasonal or periodic flooding. The Open Space

disposition shall be at the discretion of the SPGA and either retained by the Applicant, deeded to the Town of Natick, or deeded to a non-profit corporation designated by the SPGA. The SPGA may, in its discretion, require public access to such Open Space. The Open Space shall be permanently restricted as Open Space by way of a deed restriction, conservation restriction or easement. Open Space acreage, whether retained by the Applicant or deeded to a third party in compliance with this Section, shall be considered part of the ALOOD PARCEL for determining zoning compliance of the ALOOD PARCEL under all provisions of the Zoning Bylaw.

- iv. Parking Spaces Required: 0.5 spaces per ALR Unit for Assisted Living Residences; 0.75 spaces per patient bed for Special Care Residences.

Intensity Regulations:

Minimum ALOOD Project Areas	5 Acres
Continuous Frontage	200'
Minimum Front-yard setback	150'
Minimum Side-yard setbacks	*40'
Minimum Rear-yard setback	*40'
Maximum Building Height	35'
Maximum Building Coverage	20%
Minimum Open Space	33%

*or 60' from the nearest residential building on any abutting lot, whichever is greater.

d. Design criteria:

- i. Preservation and enhancement of landscaping. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.
- ii. Relation of buildings to environment. Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed building.
- iii. Open space. All open space (landscaped and usable) shall be designed to add to the visual amenities of the area by maximizing its visibility for persons passing the site or overlooking it from nearby properties.
- iv. Signs and advertising devices. The size, location, design, color, texture, lighting, and materials of signs and advertising devices shall be in harmony with significant architectural features of existing and proposed buildings and structures and with surrounding properties.
- v. Heritage. Removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.
- vi. The SPGA may, in its discretion, determine and apply additional Design Criteria that further the purposes of this Bylaw.

e. AFFORDABILITY REQUIREMENTS

Unless a determination has been made satisfactory to the SPGA that the Living Units of the ALOOD Project do not affect the Town's Subsidized Housing Inventory as maintained by the

Commonwealth of Massachusetts Department of Housing and Community Development (DHCD), the Applicant shall make a one-time payment to the Affordable Housing Trust Fund of Natick in an amount equal to a formula of \$5 multiplied by the total number of square feet of area in Living Units in the ALOOD Project. This payment shall be required notwithstanding the fact that the Town may have reached an exemption level of production of affordable units in any year.

f. MODIFICATIONS AND WAIVERS

The SPGA may modify and/or waive strict compliance with one or more of the regulations in any ALOOD District provided that it makes a specific finding, in writing, that such waiver and/or modification will not create conditions which are substantially more detrimental to the existing site and the neighborhood in which the site is located, than if the waiver and/or modification were not granted, provided however that any waiver or modification of a dimensional regulation shall not increase or decrease such requirement by more than ten (10%) percent.

ARTICLE 35

**Include Certain Parcels of Land on Eliot Street and Everett Street in the Assisted Living Option Overlay District (“ALOOD”)
(Richard Glaser et al)**

To see if the Town will vote to include certain parcels of land located on Eliot Street and Everett Street within the Assisted Living Option Overlay District, specifically those parcels of land identified on Assessor’s Map number 72 as parcels 39E, 39L, and 39K, intending to describe that land contained in deeds recorded in Middlesex South District Registry of Deeds in book 12792, page 120 (parcel 39E, but excepting Parcel 41), book 48268, page 575 (parcel 39L), book 59285, page 131 (parcel 39K), and excepting therefrom the land described in book 60812, page 376, all as more particularly described on a Plan entitled “Assisted Living Option Overlay District” (Assessors Map 72, lots 39E, 39L, and 39K) 309 and 311 Eliot Street, Natick Massachusetts, by McKenzie Engineering Group, Inc. dated February 2, 2017 attached hereto as Exhibit A and the narrative description attached hereto as Exhibit B, or otherwise act thereon.

