

**WARRANT
SPRING ANNUAL TOWN MEETING
APRIL 10, 2018**

THE COMMONWEALTH OF THE MASSACHUSETTS

Middlesex, ss

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

In the name of the Commonwealth of Massachusetts you are required to notify the qualified Town Meeting Members of the said Town of Natick to meet in the Natick High School, Natick on **Tuesday Evening April 10, 2018 at 7:30 PM**, then and there to act on the following Articles:

- Article 1 Authorize Board of Selectmen to Acquire, Obtain, Abandon or Relocate Easements
- Article 2 Committee Article
- Article 3 Elected Officials Salary
- Article 4 Personnel Board Classification and Pay Plan
- Article 5 Collective Bargaining
- Article 6 Fiscal 2018 Omnibus Budget
- Article 7 Fiscal 2019 Omnibus Budget
- Article 8 Fiscal 2019 Morse Institute Library Budget
- Article 9 Fiscal 2019 Bacon Free Library Budget
- Article 10 School Bus Transportation Subsidy
- Article 11 One-to-One Technology Stabilization Funds
- Article 12 Revolving Funds
- Article 13 Capital Equipment
- Article 14 Capital Improvement
- Article 15 Capital Stabilization Fund
- Article 16 Operational/Rainy Day Stabilization Fund
- Article 17 Increase Personal Exemption Amounts
- Article 18 Amend By-Law Article 24 Regarding Procedure for Appointment of Police Chief
- Article 19 Amend By-Law Article 24 Regarding Procedure for Appointment of Fire Chief
- Article 20 Amend By-law Article 51: Alarm Systems
- Article 21 Amend By-law Article 72: Building Regulations
- Article 22 Amend By-law Article 76: Regulations regarding Historically Significant Buildings, etc.
- Article 23 Amend By-law Regulating Use of Motion for the Previous Question
- Article 24 Acquisition of Mechanic Street
- Article 25 North Main Street Right of Way Acquisition
- Article 26 Cochituate Rail Trail Right of Way Acquisition
- Article 27 Snow Clearing on Public Ways
- Article 28 4 Temple Street/Middlesex Path Easement
- Article 29 Amend Natick Zoning By-Laws: Inclusionary Affordable Housing Requirements
- Article 30 Amendments to the Town of Natick Zoning By-Law and Zoning Map
- Article 31 Amend Zoning By-Laws: Signage (Residential Zoning Districts)
- Article 32 Amend Zoning By-Laws: Signage (Street Addresses)
- Article 33 Amend Zoning By-Laws: Clarify Site Plan Review Process
- Article 34 Amend Zoning Bylaws: Assisted Living Overlay Option Plan
- Article 35 Amend Zoning By-Law to allow Indoor Amusement or Recreational Uses in Industrial Zoning Districts by Special Permit
- Article 36 Amend Natick Zoning Bylaws: Uses Allowed by Special Permit Only and Dimensional and Density Requirements in the Downtown Mixed Use (DM) District
- Article 37 Amend Registered Marijuana Dispensaries Bylaw 323.8
- Article 38 Limit Automatic 2.5% Increase in FY2019 Property Tax

ARTICLE 1

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

To see if the Town will vote to authorize the Board of Selectmen, during Fiscal Year 2019, to acquire on behalf of the Town any and all easements for any of the following purposes: roads, sidewalks, vehicular and/or pedestrian access or passage, drainage and utilities, provided however that such authorization pertains only to easements acquired at no cost to the Town; and, further, to authorize the Board of Selectmen, subsequent to a public hearing, during Fiscal Year 2019 to abandon or relocate easements acquired for any of the foregoing purposes; or otherwise act thereon.

ARTICLE 2

Committee Article (Town Administrator)

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

ARTICLE 3

Elected Officials Salary (Town Administrator)

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town of Natick for Fiscal Year 2019 (July 1, 2018 through June 30, 2019) as provided by Section 108 of Chapter 41 of the General Laws, as amended; or otherwise act thereon.

ARTICLE 4

Personnel Board Classification and Pay Plan (Town Administrator)

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

ARTICLE 5

Collective Bargaining (Town Administrator)

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

- a) Deputy Fire Chiefs' Association, Local 1707 – Deputy Fire Chiefs
- b) International Association of Firefighters, AFL-CIO, Local 1707 - Firefighters
- c) New England Benevolent Association, AFL-CIO, Local 82 – Superior Officers
- d) Natick Patrol Officers Association - Patrol
- e) New England Police Benevolent Association, Inc. Local 182 - Dispatchers
- f) Massachusetts Laborer's Council Local 1116 Supervisors' & Administrators' Association - DPW Sup. & Admin.
- g) Massachusetts Laborer's Council Local 1116 - DPW Laborers
- h) Maintenance and Custodians Local 1116 of the Laborers International Union, AFL-CIO – Facilities Maintenance
- i) Public Employees Local Union 1116 of the Laborers' International Union of North America -Clerical
- j) Public Employees Local Union 1116 of the Laborers International Union of North America, AFL-CIO – Library

Or otherwise act thereon.

