

**WARRANT
FALL ANNUAL TOWN MEETING
OCTOBER 17, 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 October 17, 2017 at 7:30 PM**, then and there to act on the following Articles:

- Article 1 Fiscal 2018 Omnibus Budget
- Article 2 Stabilization Fund
- Article 3 Operational/Rainy Day Stabilization Fund
- Article 4 Capital Stabilization Fund
- Article 5 Inflow & Infiltration Stabilization Fund
- Article 6 One-to-One Technology Stabilization Fund
- Article 7 FAR Bonus Stabilization Fund
- Article 8 Other Post-Employment Benefits (OPEB) Appropriation or Transfer of Fund
- Article 9 Capital Equipment
- Article 10 Capital Improvement
- Article 11 Collective Bargaining
- Article 12 Personnel Board Classification and Pay Plan
- Article 13 Committee Article
- Article 14 Rescind Authorized, Unissued Debt
- Article 15 Unpaid Bills
- Article 16 Rescission of 2011 Vote Establishing Other Post-Employment Benefits Liability Trust Fund
- Article 17 Design Development of the Kennedy Middle School
- Article 18 Amend Zoning By-Laws: School Campus
- Article 19 West Natick Fire Station Project - Land Disposition
- Article 20 West Natick Fire Station Project - Land Acquisition
- Article 21 West Natick Fire Station Project - Rezoning
- Article 22 Amend By-law Article 20 Regarding Procedure for Appointment of Town Administrator
- Article 23 Appropriate Funds for the Design and Development of the Cochituate Rail Trail
- Article 24 Amend Prior Town Meeting Vote to Authorize Navy Yard Field Improvements
- Article 25 Accept Conveyance of Land for Cochituate Rail Trail
- Article 26 Amend Zoning By-Law to Implement a Temporary Moratorium Regarding Recreational Marijuana Establishments
- Article 27 Amend Prior Town Meeting Votes and Appropriate Additional Funds Regarding Acquisition of 22 Pleasant Street
- Article 28 Actions Pertaining to Acquisition and Preservation of Real Property at 79 South Street, Assessors Map 77 Lot 7
- Article 29 Appropriate Funds for Analysis of Current Zoning and Zoning Map
- Article 30 Amend Zoning By-Law: Solar Energy Systems
- Article 31 Amend Zoning By-Laws: Sky Exposure Plane
- Article 32 Amend Charter Article 2: Legislative Branch
- Article 33 Amend Charter Article 3: Elected Officers
- Article 34 Amend Charter Article 4: Town Administrator
- Article 35 Amend Charter Article 7: General Provisions
- Article 36 Amend By-law Article 3: Procedure at Town Meetings
- Article 37 Amend By-law Article 10: Board of Selectmen
- Article 38 Amend By-law Article 11: Town Clerk
- Article 39 Amend By-law Article 21B: Building Commissioner
- Article 40 Amend By-law Article 24: Town Employees and Personnel Board
- Article 41 Amend By-law Article 25: Council on Aging
- Article 42 Amend By-law Article 26: Historic District Commission

- Article 43 Amend By-law Article 40: Town Reports and Records
- Article 44 Amend By-law Article 41: Contracts, Town Property, And Regulations of Town Boards and Officials
- Article 45 Amend By-law Article 44: Conflict Between Town Agencies, Etc.
- Article 46 Amend By-law Article 50: Police Regulations
- Article 47 Amend By-law Article 51: Alarm Systems
- Article 48 Amend By-law Article 70: Public Works Regulations
- Article 49 Amend By-law Article 75: Remedy of Public Nuisance
- Article 50 Repeal the Single Use Plastic Bag Ban that Went Into Effect August 1. 2017
- Article 51 Restricting the Use of Polystyrene Disposal Food Containers in Food Establishment
- Article 52 Amend Zoning By-Law to Make Various Technical Corrections and Modifications to the Downtown Mixed Use District, the Definitions and Sections of the Zoning By-Law Dealing with Affordable Housing and Provisions for Pre-Existing Nonconforming Uses
- Article 53 Amend Zoning By-law to Address Technical Corrections, Partial Approvals and/or Disapprovals if any, Raised by the Attorney General to Previous Votes of Town Meeting in 2017
- Article 54 Amend By-law Regulating Use of Motion for the Previous Question
- Article 55 Assisted Living Overlay Option Plan
- Article 56 Registered Marijuana Dispensaries Bylaw

ARTICLE 1
Fiscal 2018 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 2018 (July 1, 2017 through June 30, 2018) and to provide for a reserve fund for Fiscal Year 2018, and to see what budgets for Fiscal 2018 will be reduced to offset said additional appropriations; or otherwise act thereon.

ARTICLE 2
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 3
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 4
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 5
Inflow & Infiltration 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 Inflow & Infiltration Stabilization Fund established under Article 30 of the warrant for the Spring Annual Town Meeting of 2014, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or otherwise act thereon.

ARTICLE 6
One-to-One Technology 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 One-to-One Technology Stabilization Fund established under Article 31 of the warrant for the Spring Annual Town Meeting of 2014, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or otherwise act thereon.

ARTICLE 7
FAR Bonus 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 FAR Bonus Stabilization Fund established under Article 24 of the warrant for the Fall Annual Town Meeting of 2015, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or otherwise act thereon.

ARTICLE 8
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 9
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 10
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 11
Collective Bargaining
(Board of Selectmen)

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) The Natick Patrol Officers Association
- b) New England Police Benevolent Association, AFL-CIO, Local 182 - Police Superior Officers

Or otherwise act thereon.

ARTICLE 12
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 Article 24 of the Natick Town By-Laws, specifically the Classification and Pay Plan referenced in Section 3, paragraph 3.10 therein, by adding, deleting or amending position titles; re-classifying positions to a different Grade; and/or effecting changes in the salary ranges as presently established; or otherwise act thereon.

ARTICLE 13
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 14
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 15
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 16
Rescission of 2011 Vote Establishing Other Post-Employment Benefits
Liability Trust Fund
(Town Administrator)

To see if the Town will vote to rescind the vote under Article 8 of the 2011 Fall Annual Town Meeting, which vote authorized establishment of an Other Post-Employment Benefits Liability Trust Fund, given that said authorization was superseded by vote of the 2017 Spring Annual Town Meeting under Article 15, which vote authorized establishment of an Other Post-Employment Benefits Liability Trust Fund under the provisions of current applicable law; or otherwise act thereon.

ARTICLE 17
Design Development of the Kennedy Middle School
(Superintendent of Schools)

To see if the Town of Natick will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the School Committee for the design development work of the Kennedy Middle School, 165 Mill Street, Natick, MA, for which the design development work has been deemed eligible for a grant from the Massachusetts School Building Authority as a reimbursable cost. Any costs the Town incurs in connection with the design development work in excess of the grant from the MSBA shall be the sole responsibility of the Town.

ARTICLE 18
Amend Zoning By-Laws: School Campus
(School Committee)

To see if the Town will vote to amend the Zoning Bylaws, including but not limited to, adding new sections and/or definitions, and/or amending existing sections, and/or definitions, and/or applying existing regulations in order to provide for a new Use "School Campus" subject to Section III – USE REGULATIONS, subsection III – A.7 Regulation of Land or Structures for Purposes Otherwise Exempted from Permitting; and/or otherwise regulate height for buildings and structures for Use Regulation Schedule use number 45 Municipal facility and use number 48 Schools; or otherwise act thereon.

ARTICLE 19
West Natick Fire Station Project - Land Disposition
(West Natick Fire Station Building Committee)

To see if the Town will vote to authorize a transfer of a certain parcel of land, currently held by the Board of Selectmen for general municipal purposes, to the Board of Selectmen for purposes of sale, and to authorize sale of such property on terms authorized by the Natick Board of Selectmen; said parcel having an area not to exceed 5,374 square feet; said parcel being a portion of Lot 251A as shown on Natick Assessors' Map #25, and being shown as "Approximate Area to be Disposed (Not to Exceed 5,374 S.F.)" on a plan on file with the Natick Town Clerk's Office entitled "Land Disposition Plan, Town of Natick, Massachusetts West Natick Fire Station 4, dated August 17, 2017"; and further, the disposition of said parcel may be by conveyance of ownership in fee simple, easement, or other ownership interest; or otherwise act thereon.

ARTICLE 20
West Natick Fire Station Project - Land Acquisition
(West Natick Fire Station Building Committee)

To see if the Town will vote to authorize acquisition of a parcel of land, having an approximate area of 5,374 square feet; said parcel being owned by HC Atlantic Development Associates Limited Partnership, and being a portion of Lot 89CC as shown on Natick Assessors' Map #24, and being shown as "Area to be Acquired (5,374 S.F.)" on a plan on file with the Natick Town Clerk's Office entitled "Land Acquisition Plan, Town of Natick, Massachusetts West Natick Fire Station 4, dated August 17, 2017"; and further, the acquisition of said parcel may be by conveyance of ownership in fee simple, easement, or other ownership interest; or otherwise act thereon.