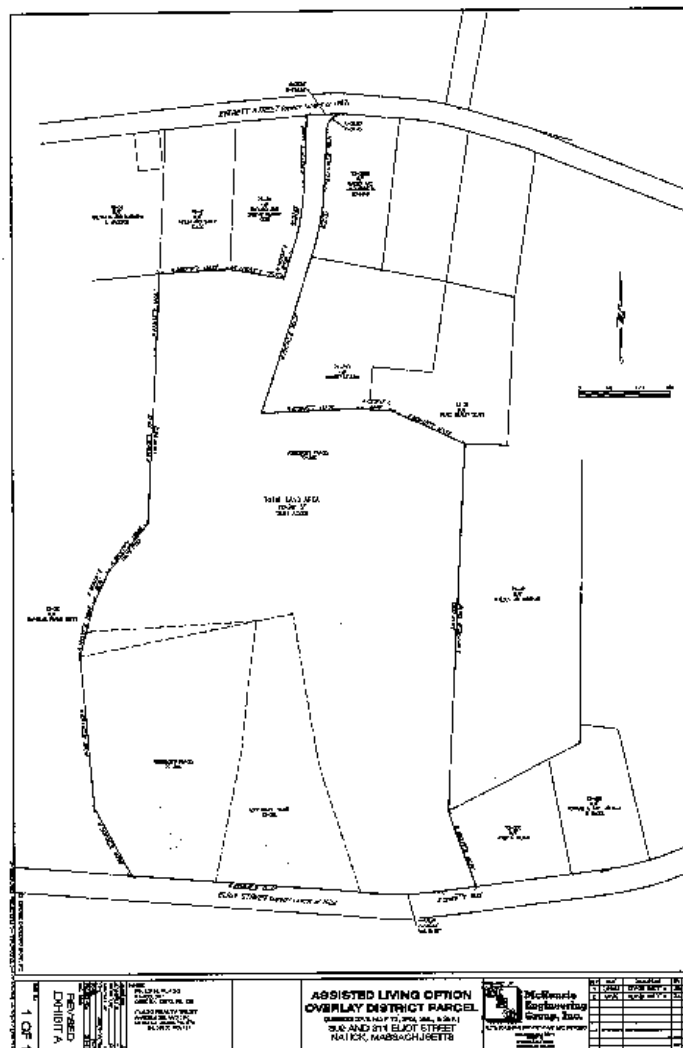


EXHIBIT B

ALOOD PARCEL LEGAL DESCRIPTION

A parcel of land situated on the northerly side of Eliot Street and the southerly side of Everett Street in the town of Natick, Middlesex County, Massachusetts being more particularly described as follows:

BEGINNING at a point on the northerly right of way line of said Eliot Street, being the southeasterly corner of the land herein described;

thence along said Northerly right of way line the following 3 courses;

S 82°40'51" W a distance of 70.65';

thence with a curve turning to the right with an arc length of 134.31' and a radius of 646.64';

thence N 85°25'09" W a distance of 481.67';

thence N 28°16'39" W a distance of 153.96';

thence N 05°17'09" W a distance of 304.07';

thence N 15°12'21" E a distance of 112.64';

thence N 26°09'21" E a distance of 65.70';

thence N 40°09'46" E a distance of 120.00';

thence N 03°02'34" E a distance of 339.46';

thence N 02°51'16" E a distance of 154.81';

thence N 86°52'18" E a distance of 139.82';

thence S 79°50'13" E a distance of 107.36';

thence N 18°11'54" E a distance of 56.69';

thence with a curve turning to the left with an arc length of 133.18' and a radius of 492.31';

thence N 02°41'54" E a distance of 137.00' to the southerly right of way line of said Everett Street;

thence along said southerly right of way line with a curve turning to the right with an arc length of 73.19' and a radius of 648.98';

thence with a reverse curve turning to the left with an arc length of 52.08' and a radius of 33.45';

thence S 02°41'54" W a distance of 108.71';

thence with a curve turning to the right with an arc length of 144.00' and a radius of 532.31';

thence S 18°11'56" W a distance of 323.38';

thence N 87°59'45" E a distance of 195.86';

thence S 85°59'42" E a distance of 64.00';

thence S 65°24'03" E a distance of 158.94';

thence S 02°50'47" W a distance of 726.75';

thence S 20°13'39" E a distance of 160.70' to the POINT OF BEGINNING;

containing an area of 16.64 acres more or less.

