

**2014 Spring Annual Town Meeting
Fine and Performing Arts Center
Natick High School
April 10, 2014
Second Session**

The Second Session of the 2014 Spring Annual Town Meeting was called to order at 7:35 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 Second 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. 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.

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; Bruce Evans, Finance Committee Vice Chair; James Everett, Finance Committee Secretary; Martha White, Town Administrator; Brandon Moss, 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 3 which had been postponed until the first order of business this evening and then continue to complete consideration of Article 12. Without objection he requested that we take procedural motions and resolutions first.

Mr. Ostroff rose to offer the following resolution:

Moved by Mr. Ostroff, seconded by Ms. Salamoff that 2014 Spring Annual Town Meeting accept the dedication of the 2013 Annual Town Report in honor of Bruce S. Weisberg and that it be entered into the record.

The 2013 Natick Town Report is dedicated to longtime volunteer and community leader Bruce S. Weisberg.

Bruce has been an inspiring and tireless champion of Natick for many years, both in Town government and with many community organizations. With his long service on the Friends of the 4th Committee, Natick Days Committee, Natick Center Associates, Kids Connect and the Community Organic Farm, Bruce has shown the knack for making things happen and motivating people to do their best. Countless programs have been well run, with positive results for many kids and families, because of his purposeful and positive contributions.

As a member of many town committees, including the Recreation and Parks Commission, Community Development Advisory Committee and the Affordable Housing Trust, Bruce has demonstrated his knowledge of housing and finance, and his love for the entire community, to make a difference.

As Senior Vice President and Real Property Manager at Middlesex Savings Bank, Bruce has spearheaded the bank's community outreach and has set a high standard for corporate citizenship. He has also served on the MetroWest ESL Fundraising Committee, Greater Boston Business Council, the Greater Boston Banker's Association, and Leadership MetroWest. A longtime observer has shared the view that meetings and events just run better with Bruce, people do better work, and more gets done thanks to his positive, team-first attitude and wise counsel.

For his inspired leadership and many contributions to our community's quality of life, the Town proudly dedicates the 2013 Town Report to Bruce S. Weisberg.

Moved by Mr. Sidney, seconded by Mr. Gath to waive the reading of the motion just presented. ***The motion to waive the reading passed unanimously. The main motion to accept the dedication passed unanimously.*** Mr. Weisberg addressed the meeting.

Mr. Hughes rose to offer a resolution honoring Carol Gloff. Moved by Mr. Hughes, seconded by Ms. Ball to accept the following resolution:

WHEREAS Carol A. Gloff has served the Town of Natick as an elected and appointed volunteer for many years, as a member of the Board of Selectmen, Finance Committee, Charter and Bylaw Review Committee, Affordable Housing Trust Fund, Community Development Advisory Committee, Pay As You Throw Task Force, Fire Study Committee, Medical Reserve Corps and Representative Town Meeting, and

WHEREAS Carol has brought her good sense, calm demeanor, discipline and impartiality to town leadership, has always welcomed challenges and worthy causes, and has been a champion for high quality, affordable services and projects, and

WHEREAS Carol has a well deserved reputation as a trusted and caring advocate for housing, public safety and financial management, and has helped lead the recruitment and promotion of an outstanding generation of appointed leaders, and

WHEREAS Carol has recently retired from the Board of Selectmen after three terms of outstanding service, while continuing to serve the community as a volunteer and advocate,

NOW THEREFORE Natick Spring 2014 Annual Town Meeting hereby recognizes Carol A. Gloff for her thoughtful, wise and able leadership of Natick, and for her dedication to the well being of all residents of our vibrant and healthy community.

Moved by Mr. Sidney, seconded by Mr. Hughes to waive the reading of the resolution. ***The motion to waive the reading passed unanimously. The motion to accept and enter the resolution into the record passed unanimously.*** Ms. Gloff addressed Town Meeting.

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

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

Finance Committee Recommendation: *By a vote of 11-0-1 on March 6, 2014, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 3.*

MOTION (requires two-thirds vote):

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

Mr. Ostroff and Mr. Gardner, the current chair of the Conservation Commission spoke to this the article. Discussion ensued on the article. Mr. Munnich moved, seconded by Ms. Brown to refer this article to the Conservation Commission and the Board of Selectmen. Discussion continued. Moved by Mr. Hughes, seconded by Mr. Gath to close debate on the referral motion. ***The motion to close debate on the referral motion passed by a two-thirds vote. The motion to refer the subject matter of Article 3 to the Conservation Commission and the Board of Selectmen failed. The main motion under Article 3 passed by two-thirds vote.***

The next order of business is to continue the debate and discussion regarding Article 12. A positive main motion as detailed below was on Town Meeting floor when the meeting voted to postpone consideration of the article until this evening.