ARTICLE 6
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 7
Fiscal 2019 Omnibus Budget
(Town Administrator)

To determine what sum of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest during Fiscal Year 2019 (July 1, 2018 to June 30, 2019), and to provide for a reserve fund for Fiscal Year 2019; or to otherwise act thereon.

ARTICLE 8
Fiscal 2019 Morse Institute Library Budget
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Morse Institute Library, for Fiscal Year 2019 (July 1, 2018 through June 30, 2019); or otherwise act thereon.

ARTICLE 9
Fiscal 2019 Bacon Free Library Budget
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Bacon Free Library, for Fiscal Year 2019 (July 1, 2018 through June 30, 2019); or otherwise act thereon.

ARTICLE 10
School Bus Transportation Subsidy
(Superintendent of Schools)

To see if the Town will vote to appropriate and raise, or transfer from available funds, a sum of money for the purpose of operation and administration of the school bus transportation system, and to reduce or offset fees charged for students who elect to use the school bus transportation system for transportation to and from school, for Fiscal Year 2019 (July 1, 2018 through June 30, 2019); or otherwise act thereon.

ARTICLE 11
One-to-One Technology Stabilization Funds
(Superintendent of Schools)

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 for the purpose of funding the One-to-One Technology Program in the Natick Public School System, established under Article 31 of the warrant for Spring Annual Town Meeting of 2014, as authorized by Chapter 40, Section 5B of the General Laws, as amended or otherwise act thereon.

ARTICLE 12
Revolving Funds
(Town Administrator)

To see if the Town will vote on the limit on the total amount that may be expended from each revolving fund established pursuant to Chapter 44 section 53E ½ of the General Laws and Town by-law; or otherwise act thereon.

ARTICLE 13
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 14
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 15
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 16
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 17
Increase Personal Exemption Amounts
(Board of Assessors)

To see if the Town will vote to increase the Personal Exemption Amounts by 55.0% under the provisions of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988 which provides for "Optional Additional Property Tax Exemptions" allowing an annually determined, uniform increase in the amount of exemption in General Laws, Chapter 59 Section 5 Clauses 17D, 22, 22A, 22B, 22C, 22E, 37A, and 41C (elderly person, disabled veteran, or blind person); or otherwise act thereon.

ARTICLE 18
Amend By-Law Article 24 Regarding Procedure for Appointment of Police Chief
(Board of Selectmen)

To see if the Town will vote to amend the By-Laws, specifically Article 24, Section 14.2 therein to allow the Board of Selectmen to extend the time frame within which the Police Chief 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 Police Chief; or otherwise act thereon.

ARTICLE 19

Amend By-Law Article 24 Regarding Procedure for Appointment of Fire Chief (Board of Selectmen)

To see if the Town will vote to amend the By-Laws, specifically Article 24, Section 152 therein to allow the Board of Selectmen to extend the time frame within which the Fire Chief 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 Fire Chief; or otherwise act thereon.

ARTICLE 20

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. In Section 1, paragraph b:
 - a. Add the words "or vehicle" after the words "whose premises" in the first sentence; and
 - b. Delete the words "except for alarm systems on motor vehicles" at the end of the first sentence; and
 - c. Add the words "or vehicle" after the words "the premises" in the second sentence; and
 - d. Add the words "or vehicle" after the words "the premises" in the third sentence";

so that Section 1, paragraph b shall read:

"The term "Alarm User" or "User" means any person on whose premises or vehicle an alarm system is maintained within the town. Excluded from this definition and from the coverage of this by-law are central station personnel and persons who use alarm systems to alert or signal persons within the premises or vehicle in which the alarm system is located of an attempted unauthorized intrusion or holdup attempt. If such a system, however, employs an audible signal emitting sounds or a flashing light or beacon designed to signal persons outside the premises or vehicle, such system shall be within the definition of "alarm system," as that term is used by this by-law, and shall be subject to this by-law."; and

2. Replace Section 1, paragraph g with the word "deleted"; and
3. In Section 6, paragraph a:
 - a. Add the words ", with the exception of motor vehicle alarm users," after the first words "Every alarm user" in the first sentence; and
 - b. Add the word ", addresses," after the word "names" and before the words "telephone numbers" in the first sentence;

so that Section 6, paragraph a shall read:

"Every alarm user, with the exception of motor vehicle alarm users, shall submit to the Police Chief and the alarm company who maintains the system at the police communications console the names, addresses, and telephone numbers of at least two other persons who can be reached at any time, day or night, and who are authorized to respond to an emergency signal transmitted by an alarm system, and who can open the premises wherein the alarm system is installed. The names,

- addresses and telephone numbers of the responders must be kept current at all times by the alarm user and the alarm company.”; and
4. Replace Section 6, paragraph b with the word “deleted”; and
 5. In Section 7, delete the first and last sentences, so that Section 7 shall read:
“Permission is not required to test or demonstrate alarm devices not transmitting emergency messages directly to the police department.”;

or otherwise act thereon.

