

**WARRANT
FALL ANNUAL TOWN MEETING
OCTOBER 15, 2019**

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 Wilson Middle School, Natick on **Tuesday Evening October 15, 2019 at 7:30 PM**, then and there to act on the following Articles:

- Article 1 Fiscal 2020 Omnibus Budget
- Article 2 Stabilization Fund
- Article 3 Operational/Rainy Day Stabilization Fund
- Article 4 Capital Stabilization Fund
- Article 5 Other Post-Employment Benefits (OPEB) Appropriation or Transfer of Funds
- Article 6 Collective Bargaining
- Article 7 Personnel Board Classification and Pay Plan
- Article 8 PEG Access and Cable Related Fund
- Article 9 Rescind Authorized, Unissued Debt
- Article 10 Unpaid Bills
- Article 11 Capital Equipment
- Article 12 Capital Improvement
- Article 13 Committee Article
- Article 14 Increase Gross Receipts for Eligibility for Property Tax Deferral Program
- Article 15 Street Acceptance – Eliot Hill Road, Merifield Lane, Woodcock Path
- Article 16 Street Acceptance – Michael Terrace
- Article 17 Street Acceptance – Clearview Terrace
- Article 18 Amend Article 70 of the Town of Natick By-Laws: Public Works Regulations
- Article 19 Amend Article 79A of the Town of Natick By-Laws: Stormwater Management and Erosion Control
- Article 20 Transfer of land to Conservation Commission: Portions of 165 Mill Street Parcel
- Article 21 West Natick Fire Station Signal Controls
- Article 22 Amend Article 20 of the Natick Town Bylaws
- Article 23 Alteration of Layout of North Main Street (Route 27) and Adjacent Streets
- Article 24 Transfer of Land and Grant of Easement to Natick Affordable Housing Trust: 299-301 Bacon Street
- Article 25 Access to Hunnewell Fields
- Article 26 22 Pleasant Street
- Article 27 Real Estate Transfer Surcharge in Support of Affordable Housing
- Article 28 Land Area of the Town and its Makeup
- Article 29 Adjust Housing Density and Residential Parking Regulations in the Downtown Mixed-Use District
- Article 30 Amend Zoning By-laws: Creative Production Use Zoning Amendment
- Article 31 Amend Zoning By-laws: Specialty Craft Fabrication Zoning Amendment
- Article 32 Amend Zoning By-laws: Downtown Business (DB) District Zoning Amendment
- Article 33 Amend Zoning By-laws: Non-conforming Uses, Large Residential Additions Zoning Amendment
- Article 34 Amend Zoning By-laws: Alternate Uses In Residential Districts Zoning Amendment
- Article 35 Amend Zoning By-laws: Retail Marijuana Overlay Districts
- Article 36 Amend Article 2 Section 10-c of the Charter
- Article 37 Report from Town Meeting Practices and Rules Committee
- Article 38 Amend the Town of Natick By-Laws: Create New Standing Committee

- Article 39 Amend the Town of Natick General Bylaws and Zoning Bylaws to Change References to the Board of Selectmen to the Select Board, and to Change References to Chairman to Chair
- Article 40 Amend the Town of Natick Home Rule Charter to Change References to the Board of Selectmen to the Select Board, and to Change References to Chairman to Chair
- Article 41 Contact Information Requirement for Town Meeting Members and Elected Officials
- Article 42 Feasibility Study for Increasing Parking Spaces for Morse Institute Library
- Article 43 Annual Appropriation to Subsidize the Operation of the Lincoln Café at the Community-Senior Center
- Article 44 Rezone Properties Known as 1075 & 1085 Worcester Street from Industrial II to Highway Mixed Use I.

ARTICLE 1
Fiscal 2020 Omnibus Budget
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the operation of the government of the Town of Natick, including debt and interest, during Fiscal Year 2020 (July 1, 2019 through June 30, 2020) and to provide for a reserve fund for Fiscal Year 2020, and to see what budgets for Fiscal 2020 will be reduced to offset said additional appropriations; or otherwise act thereon.

ARTICLE 2
Stabilization Fund
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Stabilization Fund established under Article 22 of the warrant for Annual Town Meeting of 1961, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

ARTICLE 3
Operational/Rainy Day Stabilization Fund
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Operational Stabilization Fund established by vote of the 2011 Spring Annual Town Meeting under Article 4, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

ARTICLE 4
Capital Stabilization Fund
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for the purpose of supplementing the Capital Stabilization Fund established under Article 2 of the warrant for Fall Annual Town Meeting of 2010, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

ARTICLE 5
Other Post-Employment Benefits (OPEB) Appropriation or Transfer of Funds
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or otherwise provide for, the Other Post-Employment Benefits Liability Trust Fund established pursuant to the provisions of Chapter 32B, Section 20 of the General Laws as amended by section 15 of Chapter 218 of the Acts of 2016; or otherwise act thereon.

ARTICLE 6
Collective Bargaining
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide, to implement any Collective Bargaining Agreements between the Town Natick and any recognized bargaining units of the Town; or otherwise act thereon.

ARTICLE 7
Personnel Board Classification and Pay Plan
(Town Administrator)

To see if the Town, pursuant to the authority contained in Section 108A of Chapter 41 of the General Laws, will vote to amend Article 24 of the Natick Town By-Laws, specifically the Classification and Pay Plan referenced in Section 3, paragraph 3.10 therein, by adding, deleting or

amending position titles; re-classifying positions to a different Grade; and/or effecting changes in the salary ranges as presently established; or otherwise act thereon.