ARTICLE 21
West Natick Fire Station Project - Rezoning
(West Natick Fire Station Building Committee)

To see if the Town will vote to amend the Town of Natick Zoning By-Laws and Map as follows:

1. Amend the Town of Natick zoning map, as referenced under Section II-B Location of Districts (Zones) subsection 1 to replace the Commercial II (CII) zoning district with the Residential Single A (RSA) or other zoning district as appropriate, on all and/or portions of lots shown on the Town of Natick Assessors' Map 24, Lot 89CC, and Town of Natick Assessors' Map 25, Lots 246, 247, 248A, 248B, 248C, and 251A.
2. Amend the Town of Natick zoning map, as referenced under Section II-B Location of Districts (Zones) subsection 1 to remove the Regional Center (RC) Overlay District on all and/or portions of lots shown on the Town of Natick Assessors' Map 24, Lot 89CC, and Town of Natick Assessors' Map 25, Lots 246, 247, 248A, 248B, 248C, and 251A;

or otherwise act thereon.

ARTICLE 22
Amend By-Law Article 20 Regarding Procedure for Appointment of Town Administrator
(Board of Selectmen)

To see if the Town will vote to amend the By-Laws, specifically Article 20, Section 4 therein to allow the Board of Selectmen to extend the time frame within which the Town Administrator screening committee must submit candidates to the Board of Selectmen, and/or extend the time frame within which the Board of Selectmen must appoint a Town Administrator; or otherwise act thereon.

ARTICLE 23
Appropriate Funds for the 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 24
Amend Prior Town Meeting Vote to Authorize Navy Yard Field Improvements
(Board of Selectmen)

To see if the Town will vote to amend the vote of the 2016 Natick Special Town Meeting #2, Article 3, to authorize the use of the former CSX Saxonville Branch for recreational purposes related to Navy Yard Field, or otherwise act thereon.

ARTICLE 25
Accept Conveyance of Land for Cochituate Rail Trail
(Board of Selectmen)

To see if the Town will vote to accept conveyance of a parcel of land at 0 North Main Street, located on Assessors Map 35, Parcel 113C, for use including, but not limited to the Cochituate Rail Trail, or otherwise act thereon.

ARTICLE 26
Amend Zoning By-Law to Implement a Temporary Moratorium Regarding
Recreational Marijuana Establishments
(Board of Selectmen)

To see if the Town will vote to amend the Natick Zoning By-Law pursuant to Chapter 334 of the Acts of 2016, subsequently amended, in part, by Chapter 351 of the Acts of 2016, entitled "An Act Further Regulating the Cultivation of Marijuana and Marihuana," and by Chapter 55 of the Acts of 2017, entitled "An Act to Ensure Safe Access to Marijuana" (collectively, the "Acts") by enacting a temporary moratorium regarding recreational marijuana establishments and related uses, which moratorium shall be in effect through December 31, 2018 or six (6) months from the date of adoption of regulations to implement the Acts by the Cannabis Control Commission, whichever is later, unless said moratorium is extended, modified or rescinded by a subsequent action of Town Meeting; the purpose of said moratorium is to allow the Town of Natick adequate time to consider whether and/or how to allow, prohibit and/or regulate marijuana establishments and related uses as outlined in the Acts, in accordance with applicable state laws and regulations, and to undertake an appropriate planning process, or otherwise act thereon.

ARTICLE 27
Amend Prior Town Meeting Votes and Appropriate Additional Funds Regarding
Acquisition of 22 Pleasant Street
(Board of Selectmen)

To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money, in addition to \$3,200,000 appropriated at the 2016 Spring Annual Town Meeting under Article 29, to fund acquisition of the property located at 22 Pleasant Street, Natick shown on Town of Natick Assessors' Map 64 as Parcel 44; and further, that the vote of the 2016 Spring Annual Town Meeting under Article 29 be amended to (1) provide the Board of Selectmen the option of acquiring said property free and clear of all or portions of any existing buildings, and (2) allow uses other than open space, park and recreation purposes on said property, provided that the Board of Selectmen shall be required to hold a public hearing in the event that such alternative uses are proposed, and (3) provide such relief from the terms of the vote of the 2016 Spring Annual Town Meeting under Article 29, which vote stipulated that "the Board of Selectmen is not authorized to acquire said property unless a Purchase and Sale Agreement, satisfactory to the Board of Selectmen, is entered into with the owner of said property, which Purchase and Sale Agreement shall be consistent with a Letter of Intent signed by the owner of said property on April 13, 2016 and signed by the Chairman of the Board of Selectmen on April 19, 2016" if and to the extent necessary to further the intent of this Article and or any other actions Town Meeting may take regarding this Article; and further that all other provisions of the vote of the 2016 Spring Annual Town Meeting under Article 29 shall remain in full force and effect; or otherwise act thereon.

ARTICLE 28
Actions pertaining to acquisition and preservation of real property at 79 South Street,
Assessors Map 77 Lot 7.
(Thomas Sawin Homestead Preservation Committee)
(Pursuant to Article 35, 2015 Fall Annual Town Meeting)

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, for historic preservation, education, cultural facility, and museum purposes, the building known as the Thomas Sawin House, located at 79 South Street, Map 77 Lot 7, together with a portion of said lot not to exceed one acre;

- and, further; to authorize the Board of Selectmen and other applicable boards, commissions, and personnel to apply for and receive grants or gifts for the purposes of this article and to take all action necessary or appropriate to accomplish the purposes of this article
- and, further; to authorize the Board of Selectmen to enter into lease agreements, licenses or other property contracts with non-profit entities consistent with historic preservation, educational, cultural facility, and museum purposes that Town Meeting may authorize;
- and, further; to see what sum of money the Town will vote to appropriate and raise, borrow or otherwise provide for the purposes of this article;
- or otherwise act thereon.

ARTICLE 29
Appropriate Funds for Analysis of Current Zoning and Zoning Map

(Planning Board)

To see what sum the town will appropriate and raise, or otherwise provide for the procurement of professional services to analyze properties in existing zoning districts for compliance with current intensity regulations including but not limited to lot area, frontage, depth, front, side and rear yard setbacks, building coverage, height and open space, as enumerated in the town's zoning by-law; to propose potential alterations, amendments or revisions to the town's current zoning by-law and/or zoning map; or otherwise act thereon.

ARTICLE 30

**Amend Zoning By-Law: Solar Energy Systems
(Planning Board)**

To see if the Town will take action to amend the Natick Zoning By-Law, in a manner which shall include, without limitation, the enabling of and permitting for the construction and/or installation of Solar Energy Systems in any and/or all zoning districts; as provided in MGL c. 40A s.3 and c.40A s.9B, by means which shall include, but which shall not be limited to, creating, correcting, amending or modifying definitions, intensity, dimensions, special requirements, and/or other sections related thereto of the Natick Zoning By-Law; or to take any other action relative thereto.

ARTICLE 31

**Amend Zoning By-Laws: Sky Exposure Plane
(Planning Board)**

To see if the Town will vote to amend the Zoning Bylaws with regard to augment Sky Exposure Plane standards as provided, in part, by MGL c. 40A s. 9B, by amending or modifying Section 200 Definitions and Section IV – Intensity Regulations; or otherwise act thereon.

ARTICLE 32

**Amend Charter Article 2: Legislative Branch
(Charter & By-law Review Committee)**

To see whether the Town will vote to amend Article 2 of the Town of Natick Home Rule Charter as follows:

1. In section 2-3, replace the entire second paragraph with “The boundaries of the precincts shall be reviewed and wholly or partly revised by the board of selectmen every ten years, in accordance with MGL Chapter 54, Section 6.”, so that the section shall read:

“The board of selectmen shall divide the town into convenient voting precincts in accordance with, but not limited to, Sections 6, 7, and 8 of Chapter 54 of the General Laws.