ARTICLE 21
Amend By-law Article 72: Building Regulations
(Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 72 of the Town of Natick By-laws as follows:

1. Change the title of Section 5 to “Height Requirements at Intersections, including Driveways”; and
2. In the first paragraph of Section 5, replace the word “streets” with the words “public ways”; and
3. Add the sentence “No fence, shrubbery or other object located within fifteen (15) feet of the intersection of a public way and a driveway shall be maintained more than three (3) feet above the street grade measured at said intersection.” as the second paragraph of Section 5;

so that Section 5 shall read:

“Section 5 Height Requirements at Intersections, including Driveways

In any lot which abuts an intersection of two or more public ways, no fence, shrubbery or other object which is located within fifteen (15) feet of such an intersection, shall be maintained more than three (3) feet above the street grade measured at said intersection.

No fence, shrubbery or other object located within fifteen (15) feet of the intersection of a public way and a driveway shall be maintained more than three (3) feet above the street grade measured at said intersection.”;

or otherwise act thereon.

ARTICLE 22
Amend By-law Article 76: Regulations regarding Historically Significant Buildings, etc.
(Charter & By-law Review Committee)

To see whether the Town will vote to amend Article 76 of the Town of Natick By-laws as follows:

1. In Section 2, sub-section F:
 - a. After the words “which is” in the first sentence, delete the word “(1)” and insert the words “in whole or in part fifty (50) years old or older and which has been determined by the Commission or its designee to be significant based on any of the following: (1) it is”; and
 - b. Add the word “it” after the word “(2) in the first sentence;

so that Section 2, sub-section F shall read:

“Historically Significant Building or Structure: Any regulated building or structure which is in whole or in part fifty (50) years old or older and which has been determined by the Commission or its designee to be significant based on any

of the following: (1) it is associated with one or more historic persons or events or with the architectural, cultural, economic, political or social history of the Town of Natick, the Commonwealth of Massachusetts, and/or the United States of America; or (2) it is historically or architecturally important by reason of type, period, style and method of building construction, or represents the work of a particular architect or builder, either by itself or in the context of a group of buildings or structures.”; and

2. Add a new sub-section H to Section 2:

“Preferably Preserved: Any Historically Significant Building or Structure which the Commission determines, following a public hearing, that it is in the public interest to be preserved rather than demolished, altered or relocated. A Preferably Preserved Building or Structure is subject to the six-month demolition delay period of this by-law.”; and

3. In Section 3, sub-section B, delete the sentence “Further nominations to said inventory shall occur only after notice to the assessed owner of the building or structure and a public hearing on said proposed nomination.”;

or otherwise act thereon.

ARTICLE 23

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 paragraph:

The motion for the previous question shall not be entertained by the Moderator if three or more persons are seeking recognition who have not previously spoken to the question.

Insert the following two paragraphs:

The motion for the previous question is a subsidiary motion used to request the Moderator to stop debate on the immediately pending motion and proceed with the vote on that motion.

The motion for the previous question is not in order when there has been insufficient opportunity, as determined by the Moderator, for persons to ask questions and obtain information pertaining to the immediately pending motion; or when use of the motion could effectively result in never even considering amendments or other subsidiary motions that the Moderator expects to be introduced.

ARTICLE 24

Acquisition of Mechanic Street (Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, for transportation purposes, permanent easement in that portion of Mechanic Street which is located within the parcel as shown on Town of Natick Assessors’ Map 35 Parcel 43, including up to 33.04 feet of an existing utility easement on the northern boundary of said parcel; said property is shown on a plan on file in the Community and Economic Development Office, 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; 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; or otherwise act thereon.

ARTICLE 25
North Main Street Right of Way Acquisition
(Town Administrator)

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, taking by eminent domain, or otherwise, to accept a deed or deeds to the Town of fee simple, easements or other interests in any land, and to dedicate all or portions of Town owned parcels of land, necessary for the construction of the North Main Street roadway improvements project located on North Main Street (Route 27) from the Town Center to the Wayland town line, as shown and identified on a set of plans entitled “ Massachusetts Department of Transportation Highway Division, Roadway Improvements Project, North Main Street (Route 27), In The Town of Natick In Middlesex County, Preliminary Right of Way Plans” dated March 20, 2017, prepared by BETA Group, Inc., as revised or amended. Further, to see what sum of money the Town will vote to raise and appropriate, borrow or transfer from available funds, to fund said purchase or takings along with all legal and appraisal costs associated with the obtaining any interests in land necessary for the construction of the North Main Street roadway improvements project;

Or otherwise act thereon.