The above described parcel of land comprises Assessor's Map number 72; parcels 39E, 39L, and 39K intending to describe a portion of that land contained in deeds recorded in the following books:

A portion of land in book 12972, page 120 (parcel 39E)

book 48268, page 575 (parcel 39L)

book 59285, page 131 (parcel 39K)

excepting therefrom the land described in book 60812, page 376

being also shown on a plan entitled "Assisted Living Option Overlay District Parcel (Assessor's Map 72, 39E, 39L, & 39K) 309 and 311 Eliot Street Natick, Massachusetts" dated February 2, 2017 by McKenzie Engineering Group, Inc.

ARTICLE 36

Assisted Living Option Overlay District (ALOOD) (2) (Gary Sutherland et al)

1. Amend Article I by adding:

Section 110 – PURPOSE OF ASSISTED LIVING OPTION OVERLAY DISTRICT (ALOOD)

Within the purposes expressed in Section 100 of this Bylaw and in General Laws Chapter 40 A the particular intent of these Bylaws with respect to establishing an Assisted Living Option Overlay District (ALOOD) is to provide a residential environment within residentially zoned districts that offers supportive services to individuals 55 years of age or older who are unable to live independently in the community, including individuals with specialized needs due to cognitive or other impairments, by offering supervision and/or assistance with basic activities of daily life.

2. Create New section 111-K to be added to Zoning Bylaw after the existing Highway Overlay District Sections:

Section 111-K ASSISTED LIVING OPTION OVERLAY DISTRICT ("ALOOD")

1. APPLICABILITY: The ALOOD shall overlay any parcel or combination of contiguous parcels in common ownership ("ALOOD PARCEL") , approved by Town Meeting to be included in the ALOOD, subject to the following requirements:

- a. Such ALOOD PARCEL shall be located in a residentially zoned district and consist of at least five (5) contiguous acres.
- b. Such ALOOD PARCEL shall have a minimum of 200 feet of frontage within 5280 feet of the Downtown Common area
- c.

2. USE AND OTHER ZONING REGULATIONS

a. Allowed Uses: In addition to any uses allowed in the underlying residential zoning district, which shall continue to be allowed uses, Assisted Living Residences and Special Care Residences, either as a single use or as combined uses in one or more buildings, shall be allowed uses within the ALOOD subject to the following requirements:

1. An Assisted Living Residence located in the ALOOD shall provide assisted living units consisting of one or more rooms within an Assisted Living Residence providing living facilities for no more than two occupants, including room or rooms for living, sleeping and eating ("ALR Unit").

11. Both Assisted Living Residences and Special Care Residences may include common areas and community dining facilities, and may provide personal care services, activities of assistance with daily living, and other related programs and services. This may include, but is not strictly limited to, meal care services, beauty salon, sundry shop, and banking and recreational facilities.

iii. The SPGA, in order to approve the Special Permit/Site Plan Approval for an Assisted Living Residence or a Special Care Residence, must find that the overall impact of the facility will not substantially derogate from the cumulative impact associated with other uses allowed as a matter of right or by special permit within the zoning district.

b. All regulations of the underlying residential zoning district shall apply within the ALOOD except for projects approved pursuant to this Section, which shall be governed by the regulations set forth in this Section, provided however that the requirements set forth in Section 111-A.3 Flood Plain District and 111-A.5 Aquifer Protection District shall apply to projects within the ALOOD District..