Moved that the Town vote to amend the Zoning By-Laws by adding a new Section 323.8, Registered Marijuana Dispensaries, as follows.

“323.8 Registered Marijuana Dispensaries.

323.8.1 Purposes

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

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

To regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Registered Marijuana Dispensaries.

323.8.2 Applicability

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

No Registered Marijuana Dispensary shall be established except in compliance with the provisions of this Section 323.8.

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

323.8.3 Definitions

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

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

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

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

323.8.4 General Requirements and Conditions

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

323.8.4.2 No Registered Marijuana Dispensary shall be located on land in the RC District in which the underlying zoning is Highway Mixed Use III (HM III).

323.8.4.3 No Registered Marijuana Dispensary shall be located within five hundred (500) feet of any other premises containing a Registered Marijuana Dispensary.

323.8.4.4 No Registered Marijuana Dispensary shall be located in any premises for which an alcoholic beverages license has been issued.

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

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

323.8.4.7 All Registered Marijuana Dispensaries shall be contained within a building or structure.

323.8.4.8 No Registered Marijuana Dispensary shall be located on a lot which is located within three hundred (300) feet of a Town of Natick boundary line, or a residential zoning district boundary line.

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

323.8.4.10 The hours of operation of Registered Marijuana Dispensaries shall be set by the Planning Board, but in any event no Registered Marijuana Dispensary shall be open and/or operating between the hours of 8:00 PM and 8:00 AM.

323.8.4.11 No smoking, burning, or consumption by any means of any product containing marijuana shall be permitted on the premises of a Registered Marijuana Dispensary.

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

323.8.4.13 Registered Marijuana Dispensaries shall provide the Natick Police Department, Natick Board of Health, Natick Building Commissioner, and Natick Planning Board with the names, phone numbers and email addresses of all management staff and key holders to whom the Town of Natick can provide notice if there are emergencies or operating problems associated with the Registered Marijuana Dispensary.

323.8.5 *Special Permit Requirements*

323.8.5.1 A special permit for a Registered Marijuana Dispensary shall be limited to one (1) or more of the following uses:

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

323.8.5.2 An application for a special permit for a Registered Marijuana Dispensary shall include the following:

- a) the location of the proposed Registered Marijuana Dispensary, including the street address, and the floors(s) and unit number(s) to be occupied;
- b) the proposed use of the subject Registered Marijuana Dispensary;
- c) the name and address of each owner of the Registered Marijuana Dispensary;
- d) copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the Registered Marijuana Dispensary;
- e) evidence of the applicant's right to use the proposed site for the Registered Marijuana Dispensary, such as a lease or consent of the property owner;
- f) if the applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, and officers, and their addresses. If any of the above are entities rather than persons, the applicant must disclose the identity of the owners of such entities;
- g) a certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent Town of Natick tax list and certified by

the Town of Natick Assessor; and

- h) Proposed security measures for the Registered Marijuana Dispensary, including lighting, fencing, gates, surveillance equipment, alarms, etc., to ensure the safety of persons, deliveries and transfers and to protect the premises from theft.

323.8.5.3 Mandatory Findings

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

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

323.8.5.4 Term

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

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

323.8.5.6 Abandonment or Discontinuance of Use

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

323.8.5.6.2 A Registered Marijuana Dispensary shall be required to remove all plants, equipment, supplies and materials related to the Registered Marijuana Dispensary:

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

323.8.6 Invalidity

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

Mr. Reffett spoke to the article and announced that maps were available. Discussion ensued on the article. Moved by Mr. Hughes, seconded by Mr. Sidney to move the question and close debate on the Article. The Moderator did not accept the motion as there were more than three (3) people seeking the floor. Discussion on the article continued. Moved by Mr. Scott Joseph, seconded by Mr. Sidney to move the question and close debate on the Article. ***The motion to close debate on Article 12 passed by two-thirds vote. The main motion under Article 12 passed by two-thirds vote.***