The boundaries of the precincts shall be reviewed and wholly or partly revised by the board of selectmen every ten years, in accordance with MGL Chapter 54, Section 6.”; and

2. In section 2-11 (c), change the phrase “determine it to be necessary to call a special town meeting it shall by publication in a local newspaper give public notice” to “decide it is necessary to call a special town meeting it shall, by publication in a local newspaper or by such other notice as is reasonably determined to reach and inform the citizens of the Town, give public notice”, so that the section shall read:

“**Time Requirements** - The board of selectmen shall place on the warrant for spring and fall town meetings the subject matter of all petitions which are received by it, in accordance with the provisions of this section, sixty or more days before the date, fixed by by-law, on which the representative town meeting is scheduled to meet. Whenever the board of selectmen shall decide it is necessary to call a special town meeting it shall, by publication in a local newspaper or by such other notice as is reasonably determined to reach and inform the citizens of the Town, give public notice of its intention. All requests for the inclusion of subjects, as provided above, which are received in the office of the board of selectmen prior to five o'clock in the afternoon of the second business day following such publication, or such longer period as may be authorized by a by-law

adopted to further implement this provision, shall be included in the warrant for the said special town meeting.”; and

3. In section 2-11 (d),
 - a. in the first sentence, change the phrase “the full text of the warrant articles for such meeting to be posted on the town bulletin board and to be mailed to the town clerk,” to “the full text of the warrant articles for such meeting to be provided to the town clerk”; and
 - b. in the second sentence, change the phrase “five days” to “ten days”;

so that the section shall read:

“Publication and Posting - Within five days following the date the warrant for any town meeting shall close the board of selectmen shall cause copies of the full text of the warrant articles for such meeting to be provided to the town clerk, the town moderator, the chairman of the finance committee, and to such other persons as may be designated by by-law. Within ten days after the board of selectmen has attested the warrant, the board of selectmen shall cause copies of said attested warrant to be posted on the town bulletin board and as designated by by-law. Copies of the warrant articles shall be made available for general distribution in the office of the town clerk.”; and

4. Replace section 2-13 (c) with:

“Petition - If a petition is filed with the board of selectmen requesting that any question as voted by the representative town meeting be referred to the voters for final determination, then the operation of such vote shall be suspended pending its determination by the voters; provided, however, that such petition must be filed within seven days after dissolution of said town meeting, and further provided that such petition must bear the signatures, as well as the names and addresses, of not less than five percent of the total number of registered voters as of the date of the most recent town election. Within ten days following the filing of such petition, the board of selectmen shall call a special election for submission of such question or questions to the voters for final determination. The board of selectmen shall fix the date of said special election not less than thirty nor more than sixty days after the date the petition was filed.”,

or otherwise act thereon.

ARTICLE 33

Amend Charter Article 3: Elected Officers (Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 3 of the Town of Natick Home Rule Charter as follows:

1. in section 3-2, sub-section c, replace the phrase “a police chief, and a fire chief in accordance with civil service laws and rules” with the phrase “a police chief; and a fire chief”, so that the sub-section shall read:

“(c) Appointment Powers – Subject to the provisions of Article 6, the Board of Selectmen shall appoint a town administrator for a term of not less than three nor more than five years; a town comptroller for a term of three years; three registrars of voters for terms of three years each, so arranged that one such term of office shall expire each year; a board of appeals to consist of five members appointed for terms of three years each, so arranged that as nearly an equal number of such terms as is possible shall expire each year, and three associate members appointed for terms of three years each, so arranged that one such term of office shall expire each year; a conservation commission to consist of seven members appointed for terms of three years each, so arranged that as nearly an equal number of such terms as is possible shall expire each year; a town counsel for a term of one year; a director of veterans' services; a police chief; and a fire chief.”; and
2. in section 3-12, sub-section b, replace the phrase “superintendent of the recreation and parks department” with the phrase “director of recreation and parks”, so that the sub-section shall read:

“(b) Powers and Duties - The recreation and parks commission shall advise the town administrator and the responsible department heads on all matters relating to recreational programs conducted by the recreation and parks department and on the maintenance of

recreational facilities where those programs are conducted. The commission shall assure that programs are devised and conducted to meet the leisure time needs of all segments of the population. Whenever the position of director of recreation and parks shall become vacant, the commission shall serve as a screening committee for the filling of such vacancy and shall submit two or more names to the town administrator from whom the appointment shall be made.”;

or otherwise act thereon.

ARTICLE 34
Amend Charter Article 4: Town Administrator
(Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 4 of the Town of Natick Home Rule Charter as follows:

1. replace Section 4-2, sub-section 4, with the following:

“4) He shall, in conjunction with a personnel board established by by-law, be entrusted with the administration of a town personnel system, including, but not limited to personnel policies and practices, rules and regulations, including provisions for an annual employee performance review, and amendments to the personnel by-law as warranted. He shall prepare, maintain and keep current a plan establishing the personnel staffing requirements of each town agency, except those under the jurisdiction of the school committee.”; and

2. in section 4-2, sub-section 14, add the phrase “and collective bargaining agreements” after the word “contracts”; so that the sub-section shall read:

“14) He shall be responsible for the negotiation of all contracts and collective bargaining agreements with town employees over wages, hours, and other terms and conditions of employment, except those under the jurisdiction of the school committee.”;

or otherwise act thereon.

ARTICLE 35
Amend Charter Article 7: General Provisions
(Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 7 of the Town of Natick Home Rule Charter as follows:

1. replace section 7-9, sub-section a with the following:

“Meetings – All multiple member bodies, whether elected, appointed, or otherwise constituted, shall meet regularly. All meetings shall be held in a public building, unless it is a site visit, and shall be scheduled and posted in accordance with the applicable law and the Open Meeting Law under Mass. Gen. Law. A copy of the same notice shall be posted on the town bulletin board.”; and

2. update section 7-9, sub-section b as follows:

- a. change the title of the section to “Rules and Minutes”; and
- b. change the words “a journal” to the word “minutes” in the phrase “keeping of a journal of its proceedings”; and
- c. change the word “journal” to the word “minutes” in the phrase “These rules and the journal”; and
- d. change the word “interchange” to “exchange” in the phrase “otherwise interchange”,

so that the sub-section shall read:

“(b) **Rules and Minutes** - Each multiple member body shall determine its own rules and order of business, unless otherwise provided by the charter or by law, provided, however, that each multiple member body shall provide some period of time at each of its meetings for members of the public who are present to ask questions, state opinions and otherwise exchange information with the members of the multiple member body. Each multiple

member body shall also provide for the keeping of minutes of its proceedings. These rules and the minutes shall be a public record.”; and

3. in section 7-9, sub-section c, replace the word “journal” with the word “minutes” in the phrase “recorded in the journal”, so that the sub-section shall read:

“(c) **Voting** - If requested by any member, any vote of a multiple member body shall be taken by a roll call vote and the vote of each member shall be recorded in the minutes, provided, however, if any vote is unanimous only that fact need be recorded.”; and

4. in section 7-9, sub-section d,

- a. remove the phrase “, but a smaller number may meet and adjourn from time to time” from the first sentence; and
- b. add the sentences “A quorum is required for a meeting to be held. If a quorum is not present at a scheduled meeting, the meeting may only be adjourned.” after the first sentence;

so that the sub-section shall read:

“(d) **Quorum** - A majority of the full membership of a multiple member body shall constitute a quorum. A quorum is required for a meeting to be held. If a quorum is not present at a scheduled meeting, the meeting may only be adjourned. While a quorum is present, unless another provision is made by law or by its own rules, all business shall be determined by a majority of those present and voting.”; and

5. in section 7-9, sub-section e, replace the words “thirty days” with the words “ninety days”, so that the section shall read:

“(e) **Filling of Vacancies** - Whenever a vacancy shall occur in the membership of an appointed multiple member body, the remaining members shall forthwith give written notice of such vacancy to the appointing authority. If, at the expiration of ninety days following delivery of such written notice to the appointing authority, said appointing authority has not appointed some person to fill the vacancy, the remaining members of the multiple member body shall fill such vacancy for the remainder of the unexpired term by a majority vote of the remaining members.”; and

6. in section 7-10, remove the phrase “in the town bulletin board”, so that the section shall read:

“Whenever a vacancy occurs in any town agency, or in town employment, or when by reason of retirement or the expiration of a fixed term, a vacancy can be anticipated, the board of selectmen, or other appointing authority shall forthwith cause public notice of the vacancy or impending vacancy to be posted for not less than ten days. Such notice shall contain a description of the duties of the office or position and a listing of necessary or desirable qualifications for the position. No permanent appointment to fill a position shall be effective until at least fourteen days have elapsed following such posting, to permit reasonable consideration of all applicants. This section shall not apply to positions covered by the civil service law and rules or if in conflict with the requirements provided under the terms of a collective bargaining agreement.”; and

7. in section 7-11, replace the first paragraph with:

“Any appointed officer or employee of the town, whether appointed for a fixed or an indefinite term, may be suspended or removed from his duties by the appointing authority in accordance with the procedure set forth below. Provided, however, that said procedure shall not apply to those officers and employees for whom general law or the terms of a collective bargaining agreement supersede these provisions, and further provided that this section shall not apply to employees on probationary status.”;

or otherwise act thereon.