ARTICLE 8
PEG Access and Cable Related Fund
(Town Administrator)

To see what sum of money the Town will vote to appropriate from the PEG Access and Cable Related Fund, established by vote of 2019 Special Town Meeting #1 under Article 1, as authorized by Chapter 44, Section 53F $\frac{3}{4}$ of the General Laws, as amended, to fund PEG access programming, as well as certain other municipal cable related expenses; or otherwise act thereon.

ARTICLE 9
Rescind Authorized, Unissued Debt
(Town Administrator)

To see if the Town will vote to rescind the authorization for unissued debt that has been determined is no longer needed for the completion of various projects; or otherwise act thereon.

ARTICLE 10
Unpaid Bills
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Natick; or otherwise act thereon.

ARTICLE 11
Capital Equipment
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, borrow, transfer from available funds or otherwise provide 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 12
Capital Improvement
(Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, borrow, transfer from available funds or otherwise provide 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 13
Committee Article
(Board of Selectmen)

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

ARTICLE 14
Increase Gross Receipts For Eligibility for Property tax Deferral Program
(Board of Selectmen)

To see if the Town will vote to increase the maximum qualifying gross receipts from all sources which an eligible person may have as exempt from property taxes in the prior calendar year, to be eligible to defer property taxes under G.L. c. 59§ 5, Clause 41A; however such maximum qualifying gross receipts amount shall not exceed the amount of income determined by the commissioner of revenue for the purposes of subsection (k) of

Section 6 of Chapter 62 for a single person who is not a head of household. Such increase to be effective for deferrals granted for taxes assessed for any fiscal year beginning on or after July 1, 2019; or otherwise act thereon.

ARTICLE 15
Street Acceptance-Eliot Hill Road, Merifield Lane, Woodcock Path
(Board of Selectmen)

To see if the Town will vote to accept **Eliot Hill Road, Merifield Lane and Woodcock Path** as public ways, and any appurtenant easements thereto, as laid out as shown a plan entitled “Eliot Acres Section II, a Subdivision of land in Natick Mass. “ dated July 30 1966, Prepared by Schofield Brothers Registered Land Surveyors & Civil Engineers, recorded at the Middlesex (South) Registry of Deeds as plan Number 1122 of 1967, book 11401, Page 527; to see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and acceptance of Eliot Hill Road, and any appurtenant drainage, utility or other easements related to said Eliot Hill Road and/or to accept grants thereof; and further to authorize the Board of Selectmen and other Applicable Town of Natick Boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this article; Meaning and intending to accept the remainder of Eliot Hill Road, Merifield Lane and Woodcock Path, such that the entirety of these named roads are accepted by the Town as public ways., or otherwise act thereon.

ARTICLE 16
Street Acceptance – Michael Terrace
(Board of Selectmen)

To see if the Town will vote to accept **Michael Terrace** as a public way, and any appurtenant easements thereto, as laid out as shown a plan entitled “Countryside Acres, Subdivision of Land in Natick Mass. “ dated May 14, 1962, Prepared by McCarthy Engineering Service Inc., recorded at the Middlesex (South) Registry of Deeds as plan Number 1332 of 1963, book 10,363, Page 221; to see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and acceptance of Michael Terrace, and any appurtenant drainage, utility or other easements related to said Michael Terrace and/or to accept grants thereof; and further to authorize the Board of Selectmen and other Applicable Town of Natick Boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this article; Meaning and intending to accept the remainder of **Michael Terrace**, such that the entirety of this named road is accepted by the Town as a public way, or otherwise act thereon.

ARTICLE 17
Street Acceptance – Clearview Terrace
(Board of Selectmen)

To see if the Town will vote to accept **Clearview Drive** as a public way, and any appurtenant easements thereto, as laid out as shown a plan entitled “Revised plan of Eliot Acres Plan of Land in Natick Mass. “ dated September 26, 1966, Prepared by McCarthy Engineering Services, recorded at the Middlesex (South) Registry of Deeds as plan Number 1308(A of 2) of 1966, Book 11245, Last page; to see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and acceptance of Clearview Drive, and any appurtenant drainage, utility or other easements related to said Eliot Hill Road and/or to accept grants thereof; and further to authorize the Board of Selectmen and other Applicable Town of Natick Boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this article; Meaning and intending to accept the remainder of Clearview Drive, such that the entirety of this named road is accepted by the Town as a public way, or otherwise act thereon.

ARTICLE 18
Amend Article 70 of the Town of Natick By-Laws: Public Works Regulations
(Board of Selectmen)

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

1. Remove the second, third and fourth paragraph of Section 6
2. Insert new Section 8 with the wording:

“Section 8 Private Ways

Snow and Ice Removal. The Town may remove snow and ice from such private ways for emergency vehicle access in accordance with Massachusetts General Laws and Board of Selectmen regulations and policies.

Barriers. Barricades, obstacles, or vehicles on private ways that are a barrier to prompt and appropriate emergency access shall be removed on order of the Police or Fire Chief, at the expense of the owner or owners of the private way. However, if the barrier is a vehicle, it shall be removed on order of the Police or Fire Chief and at the expense of the owner of the vehicle.

Temporary Repairs. The Town may perform temporary repairs to private ways that have been open to the public for a period of at least six (6) years. The Town may only perform temporary repairs in accordance with regulations and policies issued by the Board of Selectmen and that are determined by the Director of Public Works to be required for public necessity.

