

**2017 Spring Annual Town Meeting
Joseph P. Keefe Auditorium
Wilson Middle School
May 16, 2017
Eighth Session**

The Eighth Session of the 2017 Spring Annual Town Meeting was called to order at 7:50 PM by Town Moderator, Frank W. Foss after adjournment of the thirds session of the 2017 Special Town Meeting #1.

The rules for this session have not changed since the last meeting. The Moderator announced that Town Meeting will take up Articles 39, 40, 5, 30 and 31. Town Meeting will begin with Article 39.

ARTICLE 39: Amend the Natick Zoning Bylaw to Create a Transitional Overlay Option Plan District (TOOP) (Peter M. Burke et al)

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

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

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

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

FINANCE COMMITTEE RECOMMENDATION

By a vote of 12-0-1 on April 26, 2017 the Finance Committee recommended that *Indefinite Postponement* be taken with regard to the subject matter of Article 39.

MOTION (requires majority vote)

Moved by Ms. Coughlin, seconded by Mr. Hughes that Town Meeting take no action with regard to the subject matter of Article 39.

Moved by Mr. Sydney, seconded by Ms. Collins to indefinitely postpone the subject matter of Article 39.

Discussion took place on both motions at the same time. After significant discussion, The Moderator announced that Town Meeting would vote the indefinite postponement article first. *The motion to indefinitely postpone the subject matter of Article 39 passed by majority vote (92-39-0).*

ARTICLE 40: To Include Certain Parcels of Land on East Central Street, Lincoln Street, Wilson Street and Grant Street in the Transitional Overlay Option Plan District (Peter M. Burke et al)

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



FINANCE COMMITTEE RECOMMENDATION

By a vote of 12-1-0 on April 26, 2017 the Finance Committee recommended *Indefinite Postponement* with regard to the subject matter of Article 40.

MOTION (requires majority vote)

Moved by Mr. Evans, seconded by Mr. Hayes that Town Meeting indefinitely postpone the subject matter of Article 40.

The motion to indefinitely postpone the subject matter of Article 40 passed by majority vote (113-15-4).

ARTICLE 5: Collective Bargaining (Town Administrator)

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

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

Or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee did not have a recommendation on Article 5.

MOTION A (requires majority vote)

Moved by Mr. Hayes, seconded by Mr. Evans that the Town vote to appropriate the total sum of \$70,522 of which \$44,797 shall be transferred from the Selectmen’s Contract Settlement line item, as approved by vote of the 2016 Spring Annual Town Meeting under Article 8, Motion E and \$25,725 shall be appropriated from Water/Sewer Enterprise Fund Retained Earnings for distribution to members of the Town of Natick Supervisors and Administrators Association for payment of wages effective July 1, 2015 through June 30, 2017 pursuant to the terms of the Collective Bargaining Agreement reached between the Town of Natick and the Town of Natick Supervisors and Administrators Association. The total sum of \$70,522 shall be transferred to the following departmental line items, as detailed below, to supplement appropriations that were previously voted at the 2016 Spring Annual Town Meeting under Article 8 as follows:

Department of Public Works – Salaries \$ 44,797

Water and Sewer Enterprise Fund – Water & Sanitary Sewer Operations Salaries \$25,725

Ms. White spoke to all of the motions in this article at the same time. There was discussion by Town Meeting members.

Motion A under Article 5 passed by majority vote (123-5-4).

MOTION B (requires majority vote)

Moved by Mr. Hayes, seconded by Mr. Evans that the Town vote to appropriate the total sum of \$129,048 of which \$129,048 shall be transferred from the Selectmen’s Contract Settlement line item, as approved by vote of the 2016 Spring Annual Town Meeting under Article 8, Motion E for distribution to members of the Maintenance and Custodial Local Union 1116 for payment of wages effective July 1, 2015 through June 30, 2017 pursuant to the terms of the Collective Bargaining Agreement reached between the Town of Natick and the Maintenance and Custodial Local Union 1116. The total sum of \$129,048 shall be transferred to the following departmental line items, as detailed below, to supplement appropriations that were previously voted at the 2016 Spring Annual Town Meeting under Article 8 as follows:

Facilities Management – Salaries \$129,048

Motion B under Article 5 passed by majority vote (125-3-3).

MOTION C (requires majority vote)

Moved by Mr. Hayes, seconded by Mr. Evans that the Town vote to appropriate the total sum of \$595,881 of which \$595,881 shall be transferred from the Selectmen's Contract Settlement line item, as approved by vote of the 2016 Spring Annual Town Meeting under Article 8, Motion E for distribution to members of the Local 1707, International Association of Firefighters, AFL-CIO for payment of wages effective July 1, 2015 through June 30, 2017 pursuant to the terms of the Collective Bargaining Agreement reached between the Town of Natick and the Local 1707, International Association of Firefighters, AFL-CIO. The total sum of \$595,881 shall be transferred to the following departmental line items, as detailed below, to supplement appropriations that were previously voted at the 2016 Spring Annual Town Meeting under Article 8 as follows:

Fire Department – Salaries \$595,881

Motion C under Article 5 passed by majority vote (126-3-3).

MOTION D (requires majority vote)

Moved by Mr. Hayes, seconded by Mr. Evans that the Town vote to appropriate the total sum of \$101,380 of which \$101,380 shall be transferred from the Selectmen's Contract Settlement line item, as approved by vote of the 2016 Spring Annual Town Meeting under Article 8, Motion E for distribution to members of the New England Police Benevolent Association, Inc. Local 182 for payment of wages effective July 1, 2015 through June 30, 2017 pursuant to the terms of the Collective Bargaining Agreement reached between the Town of Natick and the New England Police Benevolent Association, Inc. Local 182. The total sum of \$101,380 shall be transferred to the following departmental line items, as detailed below, to supplement appropriations that were previously voted at the 2016 Spring Annual Town Meeting under Article 8 as follows:

Police Department – Salaries \$101,380

Motion D under Article 5 passed by majority vote (128-2-2).

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

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

FINANCE COMMITTEE RECOMMENDATION

By a vote of 12-0-0 on March 21, 2017 the Finance Committee recommended *Referral to the Town Administrator and the Charter and By-law Review Committee* with regard to the subject matter of Article 30.

MOTION (requires majority vote)

Moved by Mr. Evans, seconded by Mr. Hayes to refer the subject matter of Article 30 to the Town Administrator and the Charter and By-law Review Committee.

Ms. White spoke to this article. ***The motion to refer the subject matter of Article 30 to the Town Administrator and the Charter and By-Law Review Committee passed by majority vote (127-3-0).***

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

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

FINANCE COMMITTEE RECOMMENDATION

By a vote of 9-6-0 on March 7, 2017 the Finance Committee recommended *Referral to the Sponsor and the Town Administrator* with regard to the subject matter of Article 31.

MOTION (requires majority vote)

Moved by Mr. Evans, seconded by Mr. Hayes to refer the subject matter of Article 31 to the Sponsor and Town Administrator.

The motion to refer the subject matter of Article 31 to the Sponsor and the Town Administrator passed by majority vote (123-4-1).

Mr. Sydney moved, seconded by Ms. Collins to dissolve 2017 Spring Annual Town Meeting *The motion to dissolve the 2017 Spring Annual Town Meeting passed unanimously. 2017 Spring Annual Town Meeting dissolved at 9:10 PM.*

A record of the Eighth Session of
2017 Spring Annual Town Meeting
May 16, 2017



Diane Packer, Town Clerk