ARTICLE 26
Cochituate Rail Trail Right of Way Acquisition
(Town Administrator)

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, taking by eminent domain, or otherwise, to accept a deed or deeds to the Town of fee simple, easements or other interests in any land, and to dedicate all or portions of Town owned parcels of land, necessary for the construction of the Cochituate Rail Trail project and located on Commonwealth Road (Route 30), Superior Drive, Speen Street and Worcester Street (Route 9) as shown and identified on a set of plans entitled “ Massachusetts Department of Transportation Highway Division, Cochituate Rail Trail, In The City/Town of Natick and Framingham, Middlesex County, Preliminary Right Of Way” dated November 27, 2017, prepared by BETA Group, Inc., as revised or amended. Further, to see what sum of money the Town will vote to raise and appropriate, borrow or transfer from available funds, to fund said purchase or takings along with all legal and appraisal costs associated with obtaining any interests in land necessary for the construction of the Cochituate Rail Trail project;

Or otherwise act thereon.

ARTICLE 27
Snow Clearing on Public Ways
(Board of Selectmen)

To see if the Town will vote to amend the Town of Natick By Laws by changing the fine in Article 50, Section 18, subsection a, and by changing Article 50, Section 18, subsection b by removing the text “after it has been plowed.” and inserting the text “, nor deposit snow so as to impede snow removal operations, without the authority of the Town Administrator or his designee.”, or otherwise act thereon.

ARTICLE 28
4 Temple Street/Middlesex Path Easement
(Anthony Tavilla et al)

To see if the Town will vote to grant an easement to the property owners at Four Temple Street, Natick for the purpose of connecting into sewer located on Middlesex Path which abuts Four Temple Street lot or any other action relative thereto.

ARTICLE 29
Amend Natick Zoning By-Laws: Inclusionary Affordable Housing Requirements

(Planning Board)

To see if the Town will vote to amend the Natick Zoning Bylaws with regard to promoting Affordability in the town's housing stock and enabling and permitting the construction or development of Affordable Housing, as provided for in MGL c. 40B and defined in 760 CMR 56, by:

- (a) Amend, modify, or add to Section 200 – Definitions, including without limitation defining any aspect of the provision(s) of affordable housing, affordable housing requirements, and/or provisions for housing that meets the Commonwealth's standards for inclusion on the Town's Subsidized Housing Inventory (SHI) (as defined in 760 CMR 56); and
- (b) Replace, eliminate, or modify the following sections (including without limitations subsections, footnotes,) within the Natick Zoning Bylaw that relate to minimum affordable housing requirements, affordability requirements, affordable housing provisions, and/or other affordable provisions/requirements (whether local or related to the Commonwealth's requirements for inclusion in the Subsidized Housing Inventory):
 - ‡ Section III-A.2 - Use Regulations Schedule
 - ‡ Section III-A.6.A - Inclusionary Housing Option Program (IHOP)
 - ‡ Section III-A.6.B – Housing Overlay Option Plan (HOOP)
 - ‡ Section III-D – Use Regulations for LC Districts
 - ‡ Section III.E – Downtown Mixed Use District
 - ‡ Section III-F – Cluster Development Allowed in Certain Districts:
 - i. 1.F – Town House Cluster Development
 - ii. 2.F – Single-Family Town House Cluster Development
 - iii. 3.F – Single-family Town House Cluster Development (RSC District)
 - iv. 4.F – Cluster Development – AP and PCD Districts
 - v. 5.F – Comprehensive Cluster Development Option
 - ‡ Section III-I.1 – Assisted Living Residences
 - ‡ Section III-I.2 – Independent Senior Living Overlay Option Plan (ISLOOP)
 - ‡ Section III-J – Historic Preservation
 - ‡ Section 320 – Highway Overlay Districts

with a new Section V-J – Inclusionary Affordable Housing Requirements, or as otherwise designated, which address the following topics:

- Purpose and Intent to encourage the development of affordable housing
- Applicability of mandatory provisions of affordable units
- Affordable housing unit requirements (on site and off site)
- Special permit requirements
- Provision of buildable land and/or fees-in-lieu of affordable unit requirements
- Maximum income and sale price provisions
- Preservation of affordability and restrictions on resale of units;

or otherwise act thereon.