ARTICLE 36
Amend By-law Article 3: Procedures at Town Meetings
(Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 3 of the Town of Natick By-laws as follows:

1. replace the first paragraph of Section 4 with:

“Voting by Town Meeting Members shall, at the discretion of the Moderator:

- a. utilize electronic voting technology, when available; or
 - b. be by a show of hands; or
 - c. be by other means as authorized by the Moderator and approved by vote of two-thirds (2/3) of the Town Meeting members present and voting; or
 - d. be as hereinafter provided.”; and
2. insert the phrase “authorized by Town Meeting” after the word “committees” in the first sentence of Section 10, so that the sentence shall read:

“All committees authorized by Town Meeting shall be appointed by the Moderator, unless otherwise ordered by a vote of two-thirds (2/3) of the Town Meeting Members present and voting.”; and

3. replace the phrase “thirty (30)” with the phrase “ninety (90)” in the second sentence of Section 10, so that the sentence shall read:

“All committees shall be appointed within ninety (90) days from the dissolution of a Town Meeting.”;

or otherwise act thereon.

ARTICLE 37
Amend By-law Article 10: Board of Selectmen
(Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 10 of the Town of Natick By-laws as follows:

1. In section 3:
- a. replace the words “defend and compromise” in the first sentence with the words “defend, negotiate, and/or resolve”; and
 - b. replace the word “compromise” in the second sentence with the word “settle”,

so that the section shall read:

“The Board of Selectmen shall have the authority to prosecute, defend, negotiate, and/or resolve, through the Town Counsel as provided under Sections 6 and 7 of Article 22 of the By-Laws, all litigations to which the Town is a party. The Board of Selectmen may settle any claim against the Town whenever there are sufficient funds available in an account for that purpose or whenever they have so recommended in writing and the Finance Committee authorizes a transfer therefor from the General Fund Reserve Fund.”; and

2. In the table “Appointments Made by the Board of Selectmen”:
- a. Remove the “Bicycle & Pedestrian Advisory Committee”; and
 - b. Remove the “Recycling Study and Advisory Committee”; and
 - c. Add the “Sustainability Committee” after “Registrar of Voters”; and
 - d. Add the “Transportation Advisory Committee” after “Town Counsel”;

or otherwise act thereon.

ARTICLE 38
Amend By-law Article 11: Town Clerk
(Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 11 of the Town of Natick By-laws as follows:

1. delete the second sentence of Section 2, to that the Section shall read:

“The Town Clerk or his designee shall cause every conveyance to the Town of any interest in land to be properly recorded in the appropriate Registry of Deeds or Land Registration Office.”; and

2. replace Section 3 with the following text:

“The Town Clerk shall keep one or more copies of each Town Report. He shall publish in the annual printed report of the Town a copy of his record of all Town Meetings that have been held during the preceding year. The Attorney General's approval, if any, for each warrant article shall be maintained in the Town Clerk’s Office as a permanent record.”; and

3. replace Section 6 with the following text:

“Upon the dissolution of Town Meeting, the Town Clerk shall:

- a. provide all documentation required by general law to the Attorney General’s Office;
- b. furnish the various Town officers and committees a copy of such action of the Town as affects them respectively, if requested.”; and

4. delete the phrase “and for distribution as a news release to the media” from the end of the second sentence of Section 7, so that the Section shall read:

“A record available for public inspection shall be kept by the Town Clerk of the attendance of Town Meeting Members at each Town Meeting or adjourned Town Meeting thereafter. The Town Clerk shall compile a yearly attendance record of all Town Meeting Members for publication in the Annual Town Report.”; and

5. delete the phrase “on the town bulletin board” from Section 11, so that the Section shall read:

“The Town Clerk shall post a notice to announce all new appointments to fill vacancies in the Town Meeting membership as they occur.”;

or otherwise act thereon.

ARTICLE 39

Amend By-law Article 21B: Building Commissioner (Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 21B of the Town of Natick By-laws as follows:

In Section 3, replace the words “Personnel Director” with the words “Director of Human Resources”, so that the Section shall read:

“The duties of the Building Commissioner shall include those specified in applicable Sections of CMR and MGL, and other duties as may be specified in a job description to be maintained by the Director of Human Resources, provided that the duties of the position are consistent with the requirements of CMR and MGL.”;

or otherwise act thereon.

ARTICLE 40

Amend By-law Article 24: Town Employees and Personnel Board (Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 24 of the Town of Natick By-laws as follows:

1. Replace the term “Personnel Director” with the term “Director of Human Resources” in the following locations:
 - a. the first sentence of Section 2.2; and
 - b. Section 3.3; and
 - c. Section 3.6; and
 - d. Section 3.7; and
 - e. Section 3.8; and
 - f. Section 3.9; and
 - g. Section 4.1; and

- h. Section 7.2.5; and
 - i. the first paragraph of Section 7.6; and
 - j. Section 7.6, sub-section b; and
 - k. Section 9.2; and
 - l. in two places in Section 14.2, sub-section c; and
 - m. in two places in Section 15.2; sub-section c; and
2. in Section 1.2:
- a. remove the words “other appointive or” in the first sentence of Section 1.2; and
 - b. remove the second sentence, so that the Section shall read:
 “Any member on the Personnel Board shall not at the same time be a Town employee nor hold any elective position except that of Town Meeting member.”; and
3. in Section 4.2, delete the sentence “These employees are exempt from the provisions of the Fair Labor Standards Act.”; and
4. in Section 6.1:
- a. replace the phrase “the following remedies are provided.” in the first paragraph with the phrase “the following steps shall be followed.”; and
 - b. replace the phrase “If results are unsatisfactory” with the phrase “If the problem or grievance is not resolved” at the beginning of sub-section b; and
 - c. replace the phrase “steps 1 or 2” with the phrase “steps a or b, above” in sub-section c; and
 - d. replace the phrase “Personnel Director” with the phrase “Director of Human Resources” in sub-section c,
 so that the Section shall read:
 “6.1 It is the intent of the Town to provide each employee with suitable working conditions, environments, practices and procedures so as to provide the maximum effectiveness, efficiency and motivation to perform the duties assigned. In the event there is a problem or grievance regarding interpretation or application of this By-law, the following steps shall be followed:
- a. A review of the situation with the employee's immediate supervisor shall take place.
 - b. If the problem or grievance is not resolved, a written statement shall be submitted within ten (10) days to the Department Head, who shall respond within fifteen (15) days as to what action is to be taken.
 - c. If not settled by procedures set forth in Steps a or b, above, it shall, within ten (10) days be submitted to the Town Administrator, who shall respond within fifteen (15) days. Before making a final determination, the Town Administrator shall receive a recommendation from the Director of Human Resources.”; and
5. replace Section 7.3.2, sub-section b with “For any period in excess of three (3) consecutive days or in excess of six (6) days in any calendar year, the employing Department Head or designated representative, after investigation, shall submit a report to the Director of Human Resources, which shall be considered along with written medical evidence submitted by the employee. The Director of Human Resources shall make a determination as to whether the employee’s use of sick leave is excessive and/or unjustified, and shall determine what action shall be taken, if any.”; and
6. replace Section 8, sub-section c with “Religious Holidays – up to two (2) days, with prior notification to the department head.”; and
7. move the text of Section 11.3 to a new sub-section 7.3.2 (d) without a title and delete Section 11.3, so that Section 7.3.2 (d) reads:
 “(d) School Traffic Supervisors shall accrue sick leave up to a total maximum of sixty (60) days at the rate of one day for each month actively engaged as a School Traffic Supervisor.”;

or otherwise act thereon.

ARTICLE 41
Amend By-law Article 25: Council on Aging
(Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 25 of the Town of Natick By-laws as follows:

1. In section 1 a, add the phrase “, when possible” at the end of the sentence, so that the section shall read:

“Membership of the Council shall reflect the diversity of the population, when possible.”

2. In section 1 b, replace the phrase “within seven days of their appointment” with the phrase “or his designee”, so that the section shall read:

“All members shall be sworn in by the Town Clerk or his designee and shall not serve until duly sworn in.”,

or otherwise act thereon.

ARTICLE 42
Amend By-law Article 26: Historic District Commission
(Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 26 of the Town of Natick By-laws as follows:

1. In Section 2 sub-section 1, change “Natick Community Development Office” to “Natick Community and Economic Development Office”, so that the section shall read:

“(1) **John Eliot Historic District**, as shown on a plan entitled "Proposed Enlargement of John Eliot Historic District", (scale 1" equals 100') dated August 28, 1975, and revised March 1, 1976, said plan being on record with the Natick Community and Economic Development Office.”; and

2. In Section 2 sub-section 2, change “Natick Community Development Office” to “Natick Community and Economic Development Office”, so that the section shall read:

“(2) **Henry Wilson Historic District**, as shown on "Plan of the Proposed Henry Wilson Historic District, Natick, Massachusetts", (scale 1" equals 100') dated August 10, 1977, and revised November 8, 1977, said plan being on record with the Natick Community and Economic Development Office.”;

or otherwise act thereon.

