



Natick Finance Committee

Pursuant to Chapter 40, Section 3 of the Town of Natick By-Laws, I attest that the attached copy is the approved copy of the minutes for the following meeting:

Town of Natick Finance Committee
Meeting Date: March 13, 2014

The minutes were approved through the following action:

Motion:	Approval
Made by:	Mr. Pierce
Seconded by:	Mr. Evans
Vote:	8-0-0
Date:	April 8, 2014

Respectfully submitted,

James Everett
Secretary
Natick Finance Committee

NATICK FINANCE COMMITTEE MEETING MINUTES

March 13, 2014

**Natick Town Hall
School Committee Meeting Room, Third Floor**

This meeting has been properly posted as required by law.

MEMBERS PRESENT:

Jonathan Freedman, Chairman
Jimmy Brown
John Ciccariello
Catherine M. Coughlin
Bruce Evans, Vice Chairman

James Everett, Clerk
Patrick Hayes
Mark Kelleher – left at 11 p.m.
Jerry Pierce

MEMBERS ABSENT:

Karen Adelman Foster
Mari Barrera
Cathleen Collins
Michael Ferrari
Christopher Resmini
Edward Shooshanian

ATTACHMENTS:

- A. Agenda for this evening's meeting
- B. Finance Committee Public Hearing Schedule Updated March 12, 2014
- C. Article 35 - Capital Equipment - 2014 Spring Annual Town Meeting (dated March 7, 2014)
- D. Article 36 - Capital Improvements - 2014 Spring Annual Town Meeting
- E. Article 35 - Capital Equipment - 2014 Spring Annual Town Meeting Project Descriptions
- F. Article 36 - Capital Improvements - 2014 Spring Annual Town Meeting Project Descriptions
- G. Town of Natick FY 2015-2019 Capital Plan Summary FY 2015 Capital Budget
- H. Natick Finance Committee Standard Warrant Article Questions – Article No.: 40, Date: February 14, 2014, Title: To rezone land known as Assessors Map 64 Parcel 44 (22 Pleasant Street, South Natick) from Industrial 1 to RG to permit the development of an Assisted Living Facility, Sponsor(s): James M Williamson
- I. The Position of the Eliot Church with Respect to Articles 40 and 43
- J. Natick Finance Committee Standard Warrant Article Questions – Article No.: 42, Date: February 16, 2014, Title: Facilitate Historic Building Preservation in Natick Through Amending Zoning By-Laws, Sponsor(s): Randy Johnson

- K. V3 – REV 2 – religious facility - mixed-use 2014.02.06
- L. Attachment to Finance Committee Questionnaire – Article 43
- M. Email from John Newton to Jonathan Freedman, Chairman, Natick Finance Committee, dated Fri, Mar 7, 2014, Re: Warrant Article #43 Public Hearing
- N. Memorandum to : Natick Board of Selectmen, School Committee and Finance Committee Members from Mike Rourke, 89 North Avenue, Subject: FY15 Budget Deficit/Issues
- O. Article 35 - Capital Equipment - 2014 Spring Annual Town Meeting (revised March 13, 2014)
- P. V3 – REV 3 – religious facility - mixed-use 2014.03.13
- Q. Selected History and Photographs – East Natick Methodist Church

Meeting was called to order by Mr. Freedman at 7:06 p.m.

The Chairman reviewed the evening's agenda.

PUBLIC CONCERNS/COMMENTS:

Mr. Evans provided an update on the Financial Planning Committee meeting held earlier in the day highlighting the following:

- As a result of (1) revised revenue projections based on the reported agreement, in principle, between the Massachusetts House and Senate on the FY 2015 State budget; (2) updated information reducing Natick's share of the FY 2015 Keefe Tech budget by approximately \$178,000; and (3) the latest version of the FY 2015 NPS budget, as presented to the School Committee on March 10th, the town-wide budget deficit has been reduced to approximately \$845,000.
- The revised NPS budget reduces the number of new FTE's from 22 to 14.3; however, this budget has not yet been approved by the School Committee.
- Based on the Town Administrator's recommendation, the currently projected \$845,000 deficit reflects a net figure which applies a projected \$566,000 surplus in the combined municipal budgets to offset a projected \$1.3 million deficit in the School's budget.
- The School and Town Administrations will continue to work on closing the budget gap to be able to present a balanced budget for review next week.
- Discussion included the fact that continued shift of municipal resources to cover substantial deficits in the education budget is not a sustainable practice.

OLD BUSINESS:

Hearing Schedule Changes:

Mr. Freedman advised that several budgets for possible reconsideration had been added to the agenda for the Finance Committee's meeting on March 20. The members were reminded that that meeting would be posted on Monday, March 17 and any recommendations for additional changes or additions must be communicated in time to be included in that posting.