ARTICLE 30

**Amendments to the Town of Natick Zoning By-Law and Zoning Map
(Planning Board)**

To see if the Town will vote to:

Amend the Town of Natick Zoning Map, as referenced in the Town of Natick Zoning By-Law under Section II-B Location of Districts (Zones) subsection 1, as follows:

- Extend, add, and/or amend the Downtown Mixed Use (DM) district to include the entirety of the following properties: Town of Natick Assessors' Map 43, Lots 412, 415, 416, and 417; and/or,
- Extend, add, and/or amend the HOOP II Overlay District to the following properties: Town of Natick Assessors' Map 43, Lots 412, 415, 416, and 417; and/or,
- Extend, add, and/or amend the HOOP II Overlay District to the following properties: Town of Natick Assessors' Map 35, Lots 105, 105A, 106, 107, 108, and 109;

or otherwise act thereon.

ARTICLE 31
Amend Zoning By-Laws: Signage (Residential Zoning Districts)
(Planning Board)

To see if the Town will vote to amend the Town of Natick Zoning Bylaws by modifying Section V-H (Signs and Advertising Devices) and Section 200 (Definitions) to provide regulation of signage in Residential Zoning Districts for uses that are permitted as of right, by special permit, or exempted in MGL Chapter 40A, Section 3 from certain zoning restrictions.

Or otherwise act thereon.

ARTICLE 32
Amend Zoning By-Laws: Signage (Street Addresses)
(Planning Board)

To see if the Town will vote to amend the Town of Natick Zoning Bylaws by modifying Section V-H (Signs and Advertising Devices) as follows:

In Section V-H, Section C (Regulations Applicable to All Areas)

Add a new subsection 7, to read

“7. Street Address

Unless specifically waived by the SPGA, any standing sign shall include at the top of the sign the street number or address in letters not less than six (6) inches high. Such area shall not count against the maximum sign size as defined elsewhere in this Bylaw.”

Renumber the current subsection 7 as subsection 8, to read

“8. Term

Special permits issued under Section V-H shall have a term of not more than seven years.”

or otherwise act thereon.

ARTICLE 33
Amend Zoning By-Laws: Clarify Site Plan Review Process
(Planning Board)

Amend Zoning Bylaw to Clarify Site Plan Review Process

To see if the Town will vote to amend the Town of Natick Zoning Bylaws Site Plan Review provisions for parks, trails, roads, driveways, and parking areas, by modifying Section VI-DD Section 2.B (Site Plan Review Applicability and SPGA Designation) subsection (e) as follows:

Delete the phrase **“referred to in this Section VI-DD – 2”** and

Update the citation of the section so that Section 2.B (e) reads

“e) Where Site Plan Review is not otherwise required by the provisions of Section VI DD, in all zoning districts the construction of parks, trails, roads, driveways and parking areas shall be subject to the Site Plan Review procedure described herein to be administered by the Planning Board as the SPGA. This section VI-DD-2.B(e) shall not remove the exclusions created by Section VI-DD 2.B(c).”

or otherwise act thereon.

ARTICLE 34
Amend Zoning Bylaws: Assisted Living Overlay Option Plan
(James M. Williamson et al)

Motion A: (Requires two thirds vote)

Moved To amend the Town of Natick Zoning by:

Inserting in **SECTION II – USE DISTRICTS, II-A TYPES OF USE DISTRICTS**, a new overlay district as follows:

“Assisted Living Overlay Option Plan” “ALOOP”

And; following SECTION III-I.2: Independent Senior Living Overlay Option Plan, inserting a new section, **Section III-I.3: Assisted Living Overlay Option Plan**, as follows:

2.1. Purpose The purpose of the ALOOP is to provide for the creation of Assisted Living Residences (ALRs) as defined in and in compliance with the rules, regulations and requirements of MGL c. 19D and 651 CMR 12.00. Accordingly, ALRs in Natick’s ALOOP districts shall comply with the Executive Office of Elder Affairs (EOEA) guidance: that ALRs are an important part of the spectrum of living alternatives for the elderly in the Commonwealth; that they should be operated and regulated as residential environments with supportive services and not as medical or nursing facilities; and that they should support the goal of aging in place through services, available either directly or through contract or agreement, to compensate for the physical or cognitive impairment of the individual while maximizing his or her dignity and independence. ALOOP Overlay Zoning will enhance the Town of Natick’s ability to improve the quality of life for its growing senior population in an ALR environment that fosters interdependence, community access, and resident empowerment. As such, ALOOP districts should have access to public transportation, the Community-Senior Center, emergency services, public parks and walking trails, cultural, educational, and recreational opportunities, and other community service and involvement opportunities.

2.2. Applicability and Eligibility

The provisions of this Section III-I.3 may be utilized on any land located within the ALOOP districts, subject to the requirements and standards set forth in this section.

All regulations of the underlying zoning districts shall apply within the ALOOP districts, except to the extent that they are specifically modified or supplemented by regulations set forth in this Section III-I.3. Where the requirements and standards within the ALOOP district, as set forth in this Section, differ from or conflict with applicable requirements and standards set forth elsewhere in this By-Law, the requirements and standards established for the ALOOP district shall control.

