

**2014 Spring Annual Town Meeting
Fine and Performing Arts Center
Natick High School
May 13, 2014
Seventh Session**

The Seventh Session of the 2014 Spring Annual Town Meeting was called to order at 7:45 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the Seventh Session of 2014 Spring Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting who have not yet been sworn in stand to take the oath of office. There were none. The meeting stood for the Pledge of Allegiance and a moment of silence in recognition of all the men and women serving on our behalf throughout the world and for a fellow Town Meeting Member who is ill.

The Moderator introduced the officials present on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; Jonathan Freedman, Finance Committee Chair; Bruce Evans, Finance Committee Vice Chair; Martha White, Town Administrator; John Flynn, Town Counsel; and Joshua Ostroff, Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting. He indicated that all residents and taxpayers of the town and town officers and employees, whether or not residents, have the same right to speak as Town Meeting Members; however they do not have the right to submit motions for consideration at Town Meeting, nor vote on any matter before Town Meeting. Non-residents may only speak at Town Meeting after approval by Town Meeting Members. The proceedings of Town Meetings shall be governed by ***Town Meeting Time***, the Town of Natick Home Rule Charter, the Natick By-Laws and the General Laws of the Commonwealth of Massachusetts.

No person shall speak upon any article more than once when any other person desires to be heard, nor more than twice on the same question without permission of Town Meeting; and no person shall speak more than ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-Laws, any person having a monetary or equitable interest in any matter under discussion at a Town Meeting, and any person employed by another having such an interest, shall disclose the fact of his/her interest or employment before speaking thereon.

The Moderator made several announcements regarding upcoming community wide events and volunteer opportunities. The Moderator announced that the meeting would begin with consideration of Article 41. Ms. Packer served as Moderator as Mr. Foss recused himself for this article.

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

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

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 14-0-0 on March 4, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 41.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Freedman that the town vote to authorize the Town Moderator to appoint a committee to consist of not more than seven (7) members for the purpose of studying the subject of electronic voting by Town Meeting members, said committee to submit a report with recommendations to Town Meeting no later than the 2015 Natick Spring Annual Town Meeting.

Mr. Foss spoke to this article. ***The main motion under Article 40 passed by majority vote.***

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

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

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 8-0-0 on March 13, 2014, the Finance Committee recommends Referral to the Planning Board and the Sponsors with regard to the subject of Article 42.*

MOTION (requires two-thirds vote):

Moved by Mr. Pierce seconded by Ms. Gloff that the Town vote to amend the Natick Zoning By-Law as follows:

1. Add the following new line 4.A *Historic Preservation* to the USE REGULATION SCHEDULE (Section III-A.2) after line 4:

	RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
4.A Historic Preservation See Section III-J	A	A	A	O	O	O	A	O	O	O	O

2. Add the following new *Section III-J Historic Preservation* after Section III Section 320 (Highway Overlay Districts):

III-J Historic Preservation

III-J.1 Purpose

1. Encourage the preservation and/or continued use of **religious** buildings of historic or architectural significance.
2. Encourage the adaptive re-use of such buildings by broadening and modifying use and dimensional regulations that may otherwise impede historic or architectural preservation efforts, and limit the economic viability of these endeavors.

III-J.2 Applicability and Eligibility

A two-family or multi-family use may be allowed by Special Permit under this Section III-J in a building or upon the lot which such building is located only if such building and the lot satisfy the following:

1. The building is used or formerly used as a place of worship, or an accessory to that use, including convent, rectory, religious school, or religious recreation hall.
1. The lot and building are located in a Natick Historic District or a National Register Historic District.
2. The building was constructed prior to 1900.
3. The lot contains a minimum of 20,000 square feet of land and was established by plan or deed recorded prior to the adoption of this Section III-J.

Additionally, if the subject property is adjacent (shared property line or located across public or private way) to at least one existing commercial use established prior to the adoption of this Section III-J, or if the building was used for religious assembly purposes, other commercial or institutional uses may be allowed by Special Permit if deemed appropriate by the granting authority.