Public Hearing FY 2014 Spring Annual Town Meeting Warrant Articles:

A motion was made, at 7:17 p.m., to open the public hearing on the FY 2014 Spring Annual Town Meeting Warrant Articles.

Moved/Motioned by:	Mr. Everett
Seconded by:	Mr. Pierce
Motions or Debates:	None
Vote:	9 – 0 – 0 (unanimous)

Article 13 – Reorganization of Zoning By-Laws: Phase I Document:

Mr. Charles Hughes, Natick Selectman and Chair of the Zoning By-law Review Committee, was present to speak to this Article. Mr. Hughes stated that a recommendation of No Action was being requested under Article 13 explaining that inaccuracies identified in a map prepared to support this proposal necessitated further review of historical records of Town Meetings going back to 1960, and this research was not expected to be completed in time for Town Meeting. He said this would be back on the agenda for the 2014 Fall Annual Town Meeting.

Member questions and discussion included the following:

- With the exception of any by-law changes adopted at the upcoming Town Meeting, and changes made to comply with changes in state laws, the Phase I document does not include any substantive changes to the existing by-laws; the focus of this initial phase is on establishing a format and structure for codification.
- Some, but not all of the \$100,000 appropriated for consulting support has been expended.

A motion was made, at 7:21 p.m., to recommend No Action on Article 13.

Moved/Motioned by:	Mr. Everett
Seconded by:	Mr. Evans
Motions or Debates:	Mr. Evans said this would allow time to get all the necessary work done before putting this forward to Town Meeting.
Vote:	9 – 0 – 0 (unanimous)

The Chairman welcomed Mr. Bill Chenard, Deputy Town Administrator-Operations, to the podium to present information regarding the Capital budgets.

Article 35 – Capital Equipment:

The members were referred to several items in the handouts (Attachments C, E & G) which provided supporting detail regarding the items proposed for funding under this Article.

Mr. Chenard distributed an updated summary of the Capital Equipment requests (Attachment O) which reflected a reduction in pricing for one item and revisions in funding sources.

Although a Capital Subcommittee meeting to review the town’s proposed spending under these Articles had not achieved a quorum, Mr. Ciccariello and Ms. Coughlin had attended that meeting and presented supporting commentary throughout Mr. Chenard’s presentation.

Mr. Chenard provided an overview of the items proposed for funding under Article 35 as detailed in Attachment E.

Additional town personnel providing information and supporting detail included Mr. Paul Comerford, Facilities Director of Facilities, Police Chief James Hicks, Mr. Tom Collins, Deputy Director, Public Works, Mr. Art Goodhind, LFNR Supervisor and Mr. Tony Comeau, Water/Sewer Supervisor.

Member questions and discussion included the following:

- A number of questions were raised regarding the \$400,000 proposed for replacement of laptop computers purchased for 8th grade students in 2011 in conjunction with the 1:1 technology program; however, there was no representative from the School in attendance

to provide further information. It was reported by a member that an amount of \$254,000 for laptops was included in the School Department’s recent presentation to the School Committee.

- Because the police vehicles being replaced do not meet energy efficiency levels required under the “Green Community” guidelines, these vehicles cannot be reassigned for other departments’ use as was the past practice and, instead, will most likely be sold at auction with the proceeds deposited in the DPW Surplus Vehicle/Purchases revolving fund.
- Due to price updates, funding appropriated in the FY 2014 Capital budget was insufficient to replace all laptop computers in the police cruisers. The \$13,500 being proposed is expected to complete this replacement.
- The funding proposed for Fire Department Turn Out gear will complete a four-year plan to replace all department gear. It is anticipated that the four-year replacement cycle will begin again with the FY 2017 budget.
- There was a request for follow-up clarification regarding how the two thermal imaging cameras used by the Fire Department are deployed.
- The versatility of the chassis and hook lift proposed for replacement by the DPW precludes the need to purchase three separate vehicles as this is used for catch basin cleaning, trash collection and sanding and snow removal.
- Updated pricing has enable reduction of the projected cost to replace the existing water meter radio transmitters from \$150,000 to \$100,000.

A motion was made, at 8:41 p.m., to move favorable action on the subject matter of Article 35 – Capital Equipment with deletion of the \$400,000 for proposed replacement of 1:1 computer technology for the Schools (item #3) for a total of \$1,554,000 to be funded with \$419,000 from the Capital Stabilization Fund, \$890,000 from Tax Levy Borrowing and \$245,000 from Water & Sewer Retained Earnings.