ARTICLE 43
Amend By-law Article 40: Town Reports and Records
(Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 40 of the Town of Natick By-laws by replacing Section 3 with:

“In carrying out the provisions of Section 7-9 (b) of the Charter, each Town Board, Commission, Committee and Sub-Committee shall record the minutes of its proceedings in accordance with the Massachusetts Open Meeting Law, as amended. The minutes shall contain therein the body’s official name, date, time of opening and adjournment, members present, minutes of previous meeting corrected or approved, motions voted thereon as approved or denied, and that the meeting was duly posted by the Clerk or Secretary or, in the absence of the Clerk or Secretary, by the Chair or the Chair’s designee. The minutes shall be approved by the relevant Town Board, Commission, Committee or Sub-Committee.

Henceforth, each Town Board, Commission, Committee and Sub-Committee shall file its minutes with the Town Clerk, who will make the minutes available as public records.”;

or otherwise act thereon.

ARTICLE 44
Amend By-law Article 41: Contracts, Town Property, And Regulations of Town Boards
And Officials
(Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 41 of the Town of Natick By-laws as follows:

1. In Section 1,
 - a. add the phrase “all applicable federal, state, and local laws, rules and regulations, including, without limitation,” after the phrase “made in accordance with” and before the phrase “Mass. Gen. Laws Chapter 30B” in the first paragraph; and
 - b. add the phrase “, Sections 44A, et seq.” after the phrase “Chapter 149” in the first paragraph; and
 - c. add the phrase “successor legislation or other” after the phrase “or other” and before the phrase “applicable law” in the first paragraph; and
 - d. add the phrase “, and of Town Counsel, indicating approval as to form; however, the lack of such a signature by either official shall not otherwise invalidate any such contract” at the end of the third paragraph;

so that Section 1 shall 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 all applicable federal, state, and local laws, rules, and regulations, including, without limitation, Mass. Gen. Laws Chapter 30B; Chapter 30 Section 39M; Chapter 7C, Sections 44 et seq.; Chapter 149, Sections 44A et seq.; or other successor legislation 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.

No contract, and no purchase, service or work for which a contract is proposed, shall be split or divided for the purpose of evading any provision of this section.

All contracts of the Town of Natick shall bear the signature of the Comptroller verifying the availability of funds in the full amount of the contract, and of Town Counsel, indicating approval as to form; however, the lack of such a signature by either official shall not otherwise invalidate any such contract.”; and

2. In Section 2, delete the phrase “or that no reasonable substitute for a purchase or service can be obtained”; so that section 2 shall read:

“To the extent permitted by applicable state procurement law, the Selectmen or the School Committee, as applicable, may exempt a purchase or contract from any or all of the provisions of the preceding section when, in their opinion, an emergency exists requiring immediate action on such purchase or contract to protect the health and safety of persons or property. Evidence indicating that such an emergency exists shall be furnished to the Selectmen or School Committee, as applicable, in writing by the officer, board, or committee making such purchase or contract as soon as practical, and shall be kept on file with other procurement records of such transactions.”; and

3. In Section 3,
 - a. replace the word “including” with the phrase “which shall include, without limitation” after the phrase “Town of Natick,” and before the phrase “solicitation(s), responses”; and
 - b. add the phrase “as well as every other document required to be retained by federal, state, or local law, rule, or regulation” at the end of the first sentence; so that section 3 shall read:

“The designated procurement officer shall retain complete files for every procurement of the Town of Natick, which shall include, without limitation solicitation(s), responses, contracts, and amendments thereto, if applicable, as well as every other document required to be retained by federal, state, or local law, rule, or regulation. Every Town board, official, employee or committee making or executing a contract on behalf of the Town shall furnish a copy of said documents to the procurement officer. The original contract, and original amendments thereto, if applicable, shall be submitted to the Town Comptroller within ten (10) days after the execution of all such documents. The procurement officer and the Town Comptroller shall keep such documents on file consistent with applicable public records laws.”; and

4. In Section 4,

- a. replace the first word “No” of the section with the phrase “Notwithstanding the provisions of Mass. Gen. Laws Chapter 268A, or any other successor legislation with is hereby acknowledged, no”; and
- b. replace the phrase “fees allowed by” with the phrase “other authorized compensation under” in the second sentence;

so that the section shall read:

“Notwithstanding the provisions of Mass. Gen. Laws Chapter 268A, or any other successor legislation which is hereby acknowledged, no Town officer and no salaried employee of the Town shall receive any compensation or commission for work done by him for the Town, except his official salary and other authorized compensation under law, without permission of the Selectmen expressed in a vote which shall appear on their records with the reasons therefor. Employees whose additional compensation is through the Veterans’ or Senior Property Tax Work Program shall be exempt from this requirement.”; and

5. In Section 5,

- a. replace the phrase “abandon, to trade, or to sell” with the phrase “dispose of”; and
- b. replace the phrase “private or public sale” with the phrase “manner compliant with Mass. Gen. Laws Chapter 30B, or any successor legislation”; and
- c. Add the sentence “The use of an on-line auction site shall be deemed consistent with this policy, unless otherwise prohibited by law.” at the end of the section;

so that the section shall read:

“Whenever any property of the Town, other than real estate, the replacement value of which exceeds five hundred dollars (\$500.00), shall have become obsolete, disused, worn out or necessary to replace, the Town official or officials having jurisdiction thereof shall so certify in writing to the Board of Selectmen or School Committee, as applicable, who may reserve action relative to its disposal for consideration of a Town Meeting or may by vote authorize the official or officials to dispose of such property in a manner compliant with Mass. Gen. Laws Chapter 30B, or any successor legislation. The use of an on-line auction site shall be deemed consistent with this policy, unless otherwise prohibited by law.”; and

6. In Section 6,

- a. replace the first word “The” with the phrase “Unless otherwise specified by law, the” at the beginning of the section; and
- b. Add the sentence “The Town shall comply in all respects with any procedures specified by statute or special act for such sale.” before the last sentence of the first paragraph;

so that the section shall read:

“Unless otherwise specified by law, the Selectmen and Town Treasurer may sell at public auction and in such manner, upon such terms and for such consideration as in their judgment is for the best interest of the Town, lands held from time to

time by the Town under tax titles the right of redemption from which has been foreclosed. Notice of such sales shall be advertised at least once in a newspaper published in the Town no less than fourteen (14) days prior to the date of the sale, and such notice shall include the location of such lands by street address or comparable description. The Town shall comply in all respects with any procedures specified by statute or special act for such sale. The Conservation Commission and the Historical Commission of the Town shall be notified of such sale at the time that the advertisement is prepared.

(For more precise requirements on such sales, see Mass. Gen. Laws, Chapter 60, Sections 37-84A or successor legislation, or as said laws may hereinafter be amended).”; and

7. In Section 9, replace the phrase “shall appear thereon the signatures of at least a majority of the Town board, commission, or committee authorized to make expenditures” with the phrase “has been full compliance with Mass. Gen. Laws Chapter 41, Section 52, or any successor legislation. The Town Comptroller shall exercise all duties imposed by statute, including, without limitation, those specified in Mass. Gen. Laws Chapter 41, Section 56, or any other successor legislation”; so that the section shall read:

“The Town Comptroller shall not approve for payment any warrant for the expenditure of public funds unless there has been full compliance with Mass. Gen. Laws Chapter 41, Section 52, or any successor legislation. The Town Comptroller shall exercise all duties imposed by statute, including, without limitation, those specified in Mass. Gen. Laws Chapter 41, Section 56, or any other successor legislation.”; and

8. In section 11,
 - a. replace the phrase “Sections 23A through 23C of Chapter 39 of the General Laws” with the phrase “Sections 18 through 25 of Chapter 30A of the General Laws” in the first sentence; and
 - b. replace the phrase “requiring a vote of the Board” with the phrase “requiring the vote of a board, commission, committee, or subcommittee” in the first paragraph; and
 - c. add the phrase “, commissions,” after the word “boards” and before the words “and committees” in the first sentence of the second paragraph; and
 - d. replace the phrase “The Town Clerk” with the phrase “Except in cases of emergency, in which case, as much notice as possible shall be provided, the Town Clerk” in the second paragraph; and
 - e. delete the last paragraph;

so that the section shall read:

“All meetings of Town boards, commissions, committees, and subcommittees, elected, appointed or otherwise constituted, shall be in accordance with the provisions of Section 7-9 of the Charter and Sections 18 through 25 of Chapter 30A of the General Laws or successor legislation, or as said laws may hereinafter be amended. In addition, in any matter requiring a vote of a board, commission, committee, or subcommittee, the vote shall be by voice or roll call and no secret or written ballots shall be used, except as may otherwise be required or allowed by these By-Laws or the Charter of the Town.