c. Intensity, Dimensional and Open Space Regulations

1. Number of Living Units: Any development permitted under the ALOOD Bylaw shall be limited to 6 (6) ALOOD units per acre (43,560 S.F.). An ALOOD unit is a patient bed with respect to a Special Care Residence and an ALR Unit with respect to an Assisted Living Residence. The maximum density is 64 units regardless of the property size.

ii. Floor Area Ratio: For any development permitted under the ALOOD Bylaw the floor area ratio (FAR) shall not exceed 0.25.

iii. Open Space: Any development approved under the ALOOD shall provide that a minimum of thirty-three (33%) per cent of the

ALOOD PARCEL is retained as permanent Open Space or an Open Space Public Benefit Amenity. At least fifty (50%) percent of the Open Space shall not be wetlands or land subject to seasonal or periodic flooding. The Open Space disposition shall be at the discretion of the SPGA and either retained by the Applicant, deeded to the Town of Natick, or deeded to a non-profit corporation designated by the SPGA. The SPGA may, in its discretion, also require public access to such Open Space. The Open Space shall be permanently restricted as Open Space by way of a deed restriction, conservation restriction or easement. Open Space acreage, whether retained by the Applicant or deeded to a third party in compliance with this Section, shall be considered part of the ALOOD PARCEL for determining zoning compliance of the ALOOD PARCEL under all provisions of the Zoning Bylaw.

- 1v: Affordable units: The minimum requirement is 15% with a maximum of 25% of units affordable
- V. Parking Spaces required: 0.5 spaces per ALR Unit for Assisted Living Residences; (1) spaces per patient bed for Special Care Residences.
- V1: No Assisted Living development approved under the Alood bylaw can be within 2,640 feet of another approved Alood Assisted Living development covered under this bylaw.

v. Intensity Regulations:

Minimum ALOOD Project Areas	5 Acres
Continuous Frontage	200'
Minimum Front-yard setback	200'
Minimum Side-yard setbacks	100'
Minimum Rear-yard setback	100'
Maximum Building Height	35'
Maximum Building Coverage	20%
Minimum Open Space	33%

d. Design criteria:

- i. Preservation and enhancement of landscaping. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.
- ii. Relation of buildings to environment. Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed building. The development should be in harmony with existing housing structures without significantly changing the character of existing residential areas

111. Open space. All open space (landscaped and usable) shall be

designed to add to the visual amenities of the area by maximizing its visibility for persons passing the site or overlooking it from nearby properties.

- 1v. Signs and advertising devices. The size, location, design, color, texture, lighting, and materials of signs and advertising devices shall be in harmony with significant architectural features of existing and proposed buildings and structures and with surrounding properties.
- v. Heritage. Removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.
- vi. The SPGA may, in its discretion, determine and apply additional Design Criteria that further the purposes of this Bylaw.

e. **MODIFICATIONS AND WAIVERS**

The SPGA may modify and/or waive strict compliance however the total amount of waiver shall not exceed 10% with one or more of the regulations in any ALOOD District provided that it makes a specific finding, in writing, that such waiver and/or modification will not create conditions which are substantially more detrimental to the existing site and the neighborhood in which the site is located, than if the waiver and/or modification were not granted.

ARTICLE 37

**Amend Zoning By-Law to Make Various Technical Corrections and Modifications
(Paul Griesmer et al)**

“To see what action(s) the town will take to amend the Zoning By Law to make technical corrections, modifications or changes regarding Modifications and Waivers, Aquifer Protection District exemptions, and Pre-Existing Non-Conforming Structures and Uses including but not limited to the following:

1) to eliminate, to restrict and/or to limit in whole or in part the ability of the Special Permit Granting Authority (SPGA) to grant or to make modifications or waivers with regard to the provisions of the Zoning By Law and the extent to which and/or the subject matter on which any modifications or waivers may be granted including but not limited to the following sections or subsections:

III-A.6 Affordable Housing B. Housing Overlay option Plan (HOOP), 7. Modifications and Waivers

III-A.6 Affordable Housing C. Smart Growth Overlay District (SGO District), 11. Waivers

III-I Assisted Living Residences, Modifications and Waivers

III-J Historic Preservation, 8. Modifications and Waivers

Section 320 Highway Overlay Districts, 329 Administration, 329.2 Modifications and Wavers and/or

2) to move any and all language concerning modifications and waivers in the above sections to a new section or subsection in the Zoning By Law in order to consolidate all language concerning modifications and waivers in one place and to make changes to eliminate, in whole or in part, and/or to restrict and/or limit, in that new section or subsection, the ability of and /or extent to which and/or the subject matter on which an SPGA may grant waivers and/or modifications and/or

3) to delete all existing language concerning modifications and waivers in the above sections and create a new section or subsection which consolidates and/or modifies any and all waiver and modification language and/or eliminates , in whole or in part, and/or restricts and/or limits the ability of and/or extent to which and/or the subject matter on which an SPGA may grant any waivers and or modifications in such new language and/or to specify in such new section or

subsection which districts, zones, or uses may benefit from or obtain any waivers or modifications and/or to specify that such new section or subsection shall prevail, override, supercede and/or control over any other section of the Zoning By Law notwithstanding any such other section of the Zoning By Law to the contrary and/or

4) to eliminate, to restrict and/or to narrow the applicability of the exceptions in Section III-A.5 Aquifer Protection District (APD) of the Zoning By Law which presently exempt any residentially used lot in the RG or RS zones from the any or all of the requirements of the Aquifer Protection District and/or to limit the applicability of any such exceptions in the RG and RS districts to single family and two family type uses and/or uses allowed in single family and two family structures and/or

5) to change the language in Section V – Special Requirements V-A Nonconforming Uses 2. Extension of the Zoning By Law to restrict the extent to which and/or the circumstances and/or bases under which the Zoning Board of Appeals may allow any extension, alteration and/or expansion of and/or change in pre existing non conforming uses, structures and/or buildings and to specify and/or to limit the extent, if any, to which any non conformity with other sections of the Zoning by Law may be increased and /or to prohibit the ability to increase the degree of non conformity and/or to prohibit , in whole or in part, the ability of the Zoning Board of Appeals to allow changes , alterations, extensions or expansions of pre existing non conforming structures, buildings and/or uses

Provided that none of the above changes under this article may increase the ability of any SPGA to grant waivers or modifications or create ability of any SPGA to grant waivers and/or modifications where none are currently allowed or make increases to any exemptions under the Aquifer Protection District section of the By Law or increase the ability of the Zoning Board of Appeals to allow expansion, alteration, increase or change in any pre existing nonconforming use or structure and/or to expand the basis upon which such permission(s) can be granted

or otherwise act thereon.”

ARTICLE 38

Amend Zoning By-Law to Change and/or to Specify SPGA Designations and Procedures (Paul Griesmer et al)

“To see what action(s) the town will take to amend the Zoning By Law in regard to Special Permits and Site Plan Review under the Zoning By Law regarding the following:

1) to change the assignments of Special Permit Granting Authority (SPGA) in Section VI-DD-2 including changing existing SPGA assignments and/or

2) to insert, to specify and/or to provide for ,within Section VI-DD-2, SPGA assignments for any zoning district(s), including overlay district(s), for which districts the existing Zoning By Law i) provides for uses by Special Permit but ii) fails to designate, identify, specify and/or authorize any SPGA (including without limitation the Downtown Mixed Use zoning district) and/or

3) to establish, to provide for and/or to include language in Section VI-DD for purpose, intent, administration, applicability, general requirements, procedures, approval criteria , standards, etc. for Special Permits and /or