III-J.3 Historic Preservation Special Permit

The Planning Board may grant a Special Permit for the adaptive re-use of an eligible property **and site** ~~for the uses identified in III-J.2~~ upon a determination that the following conditions and criteria have been satisfied:

1. ~~All program space must be located within the eligible building or structure; provided, however, that the building or structure may be expanded by not more than twenty (20%) percent of the gross building volume existing on the date of the adoption of this Section. New elements relating to egress and the creation of accessible routes are exempt from this calculation. If the property is adjacent (shared property line or located across public or private way) to at least one existing commercial use, additional new construction may be allowed, either attached to the historic building or free standing. No more than two buildings may be built upon a single eligible lot.~~

~~2.~~ 1. Except as otherwise provided herein, the dimensional requirements set forth in the Table of Intensity Regulations by Zoning District (Section IV B) shall not be applicable but shall be determined and specified by the Planning Board in the Special Permit after due consideration of the historical or architectural preservation efforts, the unique characteristics of the lot, building, or structure, and adequate protection of abutting properties and uses. Likewise, parking requirements shall be determined by Special Permit process, in consideration of demand, available on-street parking and other factors.

2. **Additions and free-standing new construction shall be allowed, after due consideration of the historical or architectural nature of the proposed construction, the unique characteristics of the lot, existing building, or structure, and adequate protection of abutting properties and uses.**

3. The building(s) shall be connected to municipal water and sewer systems if the same are present in the abutting street. All costs associated with the installation of such services shall be borne by the developer.

4. Accessory use structures, such as private garages and buildings to house snow removal, lawn, maintenance and recreational equipment shall be allowed and limited to one story.

III-J.4 Special Permit Granting Authority

The Planning Board shall be the Special Permit Granting Authority for all applications and projects under this Section. If such application or project also requires other Special Permits, the Planning Board shall be the Special Permit Granting Authority for all such Special Permits.

III-J.5 Site Plan Review

All applications under this Section III-J shall be subject to Site Plan Review which shall be conducted by the Planning Board as part of the Special Permit process.

Mr. Pierce spoke to the positive main motion. Mr. Evans moved, seconded by Mr. Freedman to refer Article 42 to the Planning Board and the Sponsors of the Article.

Mr. Johnson made a presentation and discussion ensued on this article. Mr. Connolly moved to close debate on the article. The Moderator was not able to take the motion to question as there were more than three members seeking the floor. Debate on the issue continued. Mr. Sidney, moved, seconded by Mr. Gath to move the question and close debate. ***The motion to close debate passed by two-thirds (2/3) vote. The motion to refer the article to the Planning Board and the Sponsors passed by majority vote.***

ARTICLE 43: Amend Zoning By-Laws: Change Classification from RG to RSA or RSC: Pleasant Street Area (John W. Newton, et al)

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

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

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 8-0-0 on March 13, 2014, the Finance Committee recommends Referral to the Planning Board and the Sponsors with regard to the subject of Article 43.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Freedman to refer the subject matter of Article 43 to the Planning Board and the Sponsors.

The motion to refer Article 43 to the Planning Board and the Sponsors passed by majority vote.

ARTICLE 44: SMART GROWTH OVERLAY (SGO) DISTRICT FOR WEST NATICK (George Richards, et al)

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

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

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

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

as well as the parcels of land along West Central Street in the area of the West Natick Train Station to be within the SGO District, to be known as West Natick Smart Growth Overlay District (WSGO) shown on the Town of Natick Assessor’s, Map 39 as Lots: 22, 23, 23A, 23BU1, 23BU2, 23C, 23D, 23E, 26, 27, 28, 29, 30, and Map 40 as Lots: 58A, 58B, 58C, 58D, 58E, 58F, 59, 60, 61, 64, 70, 71, 71A, 72, 87, 88, 89 and 89A. that are superimposed over the underlying zoning district(s) and is shown on the Zoning Map of the Town of Natick, “Southwest Quadrant.”

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

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

FINANCE COMMITTEE RECOMMENDATION:

By a vote of 10-0-0 on March 11, 2014, the Finance Committee recommends Referral to the Planning Board and the Sponsors with regard to the subject of Article 44.

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Freedman to refer Article 44 to the Planning Board and the Sponsors.

The motion to refer Article 44 to the Planning Board and the sponsors passed by majority vote.

The Moderator thanked many of the people who help Town Meeting to run smoothly, including the Clerk’s Office staff, Pegasus, the custodial staff at the High School the Administration and all the sponsors of the articles.

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

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

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 12-0-0 on March 6, 2014, the Finance Committee recommends Referral to the Economic Development Committee and the Community Development Office with regard to the subject of Article 45.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Freedman to refer Article 45 to the Economic Development Committee and the Community Development Office.

The motion to refer Article 45 to Economic Development Committee and the Community Development Office passed by majority vote.

Mr. Sidney, moved seconded by Mr. Hughes to dissolve the 2014 Spring Annual Town Meeting. The meeting dissolved at 9:00 PM on Tuesday, May 13, 2014.

A record of the Seventh Session of 2014 Spring Annual Town Meeting
May 13, 2014

Diane Packer, Town Clerk