Said temporary repairs shall be considered necessary if they abate an immediate hazard. They shall not be considered as maintenance of the private way nor shall the way be considered a public way. Cash deposits or payments shall not be required and betterment charges shall not be assessed for said temporary repairs.

The Town shall not be liable for any damage to private property caused by such repairs, except as otherwise provided by law. The Town shall not incur any liability whatsoever on account of action or inaction resulting pursuant to this By-Law.”

Article 70 Public Works Regulations

Section 6 Betterments

Whenever betterments are assessed in connection with a public way, the entire cost of the construction of streets on said ways shall be assessed to the abutters and one-half (1/2) of the costs of construction of sidewalks shall be assessed to the abutters, provided, however, that this section shall not apply to a subdivision of land under Section 81 of Chapter 41 of the General Laws as amended.

~~The Director of Public Works may make repairs to private ways providing that an Annual or Special Town Meeting determines that the repairs are required by public necessity and convenience and a majority of the abutters petition for such repairs to be made and that the way has been open to public use for a period of six (6) years. Such repairs shall include the installation and construction of drainage if necessary, and the filling of holes in the sub-surface of such ways and repairs to the surface materials thereof. Materials for such repairs shall, where practical, be the same as or similar to those used for existing surfaces of such ways but may include surfacing the ways with bituminous materials including but not limited to bituminous concrete.~~

~~The Town Administrator shall assess betterment's upon the owners of estates which derive particular advantage from the making of such repairs on any such private way. Such assessment~~

~~shall be a sum equal, in the aggregate, to the total cost of such repairs and, in the case of each such estate, in proportion to the frontage thereof on such way. Except as otherwise provided, the provisions of Chapter 80 of the General Laws, as amended, relating to public improvements and assessments thereof shall apply to repairs to private ways ordered to be made under this section; provided that no assessment amounting to less than five hundred dollars (\$500.00) shall be apportioned and no assessment may be apportioned into more than twenty (20) portions.~~

~~The Town shall not be liable on account of any damage caused by such repairs.~~

~~..... (Retain Section 7)~~

Section 8 Private Ways

Snow and Ice Removal. The Town may remove snow and ice from such private ways for emergency vehicle access in accordance with Massachusetts General Laws and Board of Selectmen regulations and policies.

Barriers. Barricades, obstacles, or vehicles on private ways that are a barrier to prompt and appropriate emergency access shall be removed on order of the Police or Fire Chief, at the expense of the owner or owners of the private way. However, if the barrier is a vehicle, it shall be removed on order of the Police or Fire Chief and at the expense of the owner of the vehicle.

Temporary Repairs. The Town may perform temporary repairs to private ways that have been open to the public for a period of at least six (6) years. The Town may only perform temporary repairs in accordance with regulations and policies issued by the Board of Selectmen and that are determined by the Director of Public Works to be required for public necessity.

Said temporary repairs shall be considered necessary if they abate an immediate hazard. They shall not be considered as maintenance of the private way nor shall the way be considered a public way. Cash deposits or payments shall not be required and betterment charges shall not be assessed for said temporary repairs.

The Town shall not be liable for any damage to private property caused by such repairs, except as otherwise provided by law. The Town shall not incur any liability whatsoever on account of action or inaction resulting pursuant to this By-Law, or otherwise act thereon.

ARTICLE 19

Amend Article 79A of the Town of Natick By-Laws: Stormwater Management and Erosion Control (Board of Selectmen)

To see if the Town will vote to amend the existing Stormwater and Erosion Control By-Law, as codified in Article 79A of the Natick Town Bylaws, to optimize the Town's regulation of land disturbance activity, for purposes that shall include, but shall not be limited to the following: (1) the protection of local drinking water supply; (2) the reduction of stormwater runoff; (3) compliance with new Municipal Separate Storm Sewer System (MS4) regulations; (4) the preservation of natural resources; and (5) the achievement of recommendations proposed in the 2019 Natick 2030+ Master Plan, 2018 Hazard Mitigation Plan and the 2018 Community Resilience Building Report; or otherwise act thereon.

ARTICLE 20

Transfer of land to Conservation Commission: Portions of 165 Mill Street Parcel (Board of Selectmen)

To see if the Town will vote to transfer from the School Committee and the Board of Selectmen to the Conservation Commission, the care, custody, management, and control of a portion of land

adjoining the Kennedy Middle School, identified as 5.28 acres, located at 165 Mill Street, as shown on a Plan entitled “Town of Natick Kennedy Middle School, 165 Mill Street, Natick, Massachusetts, Permitting Documents, Submitted to the Department of Environmental Protection” revision date February 6, 2019, portion identified on that Plan as “Potential Conservation Easement NAE-2019-01219 12-13-2018,” and available for inspection in the Board of Selectmen’s office, for the purposes of dedicating the land in perpetuity for conservation purposes and subject to the strictures and the protections of Article 97 of the Amendments to the Massachusetts Constitution, as required by the permit for File Number NAE-2019-01219, issued by the U.S. Army Corps of Engineers to the Natick School Department on April 16, 2019 ; or to take any other necessary action; or to act otherwise thereon.

ARTICLE 21
West Natick Fire Station Signal Controls
(Board of Selectmen)

To see if the Town will vote, subject and pursuant to General Laws Chapter 40, Section 3, Section 4, and Section 15, and any other enabling law, to authorize the Board of Selectmen to release and convey all right, title and interest held by the Town, to the Commonwealth of Massachusetts Department of Transportation, on such terms and conditions, which may be nominal consideration, as the Board of Selectmen deems appropriate, of a portion of certain Town property located at 268 Speen Street for a shared use walkway for pedestrian travel to be located within the state highway layout , or otherwise act thereon.