4) to clarify and/or to specify in Section VI DD that the granting and/or issuance and/or processes for Special Permits are part of and/or included within the Site Plan Review process when uses allowed by Special Permit are involved and/or that the processes for granting or issuing Special Permits shall include the Site Plan Review Process

5) to create new definitions for Site Plan Review, Site Pan Review Procedures, Special Permit Granting and/or Special Permit Granting Procedures or Processes and/or to include these definitions in the Definitions Section of the Zoning By Law and/or to have these definitions refer to Section VI-DD as revised for the above and /or to apply and use these definitions in Section VI-DD and/or

Make any other changes in the Zoning By Law consistent with the purpose of a) providing that an SPGA is assigned the responsibility and authority for Special Permits and/or Site Plan Review for any and all districts and/or overlay districts where uses are allowed by special permit in the

existing Zoning By Law and b) providing that the Zoning By Law has provisions covering the broad topics in 3), 4) and/or 5) above for Special Permits

or otherwise act thereon.”

ARTICLE 39

Amend the Natick Zoning Bylaw to Create a Transitional Overlay Option Plan District (TOOP)

(Peter M. Burke et al)

To see if the Town will vote to amend the Zoning Bylaw of the Town of Natick, to create a zoning overlay district to be known as the Transitional Overlay Option Plan District (TOOP) or act on anything relating thereto, including but not limited to:

- 1) specifying the purpose and objective of the TOOP;
- 2) creating new, or modifying existing definition(s) for this purpose, in the Zoning Bylaw;
- 3) specify how a TOOP District will be created and how parcel(s) will qualify for inclusion in a TOOP District and the process for such inclusion;
- 4) setting any and all minimum and maximum dimensional and intensity regulations for a TOOP District or project areas within a TOOP District, including without limitation:
 - a) height;
 - b) any and all setbacks;
 - c) lot frontage;
 - d) lot depth;
 - e) number of residential units;
 - f) type and size of residential units;
 - g) number of residents;
 - h) open space;
 - i) lot coverage;
 - j) building coverage;
 - k) Floor Area Ratio (FAR);
 - l) Landscape Surface Ratio (LSR); and
 - n) lot area.
- 5) specifying whether a TOOP project requires a Special Permit, setting forth the Special Permit and/or Site Plan Review process and requirements and specifying the Special Permit Granting Authority;
- 6) specifying whether and to what extent the Special Permit Granting Authority may waive or modify dimensional or intensity regulations;
- 7) specifying the Permitted and Allowed uses in a TOOP District;
- 8) specifying design criteria provisions for buildings and grounds, which may or may not include the use of the Design Review Board to make recommendations, including but not limited to:
 - a) Preservation and enhancement of landscaping;
 - b) Relation of buildings to the environment;
 - c) Open space;
 - d) Signs and advertising devices; and
 - e) Protection of Heritage.
 - f) Barrier Free housing design
 - g) Zero-Step housing design
- 9) establishing requirements for:
 - a) screening and/or buffering of structures, site improvements, parking and the site from adjacent and surround residences and land uses;
 - b) orientation, location and/or screening of loading docks, dumpsters, service and

main entrances;

- c) the extent to which requirements of underlying zones, or other overlay district requirements, will apply to property within a TOOP and the ability of the Special Permit Granting Authority to waive or modify such requirements;
- d) ability or prohibition to place mechanical, ventilation or other structures on rooftops and any screening or noise abatement requirements which may apply;
- e) any or all activities to be conducted in such a manner that noise, smoke, dust, odor, vibration, waste disposal or other objectionable features are confined to the premises, buildings and structures;
- f) any and all matters currently included an/or addressed in “Section V – Special Requirements” section of the existing Zoning By Law, whether such matters are, i) specifically and/or differently addressed in the TOOP, ii) modified for the TOOP within said Section V, or iii) applied to the TOOP as set forth in said Section V;
- g) height, elevation and/or orientation of windows and other building features in relation to neighboring properties and/or other neighborhood and abutter protections;
- h) parking and loading requirements including but not limited to shared parking, underground parking, shared access provisions and allowance of compact parking spaces;