Moved/Motioned by:	Mr. Hayes
Seconded by:	Mr. Ciccariello

A motion was made, at 8:44 p.m., to move favorable action on the subject matter of Article 35 – Capital Equipment in the amount of \$1,954,000 to be funded with \$819,000 from the Capital Stabilization Fund, \$890,000 from Tax Levy Borrowing and \$245,000 from Water & Sewer Retained Earnings as printed on the March 13, 2014 summary of Article 35 - Capital Equipment (Attachment O).

Moved/Motioned by:	Mr. Evans
Seconded by:	Mr. Everett

Motions or Debates:	<ol style="list-style-type: none"> 1. Mr. Hayes said he was not opposed to the School’s technology program and that was why he was bothered by the \$400,000 amount for computer replacement. He referenced detail from a February 24th presentation by the School Department to the School Committee which addressed grade 8 students and teacher district wide sustainability and included: <ol style="list-style-type: none"> a. 8th grade student laptops were in the third year of use and needed to be replaced, and the plan was to re-purpose those laptops and redeploy them to the elementary schools; b. There was a need to replace the oldest teacher laptops district wide and the funding source was this capital
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	<p>request;</p> <p>c. They would like to add devices at the elementary & middle school levels such as classroom sets of 5 iPads for K-4 and a cart of iPads for each of grades 5-7;</p> <p>He stated that a request for \$254,000 was discussed in that presentation and he was bothered by the large discrepancy between that amount discussed in the public forum of the School Committee presentation vs. the \$400,000 now being requested under this Article. He pointed out that, since 2008 more than 3,200 laptops had been put into the system, almost 2,500 of which had been purchased since 2011 and he thought that was quite a large number. He cited the recent deployment and distribution of these devices among the high school, Kennedy and Wilson, and added that more than 150 devices were already in the elementary schools and 21 were in the preschool, which he didn't understand. In addition, he noted there were 602 other types of devices, including iPads and iPods, the majority of which had been purchased in the last two years; yet now there was a capital request for \$400,000 to buy more laptops for the 8th graders and the teachers, some of whom would be receiving their third laptop since the program started in 2008. He said the point was that many had been asking for the past 3-4 years for a plan detailing what would be needed going forward and yet here was another request for \$400,000 but no one was here to answer any questions. He said in the absence of a plan to provide some context and structure for this request he didn't believe it deserved to be supported.</p> <p>2. Mr. Ciccariello said the previous speaker had touched on most of his concerns saying he understood where the School Department was going and recognized that technology was the leading way to educate students today, but he agreed that, although requests had been made multiple times, there had never been a master plan presented. In addition, he said after \$1.1 million was spent for high school 1:1 laptops from the contingency fund, he had heard that more had recently been purchased with monies remaining in that fund and no one knew how many or for what purpose these had been purchased. He said he agreed with the previous speaker and would support the lower amount.</p> <p>3. Mr. Evans said he would also support the lower amount saying he agreed the Committee had not received answers to many valid questions which had arisen and wondered if this might be revisited at a later point if further information became available from the School Committee and the School Administration.</p> <p>4. Mr. Everett said he had seconded the alternate motion for purposes of discussion but agreed that a plan was needed. He said he was surprised and disappointed that no one was present from the Schools to speak to this request and supported deferring this item until more information was available.</p> <p>5. Mr. Pierce pointed out that the combined requests from the Schools under this Article amounted to more than \$0.5 million and he thought someone should have attended this meeting to answer questions related to that size of a request. He said he</p>
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	<p>would support the lower amount until more answers were provided.</p> <p>6. Mr. Brown said he echoed all the previous speakers’ sentiments and said he had been supportive of the schools but was offended that no one was present to provide information to support requests totaling \$660,000.</p> <p>7. Ms. Coughlin noted that there had been much discussion of the need for transparency and clarity when the 1:1 program was introduced and she didn’t see that much had changed since then, noting she had been surprised to find that her daughter received a used laptop when she had understood that the high school students would be receiving new devices.</p> <p>8. Mr. Kelleher said he agreed with all the comments by previous speakers, pointing out that this \$400,000 item was the single largest request on the list and had generated many questions. He thanked a previous speaker for the information he had provided.</p> <p>9. Mr. Freedman said he didn’t necessarily disagree with much of what had been said but thought there were other factors in play. He said he understood the frustrations expressed but believed there was a plan for how and where these devices were being deployed but that just had not been adequately communicated. He said he had worked long enough with the School Administration to know these were smart people who wouldn’t have placed this request on the list without thoughtful consideration. He said he presumed this was part of a plan but more information was needed regarding where all the pieces fit and he would like to have had a representative from the School Department present to answer questions as he expected there were probably easy answers to many of the questions raised. He said he would like to support this but understood that with the lack of detail people were not ready to do that. He said he would support the higher number and asked the members to keep an open mind if additional information was made available.</p> <p>10. Mr. Hayes said he had initially requested the School Department’s Technology plan at the first Education Subcommittee meeting in February and a subsequent second request was made thereafter, but had still not received this although the Subcommittee had been told there was a plan. He said if something was not received following two requests it might be reasonable to assume it didn’t exist.</p>
Vote: (\$1,954,000)	1 – 8 – 0
Vote: (\$1,554,000)	8 – 1 – 0

Article 36 – Capital Improvement:

The members were referred to Attachments D, F & G for information supporting the Administration’s recommendations under Article 36.