ARTICLE 22
Amend Article 20 of the Natick Town Bylaws
(Board of Selectmen)

To see if the Town will vote to amend the chart entitled “MULTIPLE MEMBER BODY APPOINTMENTS MADE BY THE TOWN ADMINISTRATOR” set forth in Article 20, section 5, of the Natick Town Bylaws, to be consistent with the Massachusetts General Laws, by striking the phrase “Commission on Disability”, or otherwise act thereon.

ARTICLE 23
Alteration of Layout of North Main Street (Route 27) and Adjacent Streets
(Board of Selectmen)

To see if the Town will vote to accept as a public way the altered layout of North Main Street (Route 27) and adjacent streets thereto, to include within the layout of North Main Street and adjacent streets certain fee interests and permanent easements as shown on a plan entitled “Layout Alteration Route 27 Roadway Improvements North Main Street Natick, Massachusetts,” dated April 2, 2019, prepared by Lighthouse Land Surveying, LLC, as said plan may be amended, said plan on file with the Town Clerk; or otherwise act thereon.

ARTICLE 24
Transfer of Land and Grant of Easement to Natick Affordable Housing Trust: 299-301
Bacon Street
(Board of Selectmen)

To see if the Town will vote to transfer from the Board of Selectmen to the Natick Affordable Housing Trust, the care, custody, management, and control of land identified as 0.28 acres, Assessor’s Parcel No. 26-0000164A, located at 299-301 Bacon Street, as shown on a Plan entitled “Subdivision Plan on Land in Natick, Midwest Engineering, Inc., Surveyors, dated June 23, 2003,” recorded as Plan Number 18326B with the Land Court Registration Office, deed into the Town of Natick recorded in the Middlesex South Registry of Deeds at Book 1470, Page 1; and further, to authorize the Board of Selectmen to grant to the Natick Affordable Housing Trust, an easement over the Town right-of-way, for the purposes of installation and maintenance of a sewer main, as show in the Plan entitled “Plan and Profile, Sewer Force Main, Plan of Land in

Natick, Mass.”, prepared by Sullivan Surveying Company, LLC, Sheet C2, revision date 7/2/19, on file in the Board of Selectmen’s office; or to take any other necessary action to effectuate the purposes of this Article; or to act otherwise thereon.

ARTICLE 25
Access to Hunnewell Fields
(Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, taking by eminent domain, or otherwise, any interest or interests in all or part of the property located at 22 Pleasant Street, Natick MA, for access to the Hunnewell Fields; and further, to authorize the Board of Selectmen to transfer any portion of town-owned land acquired under the deed recorded in the Middlesex South Registry of Deeds at Book 2962, Page 41, on such terms and conditions, which may be nominal consideration, as the Board of Selectmen deems appropriate, as necessary to effectuate the purposes of this article; and further, to see what sum of money the Town will vote to raise and appropriate, borrow, transfer from available funds or otherwise provide for the purposes of this article; or to act otherwise thereon.

ARTICLE 26
22 Pleasant Street
(Recreation and Parks Commission and Seth Levine et al)

To see what actions the Town will take or vote to change, amend, modify, augment, or supplant its previous votes under Article 35 of 2015 Spring Annual Town Meeting, Article 29 of 2016 Spring Annual Town Meeting, Article 27 of 2017 Fall Annual Town Meeting, or any other Article of any Town Meeting which authorized negotiation, appropriation of funds, raising of funds, transfer from available funds and/or borrowing authorization for the acquisition of property known as 22 Pleasant Street; being shown as Assessors Map 64, Lot 44 in South Natick (the Site) by purchase, gift, eminent domain, or other means.

Provided however that no reduction of any previous appropriation or borrowing authorization may occur under this Warrant Article, except as expressly provided below regarding the substitution in whole or in part of other funds, and further provided that no previous authorization for negotiation, acquisition by gift, purchase, eminent domain or other means may be rescinded under this Warrant Article, but allowing that non monetary restrictions and non monetary conditions (the term ‘non monetary’ meaning other than appropriation or borrowing) in any previous votes may be modified or removed as provided later within this Article; and to allow

- a) That such changes, amendments, or modifications to authorize the Board of Selectmen to purchase, acquire, accept by gift, or take by eminent domain a comprehensive surface and air rights easement for open space, recreation, park, playground, access, parking, boating, and/or other purposes (“Comprehensive Easement”) for all, or substantially all, of the Site; and/or limited or total sub surface easements for all or portions of the Site and/or
- b) That any subsurface easement may vary in depth and/or in lateral scope within the Site in order to avoid areas of underground contamination including but not limited to any areas of contamination that rise or fall with periodic changes in the water table. (The purpose of this provision, including but not being limited to, that any subsurface easement does not need to extend down to or to include any layers of identified underground contamination or underground tanks); and/or
- c) That such Comprehensive Easement may alternatively be used for portions of the Site in conjunction with fee acquisition for other portions of the Site, provided that such combination result, at a minimum, in acquisition of all or substantially all the surface and air rights of the Site; and/or
- d) That a Comprehensive Easement for all or substantially all of the Site or in combination with fee acquisition include all beneficial surface and above ground rights, uses,