ALRs shall be allowed by Special Permit in the ALOOP.

2.3 Net Usable Land Area

Net Usable Land Area as used herein shall mean the area within the parcel to be used for the ALR Development in accordance with this Section remaining after subtracting the areas of any bodies of water, wetland, or land lying within the 100 year flood elevation from the gross area of the parcel to be used for ALRs. The flood plain and wetlands maps and aerial surveys adopted as official maps by the Planning Board from time to time shall be used to determine areas of water, 100-year flood plain elevations, and wetland boundaries. Notwithstanding the foregoing, the Net Usable Land Area shall not exceed 80% of the overall parcel size inclusive of the areas of any bodies of water, wetlands, or land lying within the 100-year flood elevation. For the purposes of calculating Net Usable Land Area and notwithstanding any provision of law to the contrary, wetlands shall not include any area that was created or converted into a wetland by human activity including without limitation Federal, State, or Municipal improvements.

2.4 Waivers & Modifications

The SPGA is authorized to grant modifications and/or waivers from strict compliance with the provisions of this ALOOP in connection with Site Plan Review and/or Special Permits subject to the permissions, criteria, limitations, restrictions, and prohibitions of Section V-E of the Zoning Bylaw.

2.5 Intensity Regulations for the ALOOP Districts

Maximum Unit Density:	The number of units allowed in an ALOOP shall be equal to the Net Useable Land Area divided by 1,600 rounded to the nearest whole number.
Minimum lot area	100,000 square feet
Minimum frontage	two times the frontage required in the underlying zoning district
Maximum front yard setback	40 feet
Minimum side-yard setback	two times the setback required in the underlying zoning district
Minimum rear-yard setback	two times the setback required in the underlying zoning district
Minimum lot depth	two times the depth required in the underlying zoning district
Maximum building height	3 stories or 35 feet
Minimum Open Space	35% of land area exclusive of any permanent body of water but inclusive of wetlands.

2.6 Standards The SPGA may grant a Special Permit and approval under Site Plan Review under the procedures and criteria established in MGL 40A, Section VI-EE Planning Board as Special Permit Granting Authority and Section VI-DD Site Plan Review sections of this Bylaw, and the following standards and requirements.

1. The ALR shall provide residences (living units) of no more than two bedrooms each exclusively to meet the needs of seniors and the elderly who reside therein.
2. Such facility may include common areas and community dining facilities. Such facility may also provide accessory personal care services, assistance with activities of daily living, and other related programs and services. These accessory uses shall be for residents, their guests and staff only and may include, but are not strictly limited to, meal care services, beauty salon, sundry shop, and banking and recreational facilities. Space designated for accessory uses may not exceed ten (10) percent of total floor area.
3. The SPGA, in order to approve the special permit application, must find that the overall impact of the facility will not substantially derogate from the cumulative impact associated with other uses allowed as a matter of right or by special permit within the zoning district. In addition, the SPGA, in order to approve the site plan review application, must find that: i) all noise, smoke, dust, odor, vibration and similar objectionable features are confined to the premises, ii) mechanical equipment (including equipment and containers such as, but not limited to, waste disposal, recycling and energy generation) is screened, if necessary, in a manner to shield visual impacts; iii) lighting is shielded in a manner consistent with Section V-I of this By-Law to reduce light trespass onto abutting properties or waterways; iv) paint colors and tones of materials be muted and not create visual distraction; v) design standards be consistent with a) the general neighborhood, b) prevalent streetscape, c) nearby historic districts, if any, within 300 feet of the property, and sighting shall reduce disruption of the topography of the neighborhood and d) barrier free design criteria; vi) buffers of native evergreen trees and other plants shall be planted, maintained and replaced when necessary to screen the facility from adjacent residential buildings; vii) parking, access and buffers are placed in a manner to separate or to screen parking areas from abutting properties to prevent imposition on or use of parking on abutting properties; viii) all utilities, wire, and cable service are placed underground.

2.7 Affordability Requirements: Unless a determination has been made satisfactory to the SPGA that the living units of the ALR do not affect the Town's Subsidized Housing Inventory (SHI) as maintained by the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD), the Applicant shall make provisions for affordable housing

by providing that ten (10) percent of all dwelling units, rounded to the next highest whole unit number, within an ALOOP shall be Affordable Housing units.