Mr. Chenard provided an overview of the items proposed for funding under Article 36 as detailed in Attachment F with additional information and commentary by other town personnel in attendance.

Mr. Chenard reported that an additional item (#16) was added to the list after the handouts were prepared for funding in the amount of \$180,000 to cover Natick’s 9.65% share of the

cost to replace the roof at Keefe Tech which has been approved for MSBA (Massachusetts School Building Authority) funding at a 69.89% rate. He explained that Capital Stabilization is the proposed funding source rather than borrowing which will save the town an estimated \$8,000 of borrowing costs.

Member questions and discussion included the following:

- A large number of questions related to the scope, perceived needs and plans for the proposed Memorial Field feasibility study. Members of the Capital Subcommittee had expected further details to be provided via handout. It was noted that the scope of the study extended beyond only Memorial Field.
- Further detail relating to the LFNR field renovation program plan will be provided.
- Grant funding is being pursued to support half of the estimated costs of the tree replacement program anticipated to get under way in the fall. Further details on these plans will be provided.
- There was a request for a listing of the 29 facilities constituting the scope of the proposed Recreation & Parks field study.
- Questions were raised as to whether the Memorial Field study and the Recreation & Parks field study could be combined and costs could be reduced by doing some, or all, of the work with in-house resources.
- Automating the cash management processes is expected to reduce errors as well as reduce or avoid need for outside consulting support.
- Improved integration of the town and school technology networks is considered an essential prerequisite to upcoming municipal technology upgrades.
- Effort will be made to coordinate the expansion of the Wilson School parking lot with other paving projects to keep costs down.
- It is felt that further delaying the DPW second floor expansion would only result in widening the gap between cost estimates and final pricing as construction costs are continuing to rise. A commitment has been received from the low bidder to hold his bid price until May to be able to proceed as soon as possible should Town Meeting vote favorably on this item. Approximately \$600,000-\$700,000 of this work would have to be added back to the capital budget if this project is not approved.
- Mitigation funding from Sherwood Plaza is being explored for funding in support of the sewer station generator proposed for the Travis Road sewer pump station.

A motion was made, at 10:46 p.m., to move favorable action on the subject matter of Article 36 – Capital Improvements in the amount of \$3,784,100 to be funded with \$559,100 from the Capital Stabilization Fund, \$2,533,500 from Tax Levy Borrowing and \$691,500 from Water & Sewer Borrowing.

Moved/Motioned by:	Mr. Evans
Seconded by:	Mr. Pierce
Motions or Debates:	<ol style="list-style-type: none"> 1. Mr. Evans noted that the presentation of the items being proposed was thorough and he appreciated the answers and information provided by town personnel to questions raised and was in support of this recommendation. 2. Mr. Pierce thanked everyone for their diligence in providing supporting information related to these recommendations. 3. Mr. Hayes said he had considered making a motion to remove