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

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

1. Delete, in their entireties, the following provisions of the existing Zoning By-Law:
 - Section I: General
 - Section II: Use Districts
 - Section III: Use Regulations
 - Section IV: Intensity Regulations
 - Section V: Special Requirements
 - Section VI: Administration
2. Substitute the following provisions in the document entitled “Zoning By-Law, on file in the office of the Town Clerk and the Planning Board:
 - Section 1.0 Purpose and Authority
 - Section 2.0 Districts

- Section 3.0 Use Regulations
- Section 4.0 Dimensional Controls
- Section 5.0 Nonconforming Uses and Structures
- Section 6.0 General Regulations
- Section 7.0 Special Regulations
- Section 8.0 Special Residential Regulations
- Section 9.0 Special District Regulations
- Section 10.0 Highway Districts
- Section 11.0 Administration and Procedures
- Section 12.0 Definitions

or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 9-0-0 on March 13, 2014, the Finance Committee recommends No Action with regard to the subject of Article 13.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Hughes that no action be taken on this article.

The motion to take no action on Article 13 passed by majority vote.

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

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

“III-A.3 FLOOD PLAIN DISTRICT

- (a) **PURPOSE:** The purpose of the Flood-Plain District is to preserve and maintain the ground water table; to protect the public health and safety, persons and property against the hazards of flood-water inundation; and for the protection of the community against the costs which may be incurred when unsuitable development occurs in swamp, marshes, along water courses, or in areas subject to floods.
- (b) **LOCATION OF FLOOD PLAIN DISTRICT:** The Flood Plain District is herein established as an overlay district. The underlying permitted uses are allowed provided that they meet the following additional requirements as well as those of the Massachusetts State Building Code dealing with construction in flood plains. The Flood Plain District includes:
1. All areas shown as being within the 100-year flood plain on the TOWN OF NATICK DRAINAGE STUDY, 100-YEAR FLOOD PLAIN MAP, 1" equals 100', September 1979 by Coffin & Richardson, Inc., Engineers, Boston, Massachusetts. As further described in the Drainage Report, Natick Massachusetts, September 1979 prepared by Coffin & Richardson.
 2. All special flood hazard areas within the Town of Natick designated as Zone A and AE on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Natick are panel numbers 25017C0509F, 25017C0517F, 25017C0519F, 25017C0528F, 25017C0529F, 25017C0536F, 25017C0538F dated July 7, 2014; and 25017C0537E, 25017C0539E, 25017C0543E, and 25017C652E dated June 4, 2010. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated July 7, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Commissioner, Conservation Commission and the Department of Public Works.
(Art. 43, Spring ATM, 4/27/10)

In the event of any discrepancy between the above delineations of the 100-year flood plain, the Building Inspector, after consultation with the Natick Conservation Commission, shall determine which map will apply. The Natick Drainage Study can only be used in areas where the Base Flood Elevations are equal to or more restrictive than the FIRM and FIS. (Art. 43, Spring ATM, 4/27/10)

(c) PERMITTED USES:

1. Within a Flood Plain District, no structure or building shall be erected or extended and no premises shall be used except for one or more of the following uses: any woodland, grassland, wetland, agricultural, horticultural or recreational uses of land or water not requiring filling. Buildings and sheds accessory to any of the Flood Plain Uses are permitted. Any such building or structure shall be designed, placed and constructed to offer a minimum obstruction to the flow of water, and it shall be firmly anchored to prevent floating away.
2. The following are permissible exceptions to paragraph 1: In and Flood Plain District after the adoption of this provision, no land, building, or structure shall be used for sustained human occupancy, except dwellings theretofore lawfully existing. Building permits shall be issued on request whereby buildings and structures theretofore lawfully existing may be repaired, restored, altered, enlarged, or rebuilt, and structures accessory to the existing use may be constructed in compliance with all other zoning laws and applicable state and municipal laws and regulations, provided that any such altered or rebuilt foundation shall not extend beyond the pre-existing building foundation boundary. (Any such pre-existing use shall not be rescinded by any other part of the Flood Plain Zoning By-Law. For example, this shall pertain to pre-existing buildings and structures which are subsequently damaged or destroyed by fire or disaster).
3. The following is a permissible exception to Paragraphs 1 and 2: In any Flood Plain District after the adoption of this provision, the Board of Appeals may issue a permit for any use permitted outside a Flood Plain District based on the following conditions:
 - a. That any such use of such land will not interfere with the general purposes for which Flood Plain Districts have been established.
 - b. That any such use of such land will not be detrimental to the public health, safety or welfare.
 - c. The Board of Appeals will refer the question to the Planning Board, the Board of Health, the Board of Public Works, the Board of Selectmen and the Town Conservation Commission for recommendations. It will consider those recommendations returned within 14 days by the above Boards.
 - d. In the floodway, designated on the Middlesex County FIRMS as stated in Section III-A.3(b)2. the following special conditions must be met:
 1. All encroachments, including fill, new construction, substantial improvements to existing structures, and other development are prohibited unless certification by a registered professional engineer or architect is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the 100-year flood.
 2. Any encroachment meeting standard of III. 3. d. 1. shall comply with the floodplain requirements of the State Building Code and Massachusetts Wetland Protection Act, G.L. Chapter 131, Sec. 40.
 3. Floodway Data. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, Local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
(Art. 43, Spring ATM, 4/27/10)
 - e. All public utilities and facilities, such as sewer, gas electrical, and water systems shall be located and constructed to minimize or eliminate flood damage, and
 - f. Adequate drainage systems, by use of natural or non-structural drainage whenever possible, shall be provided to reduce exposure to flood hazards.

4. Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than fifty (50) lots or five (5) acres, whichever is the lesser, within unnumbered A zones. (Art. 43, Spring ATM, 4/27/10)
5. Except as provided above, there shall be in the Flood Plain District:
 - a. No land fill or dumping in any part of the District;
 - b. No drainage other than Flood-Control works by an authorized public agency;
 - c. No damming or relocation of any water course except as part of an overall drainage basin plan;
 - d. No buildings or structure;
 - e. No permanent storage of materials or equipment.

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

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

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

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

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

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

Finance Committee Recommendation: *By a vote of 11-0-3 on March 4, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 14.*

MOTION (requires two-thirds vote):

Moved by Mr. Everett seconded by Mr. Evans that the Town vote to amend the Zoning By-Laws by deleting in its entirety Section III-A.3 FLOOD PLAIN DISTRICT and inserting a new Section III-A.3 FLOOD PLAIN DISTRICT as printed in this 2014 Spring Annual Town Meeting Warrant, with one administrative correction in the first sentence of paragraph (b) 2., the phrase “Middlesex County Floor Insurance Rate Map” should read “Middlesex County Flood Insurance Rate Map.”

Mr. Coviello spoke to this motion. *The main motion under Article 14 passed by two-thirds vote.*

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

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

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Evans that no action be taken on this article.

Ms. White spoke to Article s 15 and 16 announcing that the funds were not yet available to be appropriated and therefore a motion of no action was made.

The motion to take no action on Article 15 passed by majority vote.

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

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

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Evans that no action be taken on this article.

The motion to take no action on Article 16 passed by majority vote.

Mr. Landry moved, seconded by Mr. Pierce to postpone consideration of Article 17 until Thursday, May 1, 2014. *The motion to postpone consideration of Article 17 until Thursday, May 1st passed unanimously.*

ARTICLE 18: Homeless Student Transportation Subsidy (Superintendent of Schools)

To see if the Town will vote to appropriate, raise, or transfer from available funds, a sum of money for the purpose of transporting homeless students living in temporary shelters located in Natick to and from school as required by the McKinney-Vento Homeless Education Assistance Act; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 13-0-0 on March 11, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 18.*

MOTION (requires majority vote):

Moved by Mr. Everett seconded by Mr. Evans that the Town vote to appropriate the sum of \$233,000 from Free Cash for the purpose of funding costs in FY 2014 (July 1, 2013 – June 30, 2014) associated with transporting homeless students living in temporary housing located in Natick to and from their preferred school district as required by the McKinney-Vento Homeless Education Assistance Act, a federal law that ensures immediate enrollment and educational stability for homeless children and youth, said funds to be held in an account separate from the School Department operating budget and to be expended under the direction of the Natick School Committee.

Mr. Hurley, Business Manager for the School Department spoke to this article. *The main motion under Article 18 passed by majority vote.*

Mr. Ostroff moved, seconded by Mr. Gath to adjourn. *The motion to adjourn passed by majority vote. The meeting adjourned at 10:03 PM until Tuesday, April 29th at 7:30 PM.*

A record of the Second Session of 2014 Spring Annual Town Meeting
April 10, 2014

Diane Packer, Town Clerk