2.8 Procedures. In addition to the process set forth in Sections VI-DD and VI-EE, the following procedures are to be followed in obtaining approval for an ALR:

1. Pre-application: The Applicant is encouraged to meet with the Director of Community and Economic Development and the SPGA prior to the preparation of a formal application, for general discussion of the project to be proposed.
2. Formal application: The Applicant shall submit a plan for the overall development, including a final site plan showing the final completed development in all phases as contemplated on the site at the time of application, regardless of the number of phases in which it may be constructed. Said application shall include, at a minimum, a completely designed first phase of development. The application shall be filed in the name of the Applicant. The Applicant must either own or submit authorization in writing to act for all of the owners of the ALOOP parcel prior to submitting a formal application. The application for a special permit shall be filed by the Applicant with the Town Clerk and a copy of said application, including the date and time of filing certified by the Town Clerk, shall be filed by the applicant with the SPGA.
3. Further procedures: Once a special permit is issued, no changes to the final site plan, exclusive of minor modifications as determined by the SPGA, shall be made without applying for a modification of such special permit.

Motion B: (Requires two-thirds vote)

Moved: To amend the Town of Natick Zoning By laws as follows:

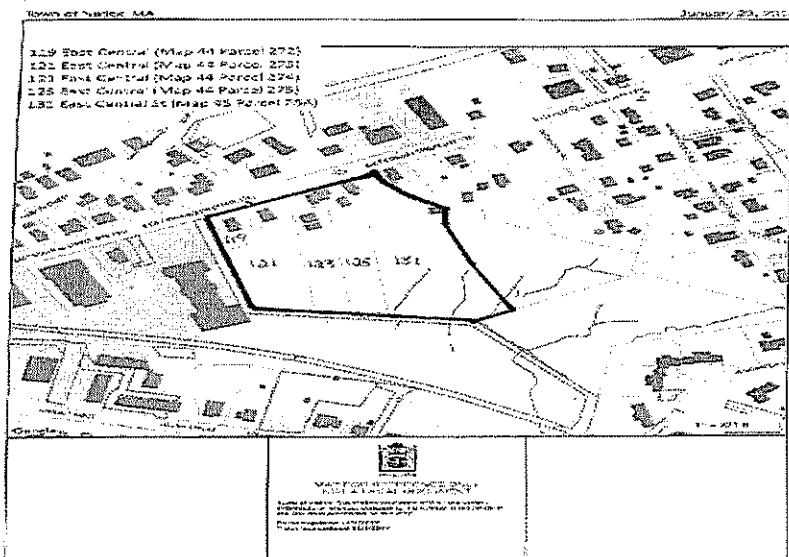
by inserting in the list in **Section VI-DD 2.A Special Permits** a) after the words "Independent Senior Living Overlay Option Plan ISLOOP" the following words: "**Assisted Living Overlay Option Plan ALOOP**"

and further by inserting in the list in **Section VI-DD-2B. Site Plan Review Applicability and SPGA Designation** a) after the words "Independent Senior Living Overlay Option Plan ISLOOP" the following words: "**Assisted Living Overlay Option Plan ALOOP**"

Motion C: (Requires two-thirds vote)

Moved: To amend the Town of Natick Zoning Map as follows:

By including an "Assisted Living Overlay Option Plan" overlay district on the land known as 119, 121, 123, 125, and 131 East Central Street; also known as assessors parcels Map 44 Parcels 272, 273, 274, and 275 and Map 45 Parcel 25A.



ARTICLE 35

Amend Zoning By-Law to allow Indoor Amusement or Recreational Uses in Industrial Zoning Districts by Special Permit (George Richards et al)

“To see what action(s) the town will take to amend the Zoning By Law to allow Indoor Amusement or Recreational Uses (Use # 12 in Section III-A.2 of the Zoning By-Law) by special permit in some or all of the existing Industrial zoning districts, including but not limited to the following:

- 1) Whether to limit Use #12 by special permit to Industrial I and II zoning districts or only allow the use by special permit only in Industrial I zoning districts and/or
- 2) Whether to limit Use #12 by special permit to only one specific Industrial I zoned area, namely in the so-called “East Natick Industrial Park” on the east side of Oak Street , specifically including the following parcels (and including any further subdivision of these parcels) as identified on the Town’s Assessors Maps: Map 8, Lots 41A, 41B, 41C, 41E, 41G, 41H, 41FA, 41FB, 41FBB, 42, 42A, 42B, 42C, 42D, 42E, 42F and 43; Map 9, Lots 2A, 2B, 2C, 2D, 2E, 2EA, 2F, 2G, 2J, 2K, 2L, 2M, 2N, 28, 28A and 28B; Map 14, Lots 76, 76A, 77A and 77B; and Map 15, Lots 105A, 105B and 105C, whether by way of an overlay district, by footnote in the Use Regulation Schedule or elsewhere in the Zoning By-Law

or otherwise act thereon.”