- buildings, structures, trees, areas of now or former canals located east of Pleasant St. , and the like, and/or in conjunction with limited or total subsurface easements for improvements for utilities and drainage or other subsurface areas; and/or
- e) That the intent of the above clause and purpose of this Warrant Article and the term Comprehensive Easement being that the Town would become the holder of all or substantially all of such beneficial surface and air uses and rights for the benefit of the public and/or Town such that no private rights of surface and/or air rights or uses remain with the current owner of the Site (except as expressly allowed below), but that any underground area or volume of and/or subsurface area of environmental contamination and any contaminated area of the building may be excluded. (This provision being a precaution that easement rights are often narrowly construed allowing a fee owner to retain all rights of ownership and use unless expressly taken or acquired and being that the town would acquire all or substantially all the beneficial surface and above ground uses and rights of the Site.); and/or
 - f) That subject to the required provisions and prohibitions stated elsewhere in this Article, Town Meeting may expand the purposes and or remove or modify non monetary conditions or non monetary restrictions in any previous vote of Town Meeting for any acquisition of the Site but only in order to accomplish the purposes of this Article which are at a minimum acquiring all or substantially all of the surface and air rights of the Site; and/or
 - g) That the condition in Article 27 of 2017 Fall Annual Town Meeting may be removed or modified, but only to accomplish or to allow the purposes of this Article, which condition stated "provided that the Board of Selectmen is not authorized to acquire said property unless a Purchase and Sale Agreement, satisfactory to the Board of Selectmen, is entered into with the owner of said property" (it being noted, among other things, that said provision of 2017 Fall Annual Town Meeting might prevent any exercise of any eminent domain power); and/or
 - h) That said land be subject to an Activity and Use Limitation to encompass and/or to encapsulate or otherwise restrict use of any areas of or over identified contamination; and/or
 - i) That any portion of the Site acquired under this Article may be acquired subject to or provide for a subsequent Activity and Use Limitation especially, but not necessarily, limited to any surface areas above underground contamination; and/or
 - j) That an Activity and Use Limitation may provide or require that such areas be paved over and encapsulated. (For example purposes only, as is required of and in the purchase of the contaminated rail trail land acquired by the Town but not restricting the town to the same paving or encapsulation methods or approaches.); and/or
 - k) To allow access, whether by right, permission or otherwise, through designated portions of the Site once acquired under this Article for the use of the Wellesley Cooperative Nursery School (or any similar charitable trust successor) located on deed restricted land under the deed of Isabella Pratt Hunnewell Shaw at Merrill Road (a private way) abutting Hunnewell Park; and/or
 - l) That other funds may be appropriated, raised or transferred from available funds including, without limitation, any stabilization fund, to substitute for all or part of the borrowing authorization under previous votes of Town Meeting in which case only then may the previous borrowing authorization be reduced under this Article and in which case any remaining borrowing authorization must be maintained in an amount such that the sum of such other funds and any remaining borrowing authorization shall be equal , at a minimum, at the total dollar amount appropriated in previous votes of Town Meeting; and/or
 - m) That FAR Bonus Stabilization Funds may be appropriated and used, as part of the acquisition contemplated under this Article, for the portions of the site which are zoned RG and/or RSB and/or for any portion zoned I-1 which is open space; and/or
 - n) To allow any fee acquisition, Comprehensive Easement, or combination thereof, either to permit or to require the owner of the Site or other party to:
 - i) remove all or part of the existing building,
 - ii) fill any basement or substructure areas that are removed with clean fill,
 - iii) excavate, remove and replace any contaminated soil with clean fill,

- iv) excavate and remove any underground tanks and replace same with clean fill,
- v) excavate and remove any underground wheels, machines, generators, water flow harnessing devices, and the like and replace same with clean fill,
- vi) the preference being that areas of now or former canals east of Pleasant St not be filled in such a way that such canal use cannot be revived
- vii) specify that such removal and replacement activities may occur either before or for a period of time after the closing on or eminent domain taking of the Town contemplated under this Article,
- viii) that access may be allowed for the owner or other party after the closing, or eminent domain taking for such period of time as the Selectmen may negotiate to accomplish the purposes of this Article, and/or
- ix) that such subsequent access may include monitoring of the Site
- x) that any such subsequent access shall be allowable under this Article notwithstanding any other provision of this Article; and/or
- o) To allow that the Comprehensive Easement may also be used in any combination with fee acquisition such as for example that the parts of the site which are clean and free of buildings may be acquired in fee and the other parts acquired by Comprehensive Easement and that the meaning of Comprehensive Easement may include any combination provided such combination is, at a minimum, for all or substantially all of the surface and air rights of the Site; and/or
- p) That any combination of fee acquisition and Comprehensive Easement may be authorized under this Article provided that any such combination, at a minimum, be for all or substantially all of the surface and air rights of the Site; and/or
- q) To allow that any Comprehensive Easement or fee under this Article to include:
 - i) the portions of the Charles River that are recorded as part of the 22 Pleasant Street lot; and
 - ii) any and/or all above ground, surface and/or subsurface utilities serving or accessible to 22 Pleasant Street; and
 - iii) any and/or all rights of 22 Pleasant St on, of and/or to lands, flow lands, dam access and repair, submerged lands and or all other real property interests and rights located to the west of Pleasant Street.