	<p>item #1 from the list. Although he appreciated the efforts by those present who had attempted to provide answers to the members' questions regarding this School-sponsored project, he said satisfactory answers regarding the real purpose and why the town needed to spend \$50,000 for it were still lacking and he couldn't see why someone from the Schools couldn't be here to address this.</p> <ol style="list-style-type: none">4. Ms. Coughlin said she would have supported the motion suggested by the previous speaker saying she would also have considered taking out the second study being proposed questioning whether two \$50,000 studies were needed at this particular time when the town was still looking at a budget deficit. She said she would support the motion but was tired of studies. She thanked everyone who had stayed so late to help answer the members' questions relating to this budget.5. Mr. Everett said he had also been concerned to see \$160,000 in this budget for studies and assessments which was why he had questioned whether some of this could be done in-house, and was disappointed with the answer that expertise regarding compliance issues was lacking as he would have hoped these managers would have that. He said the network problems were what happened when you didn't have integration and pointed out that this had been proposed in the past but hadn't been achievable. He also was bothered by the projected \$3,333 cost per space for the Wilson parking lot expansion and the estimated \$800,000 for an additional 2,700 square feet of space at the DPW building. He said those costs seemed high to him but he would defer to the experts and would support the motion.6. Mr. Ciccariello said he also considered pulling some costs out but, in the long run, he felt the studies were needed because they would provide a game plan moving forward regarding what needed to be done, and how it should be done. He said when someone came forward with a budget for something they wanted to do, they were asked why they wanted to do it, how they knew and how it could be justified and, although he was sure these studies would produce recommendations with associated costs, the good part was that each proposal would go through the process and someone would determine whether or not the expenses were reasonable. He did believe, however, that spending \$100,000 to do the same thing in two departments was ridiculous and said everyone knew it was possible to get a discount on feasibility studies because the consultants didn't expect to make money on the studies, but on the follow on work that came out of the studies. He suggested the individuals with oversight on these two projects get together and develop a proposal to get the best price for the studies. He suggested setting a figure as to what each would be willing to pay and combining the study and then work together on this as a team. He said he was bothered by what seemed to be a great deal of criticism directed toward the individual who had previously been responsible for this area for the Schools saying that 16 people had spent more than 2.5 years listening to everything needed for the
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	<p>high school fields and although the new athletic director might have a new vision that didn't mean the previous individual hadn't done everything the right way. Finally, he said he had done some research which led him to believe some of the costs on this list were a bit high and he expected there would be some cost savings. With regard to the DPW building improvements, he said he had spent a good deal of time looking at that project and it wasn't reasonable to use the per-square-foot figure because there were several components of the project which were upgrades, including renovations on the ground level and a fire separation wall, so this should be evaluated on the basis of the full scope of the work being done. He pointed out that the construction market prices were rising and if this project were re-scoped and further postponed the costs would keep rising to the point it might never get done.</p>
<p>Vote:</p>	<p>9 – 0 – 0 (unanimous)</p>

The Chair called a brief recess at 11:00 p.m.

The Chair called the members back to order at 11:11 p.m.

Article 40 – Amend Zoning By-Laws: Change Classification from I to RG: Pleasant Street:

The Chairman welcomed Mr. James Williamson, sponsor of this citizen's petition and an employee of Barberrly Homes the company interested in developing an Assisted Living facility in this area if this by-law change is approved.

The members were referred to the responses to the Standard Questions for this Article (Attachment H) which was included in the evening's handouts.

Mr. Williamson presented an overview of the area which was the subject of the Article and the proposed development illustrated by several graphics and highlighted the following:

- The company hopes to build a three-story assisted-living facility within the 41,500 sq. ft. footprint of an existing industrial building on the four-acre property at 22 Pleasant Street.
- The building has been vacant for a number of years and the company has an agreement with the owner to purchase the property.
- The project, if approved, complies with the provisions of the town's recently voted by-law governing assisted living facilities.
- If an assisted living facility is built, the developer would have to meet strict standards for cleaning up contamination on the property.

Mr. Patrick Reffett, Community Development Director, added the following:

- The applicant has worked with his department and the Planning Board regarding the best approach to zoning for this area and it was determined that RG would be appropriate to allow an Assisted Living facility.
- It is anticipated that specific measures to assure the town's continued access to the ball field and related park area would be part of any agreement and development permits issued.
- The Planning Board voted 6-0 to support favorable action on this Article.

Member questions and discussion included the following:

- Neither of the two Industrial zone categories would allow for a facility of this type.

- Currently existing easements prevent potential expansion of the scope of the proposed development. A parking lot may be located on an easement, but not a building.
- Access to the nearby athletic field as well as a pre-school is reached via roadways on the owner's property.
- Questions were raised as to whether the historical use of the access road by the town would meet the conditions for an easement by prescription under the principles of "adverse possession" or whether the proposed re-zoning to allow for this purpose could be considered "spot zoning."
- There is both opposition to and support for the proposed project among abutting owners in the neighborhood.
- A traffic impact study would be required by the Planning Board as part of the permitting process for this development.

Public concerns and comments:

- Mr. Robert Awkward, of 10 Phillips Street, speaking on behalf of himself and several other abutters to this property, expressed opposition to the proposed project and the re-zoning of this parcel saying these neighbors wished to preserve the historical nature of this neighborhood of single family residences. Saying these residents were not anti-business, he suggested that there were a number of potential industrial uses permitted under the current zoning which would generate business activity primarily during the working day and be quite acceptable to the immediate community. Pointing out that the manufacturing facility currently on the property had been there since 1840, pre-dating any of the homes now there, he said this was part of the historical nature of the area and the property owners were comfortable knowing that, under the current zoning, any re-purposing of those premises would have to operate within the current footprint and height of the existing structure. The three-story facility being proposed, he pointed out, would block the current view from his property which presently looked out over the roof of the existing building. Another issue cited was the substantial increase in lighting which would be required for an Assisted Living facility which would not be possible to mitigate due to an adjoining NStar easement. He also cited traffic and potential cleanup issues as concerns, saying the response of the Planning Board to abutters' concerns was "trust us" to work this out through the permitting process. He concluded by suggesting that the town should pursue other options to find an alternative use for this property, including creation of additional parkland through a benefactor or by purchase of the land by the town.
- Mr. John Newton, of 20 Pleasant Street, whose property abuts the area under discussion, said he was an advocate for the historic district and for maintaining the character of South Natick, but supported the proposed use of this property for an Assisted Living facility. He said he was likely responsible for some of the attendance this evening by individuals with interest in this project because, after initially learning of the proposal when it first appeared on the Planning Board's January 8 agenda, he had brought this to the attention of others in his neighborhood. He recalled the January Planning Board discussion as including considerable discussion of potential "unintended consequences," similar to questions which had been raised this evening, and since that time he had been gathering information to better understand what was going on and communicating that to his neighbors. If not for his efforts, he doubted there would have been anyone else from the neighborhood present this evening since there had been no public notices or letters to abutters, apart from news in the Metrowest bulletin. Despite the fact that the concerns expressed by the previous speaker would also affect him, he said he supported the proposal in the interests of the "greater good" and to avoid other potential uses permitted

under Industrial I. He pointed out that, since 1973 when the last tenant moved out, the property had been “benign presence” adding little or no traffic, noise or activity to the area. As a result, the neighborhood had become used to this, but he believed that issues arising from the proposed Assisted Living facility, which he considered only slightly less benign, could be mitigated with good planning and good interaction with the Planning Board and he therefore supported the re-zoning of this area, urging a favorable recommendation from the Finance Committee.

- Mr. George Richards, of 65 Everett Street, advised that, if the property in question was registered land it was not legally possible to obtain prescriptive easement rights or adverse possession against registered land so it would be advisable for the town to seek to obtain an easement either from the current or future property owner.
- Ms. Nancy Lavash, Precinct 1, questioned whether the responsibility for cleaning up the site would make this property less attractive to other potential residential builders and said she thought she had heard that any new industrial owner would not be required to clean up the site which didn't sound great to her. She also explained, in reference to a question which had been raised during earlier discussion, that the difference between a nursing home and assisted living was the level of care, not the size of the unit; and, pointing out that there was already an existing nursing home near this property, she questioned whether the neighbors had any problems with that facility.
- Jon Marshall, Recreation & Parks Director, stressed that access to the athletic field was critical and said he appreciated the efforts of the Planning Board to assure that would continue. He also questioned whether a change in the zoning would prohibit the existing access enjoyed under the current zoning classification.
- Mr. Everett read a written statement from the Eliot Church relating to Articles 40 and 43 (Attachment I).

A motion was made, at 12:31 a.m., to refer Article 40 to the Planning Board.

Moved/Motioned by:	Mr. Ciccariello
Seconded by:	Mr. Pierce

A motion was made, at 12:32 a.m., to move favorable action on the subject matter of Article 40.