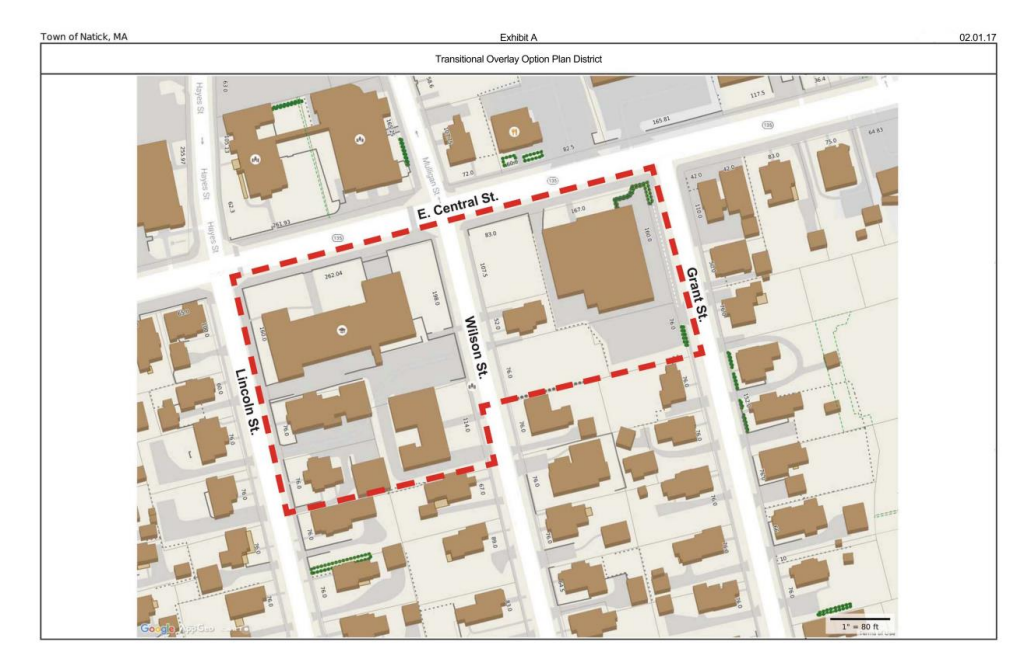
10) specifying the applicability of the Aquifer Protection District and the Flood Plain District to the TOOP and the ability of the Special Permit Granting Authority to waive or modify such requirements.

And taking any other action consistent with the creation of this TOOP or otherwise act thereon.

ARTICLE 40

To Include Certain Parcels of Land on East Central Street, Lincoln Street, Wilson Street and Grant Street in the Transitional Overlay Option Plan District (Peter M. Burke et al)

To see if the Town will vote to designate those parcels of land, located on the southerly side of East Central Street, the easterly of Lincoln Street, the easterly and westerly side of Wilson Street and the westerly side of Grant Street and being on shown on Assessors Map 44, as Lots 180, 181, 182, 195, 196, 197, 198, 216 and 217, and depicted on the attached plan marked as “Exhibit A”, entitled “Transitional Overlay Option Plan District”, dated February 1, 2017, as a Transitional Overlay Option Plan (TOOP) District in accordance with the Natick Zoning By-laws, or act on anything related thereto.