Further, to authorize the Board of Selectmen and other applicable boards, commissions, and personnel to apply for and receive grants or gifts for the purposes of this Article and to take all action necessary or appropriate to accomplish the purposes of this Article; and/or

And further provided that the Town may vote to increase the previous appropriation and/or borrowing authorization; and/or otherwise raise, and/or transfer from available funds, or appropriate from Stabilization Funds; for the acquisition by purchase or taking by eminent domain of fee, or Comprehensive Easement, or combination thereof, and/or to see what sums the Town will appropriate, raise or transfer from available funds for due diligence regarding the Site; and

And further provided that under this warrant article:

The term “substantially all” under this Article shall have a meaning of more than 80% of the total of surface rights (including associated air rights), and that surface rights include above ground improvements areas providing, for purposes of clarity, that where the Selectmen agree or the owner provides that the building may be removed, that then the footprint area of the building or any portion so removed will count as part of surface rights (including associated air rights); and

The term “substantially all” under this Article can exclude areas of contamination below the surface or below the bed in the Charles River bed and may exclude identified areas of surface or building contamination that are not remediated by the owner or other party; and

Any such surface areas or building areas so excluded shall first be deducted from 100% for the purposes of measuring 80%; and

Any further exclusions, which are not for reasons of environmental contamination, may not result in less than “more than 80%” of the total overall surface rights and building footprint areas being acquired; and

Any easement or fee acquisition or combination thereof for only driveways and/or streets to access the Hunnewell Park is not permitted under this Article; and

The term “substantially all” under this Article cannot be used to reduce the acquisition under this Article to the sum of driveway or street access to Hunnewell Park plus de minimis additional land area or rights;

Or otherwise act thereon.

ARTICLE 27
Real Estate Transfer Surcharge In Support of Affordable Housing
(Natick Affordable Housing Trust Fund)

To determine whether the Town will authorize the Board of Selectmen to petition the General Court for special legislation that would impose a real estate transfer fee to be used by the Natick Affordable Housing Trust for the purposes of acquiring, creating, preserving, rehabilitating, restoring and supporting affordable housing in the Town, or take any other action relative thereto.

ARTICLE 28
Land Area of the Town and its Makeup
(Julian Munnich et al)

To see whether the Town will vote to establish a study committee of Town Meeting, appointed by the Moderator, to address, research, study, analyze, and recommend action regarding: The true gross land area of the Town and its makeup by statutory, regulatory, and ownership components; including but not limited to the total land area zoned for residential, commercial or industrial use as pertains to MGL c.40B §§ 20-23, 760 CMR 56 and/or related guidelines issued by DHCD or any office of the Commonwealth or established in any legal proceeding; and, without limitation:

- 1) To establish the number and/or qualifications of committee members to be appointed;
- 2) To establish the charge of said committee including, but not limited to:
 - Identify any and all components of the calculation and all individual parcels or acreage owned by the United States; the Commonwealth; or any political subdivision thereof; the Department of Conservation and Recreation or any state public authority; or where all residential, commercial, and industrial development has been prohibited by deed, decree, zoning or restrictive order of the Department of Environmental Protection pursuant to M.G.L. c. 131, § 40A; or is dedicated to conservation or open space whether under control or ownership by trusts, corporations, partnerships, private parties, or otherwise; or is contained in the Subsidized Housing Inventory; and the size of all bodies of water located within Natick;
 - Gather any other information necessary to analyze, evaluate, and calculate the Town’s position relative to sites potentially comprising one and one half per cent or more of the total land area zoned for residential, commercial, or industrial use.
 - Identify and recommend any zoning changes or other actions that might strengthen or improve the Town’s position relative to meeting or exceeding any statutory or regulatory tests and criteria;

- Report its findings and recommendations to 2020 Spring Annual Town Meeting or such other date as Town Meeting shall establish provided, however, that this shall not preclude any preliminary or earlier report(s) to Town boards, committees, commissions, or to Town Meeting;
- 3) To authorize said committee to develop a database of properties to be included in and/or excluded from either the numerator or the denominator of any statutory calculation;
 - 4) To provide that said committee shall have access to Town Counsel and to Town staff, including but not limited to the Community and Economic Development, DPW (GIS), and Finance (Assessors) divisions and may utilize the services of outside consultants;
 - 5) To provide for a method to engage any such outside consultant or other vendor including, without limitation, a reserve fund transfer by the Finance Committee;
 - 6) To see what sum of money the Town will appropriate to accomplish the purpose of said committee;
 - 7) To set the term of said study committee to expire upon the dissolution of 2020 Spring Annual Town Meeting or such other date as Town Meeting shall establish unless otherwise extended by Town Meeting;
 - 8) Said committee, being a multiple member body under the Town Charter, is authorized to sponsor warrant articles for any Annual or Special Town Meeting Warrant;

or otherwise act thereon.

ARTICLE 29

Adjust Housing Density and Residential Parking Regulations in the Downtown Mixed-Use District (Ganesh Ramachandran et al)

To see if the Town will vote to amend the Town of Natick Zoning Bylaws to adjust the density of housing permitted and residential parking required in the Downtown Mixed-Use District, to help achieve the following goals:

1. Encourage a mix of housing types and sizes, at a range of affordable price points;
2. Increase housing options for single-person households, empty-nester couples, veterans, people with disabilities, and long-term Natick residents who seek to downsize while remaining in Natick;
3. Encourage car-free, or minimal car ownership households proximate to the Natick Center Commuter Rail station, to reduce new demands on traffic and parking;
4. Support new businesses that enliven Natick Center and provide desirable restaurant and retail alternatives for residents and visitors.

Or otherwise act thereon.