All elected boards, commissions, and committees shall notify the Town Clerk of their organization, rules and regulations and shall file with him a schedule of regular meetings as well in advance as practicable. Except in cases of emergency, in which case, as much notice as possible shall be provided, the Town Clerk shall be notified of changes in or additions to the meeting schedule not less than forty-eight (48) hours before the meeting concerned.

Appointed standing committees shall meet as required by their duties and shall notify the Town Clerk not less than forty-eight (48) hours before any meeting.”; and

9. In the table entitled “Town Regulations”, add the following at the bottom of the list:

“

Historic District Commission Rules and Regulations	Historic District Commission	Historic District Commission Chair (or designee)
Conservation Commission Rules and Regulations	Conservation Commission	Conservation Commission Chair (or designee)
Board of Selectmen Regulations	Board of Selectmen	Town Administrator

”;

or otherwise act thereon.

ARTICLE 45

Amend By-law Article 44: Conflict Between Town Agencies, Etc. (Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 44 of the Town of Natick By-laws as follows:

Add the following sentence to the end of Section 3:

“The provisions of this Section 3 shall not apply if the Board of Selectmen is a party or potential party to the legal proceeding.”

so that the section shall read:

“It shall be the duty of the Board of Selectmen at any such joint meeting to act as mediators and as conciliators in an effort to resolve the differences between the parties involved, or if a resolution of the differences is not possible, to reduce the areas of difference to the smallest possible number in order to facilitate the disposition of the legal issues involved. The provisions of this Section 3 shall not apply if the Board of Selectmen is a party or potential party to the legal proceeding.”

or otherwise act thereon.

ARTICLE 46

Amend By-law Article 50: Police Regulations (Charter & By-law Review Committee)

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

1. replace Section 10 with the following text:

“No person shall throw stones, snowballs, projectiles, or other dangerous articles within or across any street or way, nor participate in any activity within a street or way that poses a significant risk to the public.”; and

2. replace Section 11 with the following text:

“No person shall collect and transport for hire any garbage or refuse in and through the Town of Natick, unless duly licensed by the Board of Health upon such terms and conditions as said Board deems necessary for the health, comfort, and convenience of the Town. Said licensing requirement shall not apply to the occasional employment of junk removal service companies, not involving ongoing or regularly scheduled collection services.”; and

3. in Section 14 a, change the title of the Section to “Consumption or Possession of Alcoholic Beverages”, and add the phrase “any alcoholic beverages or possess any open container of” after the first word “drink” in the first sentence, so that the section shall read:

“14 a Consumption or Possession of Alcoholic Beverages

No person shall drink any alcoholic beverages or possess any open container of any alcoholic beverages as defined in Chapter 138, Section 1 of the Massachusetts General

Laws while on, in or upon any public way or upon any way to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, park or playground, or private land or place without consent of the owner or person of control thereof. All alcoholic beverages being used in violation of this By-Law shall be seized and safely held until final adjudication of the charge against the person or persons arrested or summoned before the court, at which time they shall be returned to the person entitled to lawful possession.”; and

4. in Section 17.1, replace the phrase “or on a vacant lot” with the phrase “on a vacant lot, or visible from the street”, so that the section shall read:

“**Unregistered Motor Vehicles** - Unless authorized by the Board of Selectmen, no person shall in a residential district store any unregistered motor vehicle or component part or parts thereof in a front yard, front driveway, on a vacant lot, or visible from the street; nor shall any person, without such authorization keep ungaraged on any lot in such a district more than one such unregistered motor vehicle or component parts thereof.”; and

5. replace Section 17.2 with the following text:

“**Unregistered Trailers** - Unless authorized by the Board of Selectmen, no person shall in a residential district store any unregistered trailer or component part or parts thereof in a front yard, front driveway, on a vacant lot, or visible from the street; nor shall any person, without such authorization keep ungaraged on any lot in such a district more than one such unregistered trailer or component parts thereof.”; and

6. in Section 18, sub-section b, replace the first word “plow” with the word “deposit”; so that the section shall read:

“No person shall deposit snow into any public way after it has been plowed.”; and

7. in Section 20, replace the word “refuse” with the word “trash”, so that the section shall read:

“Disposal of trash, bottles, cans, or rubbish on private land or public property is prohibited.”; and

8. in Section 21, replace the phrase “the By-law” in the first sentence of the fourth paragraph with the phrase “this Section of this by-law”, and replace the phrase “this By-law” in the second sentence of the fourth paragraph with the phrase “this Section of this by-law”, so that the fourth paragraph shall read:

“Whoever violates any provision of this Section of this by-law shall be subject to a fine of fifty dollars (\$50.00) for the first violation and one hundred fifty dollars (\$150.00) for each subsequent violation. Each day that a violation continues shall constitute a separate offense. Whoever violates any provision of this Section of this by-law shall be liable for payment to the Town of Natick of restitution in the full amount of damage to Town of Natick property which results from such violation.”; and

9. in Section 22.2, delete the table of Handicapped Spaces and replace the phrase “, according to the following formula:” with a period, followed by the sentence “The number of such spaces shall be determined by the Town Building Department in accordance with current Massachusetts laws and regulations.”, so that the section shall read:

“22.2 **Provision for** - Any person or body that has lawful control of a public or private way or of improved or enclosed property used as off-street parking areas for business, shopping, malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings, or for any other place where the public has a right of access as invitees or licensees, shall be required to reserve parking spaces in said off-street parking areas for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate or placard authorized by Section two of Chapter 90 of the Massachusetts General Laws. The number of such spaces shall be determined by the Town Building Department in accordance with current Massachusetts laws and regulations.”; and

10. in Section 22.5, replace the phrase “one hundred dollars (\$100.00)” with the phrase “three hundred dollars (\$300.00)”, so that the section shall read:

“22.5 **Penalty for Violation** - The penalty for violation of Paragraph 22.4 of this by-law shall be three hundred dollars (\$300.00). The vehicle may be removed according to the provisions of Section 120D of Chapter 266 of the General Laws.”;

or otherwise act thereon.

ARTICLE 47
Amend By-law Article 51: Alarm Systems
(Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 51 of the Town of Natick By-laws as follows:

1. add the phrase “; motor vehicle alarms are included” at the end of the first sentence of Section 1, sub-section a, so that the sub-section shall read:

“a. The term "Alarm System" means an assembly of equipment and devices or a single device such as a solid state unit which connects directly into a power source, arranged to signal the presence of a hazard requiring urgent attention and to which police are expected to respond; motor vehicle alarms are included. Fire alarm systems and alarm systems, which monitor temperature, smoke, humidity, or any other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery at a premises are specifically excluded from the provisions of this by-law.”; and
2. delete Section 5 in its entirety, and replace it with the phrase “Section 5 – deleted”; and
3. delete the phrase “enter upon the property outside the home or building in which the alarm system is located and” in the first paragraph of Section 6 that follows sub-section c, so that the paragraph shall read:

“In the event that the Police Chief is unable to contact the alarm user, or member of the alarm user's family, or those persons designated by the alarm user under paragraph (a) of this section, or if the aforesaid persons cannot or will not curtail the audible signal being emitted by the alarm system, and if the Police Chief is otherwise unable to abate the nuisance, he may direct a police officer or a firefighter or a qualified alarm technician to take any reasonable action necessary to abate the nuisance.”;

4. delete the phrase “outside the home or building” in the second paragraph of Section 6 that follows sub-section c, and replace the phrase “home or building” with the phrase “home, building, or vehicle” in the second paragraph of Section 6 that follows sub-section c so that the paragraph shall read:

“If entry upon the property in which the alarm system is located is made in accordance with this section, the person so entering upon such property (1) shall not conduct, engage in, or undertake any search, seizure, inspection or investigation while he is upon the property; (2) shall not cause any unnecessary damage to the alarm system or to any part of the home, building, or vehicle; and (3) shall leave the property immediately after the audible system has ceased. After an entry upon property has been made in accordance with this section, the Police Chief shall have the property secured, if necessary. The reasonable costs and expenses of abating a nuisance in accordance with this section may be assessed to the alarm user, said assessment not to exceed \$50.00.”;

or otherwise act thereon.