ARTICLE 36

Amend Natick Zoning Bylaws: Uses Allowed by Special Permit Only and Dimensional and Density Requirements in the Downtown Mixed Use (DM) District (Charles R. Young et al)

To see if the Town will vote to amend the Natick Zoning By-law, Section III.E DOWNTOWN MIXED USE DISTRICT as follows:

- (a) Amend Section III.E.2.b.1 USES ALLOWED BY SPECIAL PERMIT ONLY, by deleting subparagraph (iii) and the paragraph immediately thereafter beginning with the words, “The portion of...” and ending with the words, “...residential units”.
- (b) Amend Section III.E.3 DIMENSIONAL AND DENSITY REQUIREMENTS by adding at the end thereof the following new paragraph (g):

“(g) MINIMUM LOT AREA PER UNIT: Multi-family dwellings allowed by special permit shall have at least (600) hundred square feet of lot area per dwelling unit.

Or take any other action relative thereto.

ARTICLE 37

Amend Registered Marijuana Dispensaries Bylaw 323.8 (Tara Hopper Zeltner et al)

Move to amend the Town of Natick Zoning By Laws as follows:

by inserting the following language in Section 323.8.4.1 after the words “may be allowed in the RC District”: “or on a parcel of land located at 2-6 Worcester Street, Assessors Map 21, Lot 1”

So that the new Section 323.8.4.1 reads as follows:

“323.8.4.1 Registered Marijuana Dispensaries, other than agricultural operations meeting the requirements for an exemption under Chapter 40A, Section 3 of the Massachusetts General Laws, may be allowed in the RC District or on a parcel of land located at 2-6 Worcester Street,

Assessors Map 21, Lot 1 by special permit issued by the Planning Board provided that the Registered Marijuana Dispensary meets the requirements of this Section 323.8.”

And by inserting the following language in Section 323.8.4.8 after the words “Town of Natick boundary line,”: “exempting the boundary line of the Town of Natick and Town of Wellesley,”

And by inserting the following language in the same Section 323.8.4.8 after the words “or a residential zoning district boundary line””: “or if not located at such a distance, it is determined by the Planning Board to be sufficiently buffered from such facilities such that the residences will not be adversely impacted by the operation of the Registered Marijuana Dispensary.”

So that the new Section 323.8.4.8 reads as follows:

“323.8.4.8 No Registered Marijuana Dispensary shall be located on a lot which is located within three hundred (300) feet of a Town of Natick boundary line, exempting the boundary line of the Town of Natick and Town of Wellesley, or a residential zoning district boundary line or if not located at such a distance, it is determined by the Planning Board to be sufficiently buffered from such facilities such that the residences will not be adversely impacted by the operation of the Registered Marijuana Dispensary.”

ARTICLE 38
Limit Automatic 2.5% Increase in FY2019 Property Tax
(Paul E. Connolly et al)

To see if the Town will transfer a sum of money, not to exceed \$2,500,000, from Free Cash to be used by the Board of Assessors to reduce the tax levy for Fiscal Year 2019 (July 1, 2018 through June 30, 2019), or otherwise act thereon.


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, Lola’s, 9 Main 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 April 10, 2018; also by causing the titles of the articles on the Warrant for the 2018 Spring Annual Town Meeting to be published once in the Newspaper called "The Metrowest Daily News," with notice of availability of an attested copy of said Warrant, said Newspaper published in the Town of Natick and said publication to be February 16, 2018.


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 12th day of February, 2018.

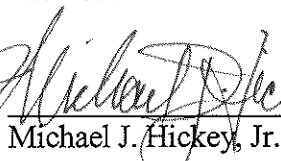
Board of Selectmen for the Town of Natick


Jonathan Freedman
Chair


Susan G. Salamoff
Vice Chair


Richard P. Jennett, Jr.
Clerk

Amy K. Mistrot
Member


Michael J. Hickey, Jr.
Member

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.

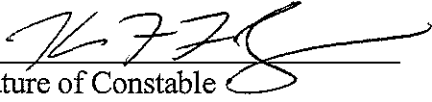
WARRANT

**OFFICER'S RETURN
COMMONWEALTH OF MASSACHUSETTS**

Natick, Middlesex

Pursuant to the Warrant for the 2018 Natick Spring Annual Town Meeting, I have this day notified the qualified Town Meeting Members to assemble at the time, place and for the purpose within mentioned by posting the Warrant as within directed and in accordance with the Town of Natick Home Rule Charter and the Town of Natick By-Laws.

DATE(S) DULY POSTED 2-15-2018


Signature of Constable

2-15-2018
Date

**OFFICER'S RETURN
COMMONWEALTH OF MASSACHUSETTS**

Natick, Middlesex

Pursuant to the Town of Natick Home Rule Charter and the Town of Natick By-Laws, I have caused the titles of the articles on the Warrant for the 2018 Spring Annual Town Meeting and a notice of availability of an attested copy of said Warrant to be published in the newspaper called *The MetroWest Daily News*, in the issue published in the said Town of Natick on February 16, 2018. This same Warrant is posted on the Town of Natick Web Site at www.natickma.gov.

William D. Cheneard
Signature of Acting Town Administrator

February 13, 2018
Date