ARTICLE 30

Amend Zoning By-laws: Creative Production Use Zoning Amendment (Planning Board)

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

- 1) Add definitions for “Creative Production “to Article I, Section 200 of the Town of Natick Zoning Bylaw;
- 2) To determine which zoning district(s) such uses may be permitted By-Right or by Special Permit;

- 3) To determine intensity, dimensional and other regulations for such uses as may be permitted by right or by special permit and
- 4) To determine off-street parking standards and regulations for such uses as may be permitted By Right or by Special Permit;

or otherwise act thereon.

ARTICLE 31
Amend Zoning Bylaws: Specialty Craft Fabrication Zoning Amendment
(Planning Board)

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

- 1) Add definitions for “Specialty Craft Fabrication”;
- 2) To determine which zoning district(s) such uses may be permitted By-Right or By Special Permit;
- 3) To determine intensity, dimensional and other regulations for such uses as may be permitted by right or by special permit and
- 4) To determine off-street parking standards and regulations for such uses as may be permitted By-Right or by Special Permit;

or otherwise act thereon.

ARTICLE 32
Amend Zoning By-Laws: Downtown Business (DB) District Zoning Amendment
(Planning Board)

To see if the Town will vote to amend the Town of Natick Zoning By-Laws by:

- A. Establishing, creating or defining a new Section III-EE Downtown Business District (DB) after Section III-E as follows, including but not limited to:

1. Purpose and intent;
2. Use regulations for DB districts;
3. Dimensional and density requirements;
4. Procedures;
5. Design review board;

- B. Amending Section V-D OFF STREET PARKING AND LOADING REQUIREMENTS to define off-street parking standards for DB districts;

or otherwise act thereon.

ARTICLE 33
Amend Zoning By-Laws: Non-Conforming Uses, Large Residential Additions Zoning
Amendment
(Planning Board)

To see if the Town will vote to amend the Zoning By-laws to amend Section V-A (4), Nonconforming Uses, by:

1. Amending, modifying or adding, without limitation, to Section 200 Definitions for “Large Additions, Residential”;
 2. Adding, without limitation, provision(s) for regulating alteration, addition or demolition/reconstruction activity yielding “large additions” on nonconforming single and two-family dwellings;
 3. Amending, modifying, or adding to Section VI – E – Board of Appeals, Special Permits;
- or otherwise act thereon.

ARTICLE 34
Amend Zoning By-Laws: Alternate Uses In Residential Districts Zoning Amendment

(Planning Board)

To see whether the Town will amend Natick Zoning Bylaw Section V Special Requirements, to restrict non-residential uses in the setbacks of residential lots, or otherwise act thereon

ARTICLE 35
Amend Zoning Bylaw – Retail Marijuana Overlay Districts
(Planning Board)

To see if the Town will vote to amend the Town of Natick Zoning Bylaws as follows:
To correct and revise the properties previously designated for inclusion in Retail Marijuana Overlay Districts as voted by Town Meeting under 2018 Special Town Meeting #2, Article 2; or otherwise act thereon.

ARTICLE 36
Amend Article 2 Section 10-c of the Charter
(Town Meeting Practices and Rules Committee)

To see what action the Town will take to amend Article 2 Section 10-c of the Charter

- 1) To provide that residents or taxpayers who are not Town Meeting members have the right, subject to rules adopted from time to time, to speak but not to make motions or vote and /or
- 2) To otherwise make rights and restrictions in Article 2 Section 10-c consistent with Article 2 Section 10 b and/or
- 3) To provide a definition within the Charter and/or for the purposes of and/or within Article 2 Section 10 c of “taxpayers” for example but not limited to that taxpayers shall mean ‘taxpayers owning real property interests and/or personal property subject to valuation and assessment by the Town Assessor and payment to the Town Treasurer Collector’ or other definition and/or
- 4) otherwise act thereon.

ARTICLE 37
Report from Town Meeting Practices and Rules Committees
(Town Meeting Practices and Rules Committee)

To see what action the Town will take to hear and to discuss a report of the Town Meeting Practices and Rules Committee created by 2019 Spring Annual Town Meeting under Article 13 and /or

See what sums of money the town will appropriate, raise or transfer from available funds to provide for copies of a draft revised Town Meeting Member Handbook to be prepared for Spring Annual 2020 Town Meeting

or otherwise act thereon.

ARTICLE 38
Amend the Town of Natick By-Laws: Create New Standing Committee
(Town Meeting Practices and Rules Committee)

To see what action the Town will take to amend the Town of Natick By-Laws (“the By-Laws”), consistent with and pursuant to Article 2, Section 11(e) of the Town of Natick Home Rule Charter (“Committees”), the Massachusetts General Laws, Chapter 39 §16, or any other authority, to add a new and/or to amend any existing Article(s) or Section(s) of the By-Laws, including without limitation:

- i) to create a standing committee, appointed by the Moderator, for the primary purpose of considering and making recommendations on all zoning warrant articles, motions and related zoning matters and reporting thereon in print to all Town Meeting Members and to set the