ARTICLE 41

Amend Zoning By-Law to Create an Independent Senior Living Overlay Option Plan/Elderly Family Residence Living Option Plan (George L. Richards et al)

To see what action(s) the town will take to amend the Zoning By Law to create an Elderly Family Residence Option Overlay Plan (EFLOOP) (aka Independent Senior Living Overlay Option Plan) and to designate 22-24, 26, and 32 Union Street in Natick (also identified

as real estate tax parcels or Lots 262, 261, and 260 on Assessors Map 44 of the Town Assessor) as an EFLOOP District including but not limited to the following:

- 1) to specify the purpose(s) and objective(s) of such EFLOOP and/or the eligibility requirement(s) for a parcel or parcels to be included in an EFLOOP,
- 2) to create new or modifying existing definitions for this purpose whether within an EFLOOP section of or elsewhere in the zoning bylaw,
- 3) to set any and all dimensional, intensity, and/or use regulations for this EFLOOP including without limitation: a) height including "sky plane" or stepped back height restrictions, b) any and all setbacks, c) lot frontage, d) lot depth, e) number of units, f) type and size of units, g) number of residents, h) minimum or maximum parking requirements, i) open space, j) lot coverage, k) building coverage, l) Floor Area Ratio (FAR), m) Landscape Surface Ratio (LSR), n) lot area, o) establish criteria for contributions to Affordable Housing Trust Fund of Natick as an alternative to or instead of meeting the affordability requirement provisions in the current definition of Elderly Family Residences, etc.,
- 4) to specify whether such EFLOOP requires a Special Permit, what the Special Permit and/or Site Plan Review process might consist of or require and who the Special Permit Granting Authority would be,
- 5) to specify whether or not and to what extent and on which dimensional or intensity or use regulations and under what conditions the Special Permit Granting Authority might waive or modify such regulations, and/or grant additional density or intensity in return for Public Benefit Amenities,
- 6) to use existing definitions, provisions and/ or text of the of the Zoning By Law or make amendments thereto or creating provisions, definitions and/or text either unique to the EFLOOP ,whether in whole or in part, and/or more broadly applicable to other districts in the Town,
- 7) a) to provide and/or to allow for services and/or amenities to be part of an optional part of an Elderly Family Residences and/or EFLOOP facility to accomplish the goal of independent senior living whether by modification of existing and/or creation of new definition(s), regulation(s), EFLOOP text and/or otherwise and/or b) to specify and/or to identify generally such services and amenities as optional features for an EFLOOP facility and/or c) to distinguish or differentiate such services and amenities from other types of facilities, and/or d) to apply such definitions or provisions to other district(s) where Elderly Family Residences are permitted or allowed by special permit,
- 8) to establish requirements, if any, for: a) screening and/or buffering of structures, site improvements, parking and or the site from adjacent and surrounding residences and land uses, b) orientation, location and/or screening of loading docks, dumpsters, service and main entrances, c)) which underlying zones of 22 to 32 Union St. inclusive may be used in the EFLOOP including extent to which requirements of underlying zones will apply unless specifically modified in the EFLOOP, d) design and/or design review standards, e) ability or prohibition to place mechanical, vent or other structures on rooftops, f) any or all activities to be conducted in such a manner that noise, smoke, dust, odor, vibration, waste disposal or other objectionable features are confined to the premises, buildings or structures, g) any and all matters currently included and/or addressed in "Section V – Special Requirements" section of the existing Town of Natick Zoning By Law (whether such matters are specifically and/or differently addressed in the EFLOOP, modified for the EFLOOP within said Section V, applied to the EFLOOP as set forth in said Section V and/or are added to or modified within Section V for the purposes of this article), h) height, elevation and/or orientation of buildings and/or building features in relation to neighboring properties and/or i) other neighborhood and abutter protections,
- 9) to specify requirements for the applicability of the Aquifer Protection District to the EFLOOP and/or changing the applicability of the Aquifer Protection District to residential projects in the RS and/or RG and zones including modifying use variance language therein and/or specifying applicability of the Aquifer Protection District requirements in the EFLOOP and/or

10) to take any other action consistent with the purposes of this article and/or the creation of this EFLOOP including but not limited to associated changes and/or additions to i) schedule of Use Districts in Section II-A, ii) Section III- A and/or B, and/or Section IV-A and/or IV-B and/or Section V-D-3and/or Section VI-DD-2 as necessary to implement the foregoing; or otherwise act thereon.”