Moved/Motioned by:	Ms. Coughlin
Seconded by:	Mr. Evans

Motions or Debates:	<ol style="list-style-type: none"> 1. Mr. Ciccariello said he was not opposed to this concept, but the decision to re-zone a parcel of land was critical to the development of a community and deserved to have a lot of questions answered when it was being considered. He wasn't suggesting the Planning Board hadn't done their job; he was sure that considerable time and effort was involved in looking at this project which was proposed by a sponsor who had completed some successful developments in the town. What concerned him, however, was the fact that several legal questions had arisen this evening regarding which he believed the Planning Board should consult Town Counsel before deciding to vote on a zoning change, rather than during the vetting of a special permit or site plan review. Further, although he understood that abutters would have an opportunity for input during any special permitting process and it wasn't necessarily required to notify the
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	<p>community when considering redistricting, he felt it was appropriate for the Board to notify the abutters during that stage to allow opportunity for input. In reference to questions which had arisen during the earlier discussion, he explained that there were significant differences between assisted living facilities and nursing or rest homes for congregate care as the requirements for a nursing home, which required greater square footage, were much more stringent and required determination of need and licensure by the Commonwealth's Department of Public Health.</p> <ol style="list-style-type: none">2. Mr. Pierce said he agreed with all the points made by the previous speaker saying he was sensitive to the needs of his fellow residents and puzzled that the abutters had not received notification regarding this as he had been required to send registered letters to neighbors when he was pursuing a project on his property. He also agreed that the Planning Board should have asked the questions which had arisen this evening and felt this needed more work and legal advice.3. Ms. Coughlin said she agreed with the previous speakers and was also troubled by the same questions and concerns but had proposed favorable action in order for Town Meeting to have an opportunity to weigh in on this.4. Mr. Evans said he agreed with his co-sponsor of the favorable action motion and wanted to hear what Town Meeting had to say about this. He pointed out that this area had been stagnating for some time and in the worst case, this re-zoning would just make this a residential neighborhood. He said he did think the special permitting process vetted out many issues and this might never result in an Assisted Living facility, but he wanted to see the area re-zoned. He said many valid issues had been raised in this evening's discussion which needed answers and this would get these out on the table. He said he could support either motion but was interested in input from the broader community and felt favorable action would facilitate that.5. Mr. Brown thanked everyone who had waited until so late this evening to share their input saying he agreed with the legal questions and concerns which had been raised and would support the referral motion, pointing out that no matter what the Finance Committee recommended, any member could put forward a positive motion on Town Meeting floor so there would be an opportunity for everyone to weigh in. He said he wasn't so much concerned about the prospect of an assisted living facility but rather with what the proposed zoning change would open up in terms of potential additional multi-family housing which could further exacerbate the demands on the town's schools and the community in general. He said this was a "back door" way for some other types of development and that issue needed to be considered.6. Mr. Hayes said he had lived in this area for fourteen years and could attest that this building had been empty for at least that long. He said he was unsure as of the previous day what his opinion on this would be, but had watched the Planning Board's discussion of this matter the previous evening, then done some
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	<p>research to prepare his questions and had driven around the area to try to envision the potential impact of the proposed 3-story structure as well as other potential uses of the property under the current and proposed zoning. He reminded everyone of the variety of businesses currently sited in the area and said the reason he had listed the range of allowed uses under the current zoning was, in part, because he had been disappointed that during the Planning Board’s discussion the only alternatives which were cited were a factory with a smoke stack or an auto body shop, whereas he felt at least half the options allowed would be attractive additions to the area. He said he wasn’t certain at this point whether assisted living might be the right next step for use of that land and conceded that, in voting against this, he might be chagrined at what eventually happened, but said he felt there remained some important questions for which answers were needed and he was disturbed that these weren’t raised during the previous evening’s Planning Board discussion which he felt would have been the appropriate place to vet them. He said he would support referral and would be interested to see what happens on Town Meeting floor.</p> <p>7. Mr. Freedman said he was surprised and, although he had come to this evening’s meeting thinking he would support favorable action he would, instead, support referral. He thanked everyone for the thoughtful and insightful discussion which had changed his mind. He explained that his support for the proposal had been based on his view that this industrial site could be put to better use which could increase the town’s tax base and he also believed there would be a mechanism to appropriately address the concerns of the abutters, such as traffic, lighting and access to the fields, through the permitting process, and also to get some mitigation in the town’s favor. What tipped his thinking, however, was the uncertain impact on the town’s infrastructure if the area were to be re-zoned, but the proposed project did not go forward and he agreed that more answers were needed on this and other issues raised. He agreed there would be an opportunity for discussion of this at Town Meeting regardless of the Finance Committee’s vote.</p>
Vote: (Referral)	5 – 3 – 0
Vote: (Favorable action)	3 – 5 – 0

Mr. Freedman explained that, as neither motion had received the required eight votes, the Finance Committee would have no recommendation on Article 40.

Article 42 – Facilitate Historic Building Preservation in Natick Through Amending Zoning By-Laws:

The Chairman thanked everyone who had waited patiently so late into the evening to speak to these Articles and welcomed Mr. Randy Johnson and Mr. John Horne, sponsors of Article 42, to the podium to present information in support of the Article.

The members were referred to Attachments J & K in the meeting packet and Mr. Johnson distributed a revision to Attachment K (Attachment P) which, he explained, reflected

modifications made to the wording of the zoning by-law amendments being proposed to address issues raised during the previous evening's discussion of this by the Planning Board.

Mr. Johnson noted that the proponents did have a financial interest related to this Article as they were currently working on a project related to the Sacred Heart site in South Natick.

Mr. Johnson presented the background and rationale for this Article as detailed in the responses to the Standard Questions for this Article (Attachment J) emphasizing that the focus of the by-law amendment being proposed was intentionally narrow as this was seen as a starting point which could be expanded to other types of facilities in the future should that be desirable.

Member questions and discussion included the following:

- The Planning Board voted 6-0 to refer this Article to the proponent and the Planning Board.
- The Historic District Commission would be the entity to review any potential re-use proposal under these guidelines.
- Although revisions have been made to address issues raised by the Planning Board those revisions have not been reviewed by that Board.
- The proponents have chosen to work through the Planning Board rather than the zoning board based on the fact that this Article proposes to work outside the existing dimensional requirements overseen by the ZBA using factors viewed as more appropriate to the Planning Board's purview.
- As written these regulations would apply to only two existing properties in Natick at this time.