ARTICLE 48
Amend By-law Article 70: Public Works Regulations
(Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 70 of the Town of Natick By-laws as follows:

1. replace the word “ploughing” with the word “plowing” in the first sentence of Section 5, so that the sentence shall read:

“The Director of Public Works or other officer having charge of ways, for the purpose of

removing or plowing snow, or removing ice from any way, may remove or cause to be removed to some convenient place, including a public garage, any vehicle interfering with such work.”; and

2. replace the word “remove” with the word “reclaim” in the phrase “permitted to remove a vehicle” in the second paragraph of Section 5, so that the paragraph shall read:

“Before the owner or his agent shall be permitted to reclaim a vehicle which has been removed as aforesaid to a public garage or other convenient place, he shall:

- a. Furnish satisfactory evidence to the owner or person in charge of said public garage or to the Chief of Police of his identity and ownership or right to the possession of said vehicle.
- b. Pay the cost of removing and storing said vehicle, together with the cost of publishing or sending any notices as may be required.”; and

3. replace the phrase “Chapter Eighty” with the phrase “Chapter 80 of the General Laws, as amended” in the third paragraph of Section 6; and

replace the phrase “twenty-five (\$25.00)” with the phrase “five hundred (\$500.00)” in the third paragraph of Section 6; and

replace the phrase “ten (10)” with the phrase “twenty (20)” in the third paragraph of Section 6;

so that the third paragraph of Section 6 shall read:

“The Town Administrator shall assess betterments upon the owners of estates which derive particular advantage from the making of such repairs on any such private way. Such assessment shall be a sum equal, in the aggregate, to the total cost of such repairs and, in the case of each such estate, in proportion to the frontage thereof on such way. Except as otherwise provided, the provisions of Chapter 80 of the General Laws as amended, relating to public improvements and assessments thereof shall apply to repairs to private ways ordered to be made under this Section; provided that no assessment amounting to less than five hundred dollars (\$500.00) shall be apportioned and no assessment may be apportioned into more than twenty (20) portions.”;

or otherwise act thereon.

ARTICLE 49

Amend By-law Article 75: Remedy of Public Nuisance (Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 75 of the Town of Natick By-laws as follows:

1. add the phrase “the property occupant, if different;” after the phrase “which is the subject of the hearing;” in Section 2, sub-section 2, so that the sub-section shall read:

“(2) **Interested Parties:** In connection with the notification requirements of this by-law, interested parties are the owner(s) of the property which is the subject of the hearing; the property occupant, if different; the Town Administrator or his designee; owners of property directly opposite the subject property on any public or private street or way; abutters of the subject property; and abutters of abutters within three hundred feet of the property line of the subject property. Ownership of land shall be determined by the most recent tax list.”; and

2. replace the phrase “twenty dollars (\$20.00)” with the phrase “one hundred dollars (\$100.00)” in Section 9, so that the section reads:

“An owner or occupant shall forfeit one hundred dollars (\$100.00) for every day during which he willfully violates such order.”;

or otherwise act thereon.

ARTICLE 50

Repeal the Single Use Plastic Bag Ban that Went Into Effect August 1, 2017 (Brent Longtin et al)

Repeal the single use plastic bag ban that went into effect August 1, 2017 or take any other action with respect thereto.

ARTICLE 51

Restricting the use of Polystyrene Disposable Food Containers in Food Establishments (Patrick Conaway, et al)

Propose that the Town of Natick, through its Board of Health, prohibit the purchase, sale, distribution and use of foam and rigid Polystyrene Disposable Food Containers by Food Establishments to prepare or serve food or drinks and to require the use and distribution of Disposable Food Containers made of safer, more sustainable and environmentally friendly materials.

ARTICLE 52

Amend Zoning By-Law to Make Various Technical Corrections and Modifications to the Downtown Mixed Use District, the Definitions and Sections of the Zoning By-Law Dealing with Affordable Housing and Provisions for Pre-Existing Nonconforming Uses (Cathleen Collins et al)

“To see what action(s) the town will take to amend the Zoning By-Law to make technical corrections, modifications, amendments, or changes regarding:

i) the Downtown Mixed Use (DM) zoning district to require minimums for affordable housing in any and/or all multi-family developments and/or mixed use developments containing multi-family dwelling units, to establish density limitations for any or all multi-family housing and/or mixed use developments containing multi-family dwelling units, to establish bonus density provisions and/or requirements for multi-family uses provided that additional affordable housing and/or other public benefit amenities are created, to specify those additional densities and/or to set provisions for increased affordable housing, to reduce any or all maximum height limitations, to eliminate and/or modify minimum height requirements, to increase the distance requirements from residential districts for certain height limitations, to establish increased setback and/or open space requirements within certain distances of residential districts, to establish those distances from residential districts, to eliminate the exemption or grandfathering of reduced open space requirements for structures in existence on January 1, 1987, to change the open space requirements for at grade landscaping to be consistent with the definition of open space in the Zoning By-law, to increase the requirement for open space within certain distances of residential districts, and/or to establish those distances from residential districts, and/or;

ii) the Inclusionary Housing Option Program (IHOP) and the Housing Overlay Option Plan (HOOP) 1 and 2 Districts in III-A.6 of the Zoning By-Law: to change references to and/or requirements for low and/or moderate income housing to a definition, word, phrase, or term and/or requirement consistent with the Commonwealth’s requirements for inclusion in the Subsidized Housing Inventory (SHI), to reduce the densities in HOOP 1 and /or HOOP 2 whether by increasing the numbers by which land area or net land area is divided or by other means or amendment, to establish increased affordable housing requirements in return for increased density, to eliminate and/or modify the criteria and/or provisions for increased density in III.A.6.B (4) a and b and /or to insert new quantitative, measurable and/or objective criteria and/or provisions for permitting bonus density in Section III.A.6 B (4) or other new subsection, to increase all percentages in Section III.A.6 A 3 to 10% or a greater number, and/or;

iii) the definitions of Affordable Housing, Low Income, Moderate Income and Subsidized Housing in the Definitions section of the Zoning By-Law provided that all changes conform to the definitions, in whole or in part, to the Commonwealth’s definitions of and requirements for inclusion in the Town’s Subsidized Housing Inventory (SHI), and/or to clarify and/or require in said definitions that, when such terms are used in connection with affordable housing, such terms shall be construed only to mean affordable housing that qualifies for inclusion in the SHI, and/or to insert new definitions for these terms and /or insert new terms for affordable housing units, affordable units or other terms in support or clarification of affordable housing requirements, and/or;

iv) adding, specifying and/or clarifying affordable housing requirements for a) the RM, PCD , SH districts and/or Use #4 on the Use Regulations Schedule whether in the text of the Zoning By-Law or in the Use Regulations Schedule III.A.2, b) Section III-J Historic Preservation, c) Section III-F Cluster Development Allowed in Certain Districts including without limitation subsections III-1.F, III-2.F, III-3.F and /or III-4.F, d) any part of the Highway Mixed Use II District, Highway Mixed Use III District, Limited Commercial District, Highway Planned Use District, any or all Highway Overlay Districts and/or any other provision or section of the Zoning

By-Law, without limitation, that allows multi-family uses such that the Zoning By-Law addresses, deals with, requires, incentivizes affordable housing, establishes minimum affordable housing and/or increases requirements, and/or to require that such affordable housing conform to any or all of the existing and/or revised definitions referred to above and/or the Commonwealth's requirements for inclusion in the SHI, and/or;

v) changing the text of the footnote “* Affordability Requirements” in Section 323.3 Certain Multi Family Residential Uses a) to include Assisted Living Residence(s) and/or b) to change the determination requirement from one of not affecting the Town's SHI to one of not affecting the calculation, numerator and/or denominator of the Statutory Minima or so called 10% requirement as currently provided in the standards set forth in M.G.L. c.40B, §§ 20 through 23 and 760 CMR 56.03(3) or other applicable law or regulation and/or similarly changing the determination language in Section III-I Assisted Living Residences subsection 8. Affordability Requirements and/or increasing the \$5.00 per sq. ft. requirement in said subsection to a higher number, and/or establishing a similar payment requirement and/or higher \$ per sq. ft. number as an option or exclusive requirement for Assisted Living Residence(s) in the text of the footnote * Affordability Requirements in Section 323.3 Certain Multi Family Uses, and/or;

vi) Pre-Existing and/or Nonconforming Structures and Uses including but not limited to the following: changing 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 basis under which the Zoning Board of Appeals may allow any extension, alteration and/or expansion of and/or change in pre-existing nonconforming uses, structures and/or buildings and to specify and/or to limit the extent, if any, to which any nonconformity with other sections of the Zoning By-Law may be increased and /or to prohibit the ability to increase the degree of nonconformity 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 nonconforming structures, buildings and/or uses provided that none of the above changes under this article may 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 , and/or to move the text of footnote bb) from the Intensity Regulations in Section IV-B to Section V –A addressing Nonconforming Uses;

or otherwise act thereon.”