- number of days in advance of Town Meeting action for such report except where compliance with this provision would defeat the purpose of a Special Town Meeting; and/or
- ii) to determine the name, size and composition of such standing committee and to specify the eligibility, term and/or qualifications of the committee and for an individual to be a member of such committee provided however that no person holding an elective town office except Town Meeting member or constable shall be eligible to serve on said committee and to determine whether those serving on appointed committees or boards that have responsibility for issuing permits, approving expenditure of funds or exercising final authority over any matter shall be eligible to serve on said committee; and/or
 - iii) to allow such standing committee, in connection with its work, to conduct studies and analyses of the Town for the purpose of providing information and reports to Town Meeting and the Town on zoning, land use and related matters; and/or
 - iv) to provide that such committee, in connection with its work, have access to Town Counsel whether such provision is made in a new by law article or section of the By-Laws or within Article 22 – Town Counsel, Section 5 (c) of the By-Laws; and/or
 - v) to specify any other powers, duties or responsibilities of such committee; and/or
 - vi) to modify the duties of the Finance Committee under By-Law Article 23, Section 4 regarding consideration, reporting and recommending on all matters of business within the articles of any warrant where a standing committee has been created by Town Meeting pursuant to Article 2, Section 11(e) of the Charter and said standing committee is given primary or required advisory committee responsibility to study, review, recommend and reporting advance of Town Meeting on certain or particular types or categories of subject matter of warrant articles that otherwise would have been the required responsibility of the Finance Committee, and/or
 - vii) to permit the Finance Committee to consider such categories or types of matters of business at its discretion and/or
 - viii) to require the Finance Committee to consider such categories or types of subject matter of business if directed to do so by the Moderator regarding a particular warrant article of any town meeting and/or
 - ix) to modify or to add other reporting requirements and elements to the report of the Finance Committee for the benefit of Town Meeting and the public and/or
- or otherwise act thereon.

ARTICLE 39

Amend the Town of Natick General Bylaws and Zoning Bylaws to change references to the Board of Selectmen to the Select Board, and to change references to Chairman to Chair (Jennifer Paige Adams et al)

To see if the Town will vote to amend the Town of Natick General Bylaws and Zoning Bylaws to change references to the Board of Selectmen to the Select Board, and to change references to Chairman to Chair, or otherwise act thereon

ARTICLE 40

Amend the Town of Natick Home Rule Charter to change references to the Board of Selectmen to the Select Board, and to change references to Chairman to Chair (Jennifer Paige Adams et al)

To see if the Town will vote to amend the Town of Natick Home Rule Charter to change references to the Board of Selectmen to the Select Board, and to change references to Chairman to Chair, or otherwise act thereon.

ARTICLE 41

Contact Information Requirement for Town Meeting Members and Elected Officials (Patricia Sciarra, et al)

To see if the Town will vote to request Town Meeting Members and Elected Town Officials to provide contact information to the Town Clerk that creates reasonable accessibility to its constituents, to members of Town Agencies, to appointed and elected officials. Reasonable access means ability to make contact in 48 hours or less.

ARTICLE 42
Feasibility Study for Increasing Parking Spaces for Morse Institute Library
(Saul Beaumont et al)

To see what sum of money the Town will vote to raise and appropriate, or otherwise provide, for a study to determine the feasibility of increasing the amount of Morse Institute Library parking places. The study of the area around the library including Clarendon Street is to determine the feasibility and cost for the following items, including but not limited to:

1. increase the safety of using library parking to avoid crossing a public street
2. bring the disabled parking spaces closer to the library to avoid crossing a public street
3. increase the quantity of parking spaces available to the public to better support the library usage of more than a thousand users per day

or any other criteria otherwise necessary to fulfill the objectives of the feasibility study. Or take any further action with respect thereto.

ARTICLE 43
Annual Appropriation to Subsidize the Operation of the Lincoln Café at the Community-Senior Center
(Jerry L. Pierce, Judy D'Antonio et al)

To see if the Town will vote to appropriate an annual amount of \$10,000 to help subsidize the cost to continue to operate the Lincoln Café at the Community-Senior Center enabling us to continue to provide a healthy lunch at affordable prices for Senior Citizens of Natick which also provides them the opportunity to enjoy socialization with other Seniors with like interests; or otherwise act thereon.

ARTICLE 44
Rezone Properties Known as 1075 & 1085 Worcester Street from Industrial II to Highway Mixed Use I
(Paul McKeon et al)

To see if the Town will vote to amend the Zoning Bylaws and Map with regards to:

- 1) replace the Industrial II (INII) zoning district with the Highway Mixed Use I (HMI) on certain lots;
- 2) Amend the Section III-B (3), (4), and (5) regarding Large Parcels – lower minimum parcel threshold for large parcels from 200,000 square feet;

The above articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with Chapter 2 of the Acts of 1938 and Amendments thereto and the Town Charter and subject to the referendum provided thereby.

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 October 15, 2019 also by causing the titles of the articles on the Warrant for the 2019 Fall Annual Town Meeting to be published once in the Newspaper called "The MetroWest Daily News," with notice of availability of an attested copy of said Warrant, said Newspaper published in the Town of Natick and said publication to be August 23, 2019.

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, 19th Day of August 2019.

MICHAEL J. HICKEY, JR
Chair

SUSAN G. SALAMOFF
Vice Chair

JONATHAN H. FREEDMAN
Clerk

RICHARD P. JENNETT, JR
Member

KAREN ADELMAN-FOSTER
Member

Board of Selectmen for the Town of Natick

Certified copies of the Warrant are available at the Office of the Town Clerk, Natick Town Hall, 13 East Central St., Natick, MA between the hours of 8:00 a.m. – 5:00 p.m., Monday through Wednesday; 8:00 a.m.-7:00 p.m. on Thursday and 8:00 a.m.-12:30 p.m. Friday; the Warrant may also be accessed from the Town web site www.natickma.gov.