Public concerns and comments:

- Ms. Lavash said she was hearing a great deal which was not in her copy of the Warrant which was what was signed and posted. She also pointed out that there was presently a church property for sale which was not in the historic district and therefore this proposal would not be applicable to that property and she suggested that would raise serious question of spot zoning if it didn't cover all churches in the town.
- Mr. Richards commended the proponents for bringing this forward because it raised the issues of both historic preservation and adaptive re-use of churches and other places of worship, many of which had seen declining membership and become vacant in recent years. Speaking as a planner and practitioner representing land owners and developers, he said this raised the question of whether the town wanted to see re-use of these types of properties or see them torn down. He said the latter would be the result if adaptive re-use was not allowed, and that would be a shame because most of these properties were in residential areas and still meant a lot to the residents and offered important cultural aspects to the neighborhood. He suggested amending this to remove the restriction to the historic district so these guidelines could apply to places of worship which met the criteria throughout the town. He said he had faith that the Planning Board would be able to address neighbors' concerns through their site review process and others should share that confidence, pointing out that it was difficult for a by-law to micro-manage every detail of every development because every project was different.
- Mr. D.A. Farber, representing the trustees of the Community United Methodist Church, which was referenced by Ms. Lavash, distributed a monograph commemorating the history of the church and said that group supported this proposal in general for creating a path to permit re-use of these properties. He supported the suggestion to eliminate

restriction of the proposal to only properties located in the historic district as arbitrary, and spoke at length of the value of the cultural history associated with these properties. He agreed with the previous speaker that the town’s elected boards should be trusted to do the right thing and pointed out that there might need to be some leniency with respect to some of the zoning and other regulations in order to save some of the culturally and historically significant buildings.

A motion was made, at 1:31 a.m., to refer Article 42 to the sponsor and the Planning Board.

Moved/Motioned by:	Mr. Evans
Seconded by:	Mr. Everett
Motions or Debates:	<ol style="list-style-type: none"> 1. Mr. Evans pointed out that the Planning Board had indicated they were not opposed to this proposal but he was uncomfortable with trying to “wordsmith” this on the fly just before Town Meeting. He said he thought the concept was laudable but when a new by-law was being created it was important to get everything right before it went forward for approval and he preferred to give the Planning Board and the proponents the time needed to tighten this up and have it come back for the next Town Meeting. 2. Mr. Everett echoed the previous speaker and agreed it would be preferable, when dealing with a new by-law, to go forward with something the Planning Board thinks was ready so everyone, including the proponents, could say this was a good Article and a good by-law. 3. Mr. Freedman agreed saying he was very supportive of the re-use concept but also had an aversion to “word-smithing” when something was evolving. He agreed that with by-laws and zoning it was important to make sure everyone had seen and discussed the same version and encouraged the proponents that he thought this was worth fighting for but was not quite ready for this Town Meeting.
Vote:	8 – 0 – 0 (unanimous)

Article 43 – Amend Zoning By-Laws: Change Classification from RG to RSA or RSC: Pleasant Street Area:

The Chairman welcomed Mr. John Newton, sponsor of Article 43, to the podium to speak to this Article.

The members were referred to the responses to the Standard Questions for this Article (Attachment L) and copies of email correspondence relating to the matter (Attachments M) which were included in the handouts.

Mr. Newton explained that he had been prepared to discuss his reasons for initially proposing the Article and for requesting a recommendation for referral, but in view of the late hour, he said this was detailed in the handouts and, after consultation with a particular town official he was requesting that the Finance Committee recommend that the subject matter of Article 43 be referred to the sponsor and the Planning Board for further discussion and consideration with the view that the subject matter of the Article be submitted to the Fall or a subsequent Town Meeting.

A motion was made, at 1:39 a.m., to refer the subject matter of Article 43 to the sponsor and the Planning Board.

Moved/Motioned by:	Mr. Pierce
Seconded by:	Mr. Ciccariello
Motions or Debates:	None
Vote:	8 – 0 – 0 (unanimous)

A motion was made, at 1:40 a.m., to close the public hearing on the FY 2014 Spring Annual Town Meeting Warrant Articles.

Moved/Motioned by:	Mr. Everett
Seconded by:	Mr. Evans
Motions or Debates:	None
Vote:	8 – 0 – 0 (unanimous)

ADJOURN (1:40 A.M.):

A motion was made to Adjourn at 1:40 a.m.

Moved/Motioned by:	Mr. Pierce
Seconded by:	Mr. Everett
Motions or Debates:	None
Vote:	8 – 0 – 0 (unanimous)