ARTICLE 53

Amend Zoning By-Law to Address Technical Corrections, Partial Approvals and/or Disapprovals, if any, Raised by the Attorney General to Previous Votes of Town Meeting in 2017 (Cathleen Collins et al)

“To see what action(s) the town will take to amend the Zoning By-Law to make technical corrections, amendments, modifications, or changes regarding the motions voted;

i) under Article 37 of the 2017 Spring Annual Town Meeting (voted on May 9, 2017) for any matter addressing Modifications and Waivers and /or the Aquifer Protection District, and/or;

ii) under Article 38 of the 2017 Spring Annual Town Meeting (voted on May 9, 2017) for any matter addressing Special Permit procedures, regulations and /or requirements and/or Special Permit Granting Authority and Site Plan Review designations and/or;

iii) under Article 3 of the 2017 Special Town Meeting #1 (voted May, 16, 2017) for any matter addressing the Reasonable Regulation of Uses Exempted from Permitting:

Provided that, and only in order to address, any comments, advice and/or disapprovals, in whole or in part, received from the Attorney General of the Commonwealth of Massachusetts and further providing that action under this article be limited to a) amending the votes of Spring 2017 Town Meeting and /or 2017 Special Town Meeting #1 respectively or b) providing entirely new and/or comprehensive motions solely to address and/or to resolve matters, if any, raised and/or identified by the Attorney General regarding the aforementioned votes, which action(s) may include but is/are not limited as follows:

A) For Waivers and Modifications (Article 37 of 2017 Spring Annual Town Meeting):

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, super cede 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 exempts any residentially used lot in the RG or RS zones from 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

Provided that none of the above changes under this article may increase the ability of any SPGA to grant waivers or modifications or create the 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;

and/or

B) For Special Permits and SPGA Designation and Site Plan Review (Article 38 of 2017 Spring Annual Town Meeting)

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 Plan 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;

and/or

C) For the Reasonable Regulation of Uses Exempted from Permitting (Article 3 of the 2017 Special Town Meeting #1)

1) to amend the Zoning By-Law including but not limited to adding new sections and/or definitions, and/or amending existing sections and/or definitions and/or applying existing regulations in order to provide for Site Plan Review and reasonable regulations concerning the bulk and height of structures and determining yard size, lot area, setbacks, open space, parking, and building coverage requirements of land, structures, and uses as provided in and/or otherwise exempted from any local permitting and/or local zoning control per Massachusetts General Laws chapter 40A, section 3, the so-called Dover Amendment, relevant case law and/or other State of Federal statute;

or otherwise act thereon.”

ARTICLE 54
Amend By-law Regulating Use of Motion for the Previous Question
(Paul Connolly et al)

To see if the Town will vote to amend the rule related to use of the motion for the previous question at Town Meeting which supposedly is intended to insure sufficient discussion before voting but too often is being used by a few to unreasonably extend repetitious discussion when most at Town Meeting wish to proceed with the vote; and, specifically, to amend the Town of Natick By-Laws, Article 3, Section 11 Motion for the Previous Question as follows:

Delete the existing sentence and insert the following two paragraphs:

The motion for the previous question is a subsidiary motion that a Town Meeting Member may make to request the Moderator to ask Town Meeting Members if they think debate on the immediately pending motion has been sufficient and they are ready to vote on that motion.

The motion for the previous question is not in order, as determined by the Moderator, when the Moderator has received advance notification from Town Meeting Members of their intention to offer a main motion under an article or amendments or other subsidiary motions related to a main motion that is expected to be made and there has been insufficient opportunity for them to seek recognition to do so; or, similarly, when the Moderator has received advance notification from Town Meeting Members or other persons desiring to be recognized to speak under an article and there has been insufficient opportunity for them to seek recognition to do so.

ARTICLE 55
Assisted Living Overlay Option Plan
(James Williamson et al)

To see what action(s) the Town of Natick will take (i) to amend the Zoning Bylaw to create an Assisted Living Overlay Option Plan (“ALOOP”), (ii) to designate 119, 121, 123, 125 and 131 East Central Street in Natick (also identified on the Town Assessor’s Maps as real estate tax parcels: Map 44, Parcel 272; Map 22, Parcel 273; Map 44, Parcel 274; Map 44, Parcel 275; and Map 45, Parcel 25A) as an ALOOP District and (iii) to specify and/or designate any and all zoning parameters for the ALOOP District, including but not limited to the following:

1) specifying the purpose(s) and objective(s) of such ALOOP, and/or the eligibility requirement(s) for a parcel or parcels to be included in an ALOOP; and/or

- 2) creating new or modifying existing definitions for this purpose, whether within an ALOOP Section or elsewhere in the Zoning Bylaw, including, but not limited to, adding a new Overlay District to Section II – Use Districts and/or adding a new ALOOP Subsection to Section III – Use Regulations; and/or
- 3) specifying the applicability of the ALOOP, whether the ALOOP requires a Special Permit and/or Site Plan Review, what the Special Permit and/or Site Plan Review process might consist of or require and who the Special Permit Granting Authority and/or the Site Plan Review authority would be; and/or
- 4) setting any and all dimensional and intensity regulations for the ALOOP including, without limitation:
 - a. height, including but not limited to “sky plane” or stepped-back height restrictions,
 - b. any and all setbacks,
 - c. lot frontage,
 - d. lot depth,
 - e. number of residents,
 - f. type and size of units,
 - g. number of units,
 - h. limitations and/or restrictions on common areas,
 - i. minimum or maximum parking requirements,
 - j. open space,
 - k. lot coverage,
 - l. building coverage,
 - m. Floor Area Ratio (FAR),
 - n. Landscape Surface Ratio (LSR),
 - o. lot area,
 - p. etc.; and/or
- 5) specifying whether or not, to what extent and which dimensional and/or intensity regulations might be waived or modified, and under what conditions; and/or
- 6) using existing provisions and/or text of the Assisted Living Residences Section of the Zoning Bylaw or making amendments thereto or creating provisions and/or text unique to the ALOOP, whether in whole or in part; and/or
- 7) establishing requirements 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 entrances and main entrances,
 - c. residual uses including residual use regulation, restriction and/or bonding for removal upon cessation of assisted living use,
 - d. which underlying zones of the ALOOP District may be used in the ALOOP including the extent to which requirements of underlying zones will apply unless specifically modified in the ALOOP,
 - e. design and/or design review standards,
 - f. ability or prohibition to place mechanical, vent or other structures on rooftops,
 - g. any or all activities to be conducted in such a manner that noise, smoke, dust, odor, vibration, waste disposal and other objectionable features are confined to the premises, building(s) or structure(s),
 - h. any and all matters currently included and/or addressed in Section V – Special Requirements of the Zoning Bylaw, whether such matters are:
 - i. specifically and/or differently addressed in the ALOOP,
 - ii. modified for the ALOOP within said Section V, or
 - iii. applied to the ALOOP as set forth in said Section V,

- i. height, elevation and/or orientation of windows and other building features in relation to neighboring properties,
 - j. other neighborhood and abutter protections,
 - k. qualifying for any available incentives or bonuses in the ALOOP; and/or
- 8) specifying requirements for the applicability of the Aquifer Protection District to the ALOOP and/or changing the applicability of the Aquifer Protection District to residential projects in certain zoning districts, including modifying the use variance language therein; and/or
- 9) taking such other action as may be consistent with the purpose of this Article and/or the creation of the ALOOP, including, but not limited to, associated changes and/or additions to the Zoning Bylaw's identification of Use Districts in Section II-A, intensity regulations in Section IV, off-street parking and loading requirements in Section V-D and/or special permit and/or site plan review procedures in Section VI-DD, as necessary to implement the forgoing;

or otherwise act thereon.

ARTICLE 56
Amend Natick Zoning By-Laws: Registered Marijuana Dispensaries Bylaw
(Tara Hopper Zeltner, et al.)

To see if the Town will vote to amend the Natick Zoning Bylaws as follows:

Add the following language to Section 323.8.4.1 after the words "RC District" and before the words "by special permit": "or on a parcel of land located at 2-6 Worcester Street, Assessors Map 21, Lot 1"

And to delete the following language in Section 323.8.4.8: "a Town of Natick boundary line, or"

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.

And 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; and at the following public places 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, 165 Mill St.; Precinct 4, TCAN, 14 Summer Street; Precinct 5, Wilson Middle School, 22 Rutledge Road; Precinct 6, East Natick Fire Station, 2 Rhode Island Avenue; Precinct 7, Lilja Elementary School, 41 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 Street.

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 October 17, 2017; also by causing the titles of the articles on the Warrant for the 2017 Fall 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 August 25, 2017.

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, 21st Day of August, 2017.

JONATHAN H. FREEDMAN
Chair

SUSAN G. SALAMOFF
Vice Chair

RICHARD P. JENNETT, JR
Clerk

AMY K. MISTROT
Member

MICHAEL J. HICKEY, 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 a.m. – 5:00 p.m., Monday through Wednesday; 8:00 a.m.-7:00 p.m. on Thursday and 8:00 a.m.-12:30 p.m. Friday; the Warrant may also be accessed from the Town web site www.natickma.gov.