

ANNUAL TOWN MEETING
April 11, 2006

- Article 1 Omnibus Budget Fiscal 2006
- Article 2 Omnibus Budget Fiscal 2007
- Article 3 Morse Institute Library
- Article 4 Bacon Free Library
- Article 5 Elected Officials Salary
- Article 6 Collective Bargaining – Police Superior Officers Contract
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- Article 8 Release of surplus Bond Proceeds –Appropriate for Golf Course Maintenance Bldg.
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ARTICLE 1
(Town Administrator)

To determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest, and to provide for a reserve fund for Fiscal Year 2006 (July 1, 2005 to June 30, 2006), and to see what budgets for Fiscal 2006 will be reduced to offset said additional appropriations, or take any action relative thereto.

ARTICLE 2
(Town Administrator)

To determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest, and to provide for a reserve fund for Fiscal Year 2007 (July 1, 2006 to June 30, 2007), or take any action relative thereto.

ARTICLE 3
(Morse Institute Library)

To see what sums of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Morse Institute Library, for the Fiscal Year July 1, 2006 to June 30, 2007.

ARTICLE 4
(Bacon Free Library)

To see what sum of money the Town will vote to raise, borrow or transfer and appropriate for the maintenance of the Bacon Free Library, or otherwise act thereon.

ARTICLE 5
(Town Administrator)

To see if the Town will vote to fix the salary and compensation of all elective officers of the Town of Natick for the fiscal year which begins on July 1, 2006 as provided by Section 108 of Chapter 41 of the General Laws, as amended.

ARTICLE 6
(Town Administrator)

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

- a) International Brotherhood of Police Officers, Local 622

ARTICLE 7
(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 the by-laws by adding to Article 24, Section 3, a new paragraph deleting certain position titles, adding new position titles and effecting changes in the salary ranges as presently established and will provide the money necessary therefore, or take any action relative thereto.

ARTICLE 8
(Town Administrator)

To see if the Town will vote to appropriate the aggregate amount of the following unexpended bond proceeds, which unexpended bond proceeds were not needed to complete the projects for which the bonds were originally issued, to pay costs of planning and constructing a municipal golf course and other recreational facilities which shall be partially in the Town of Sherborn, including the acquisition of any interest in land necessary therefor, the construction of a building, and the cost of original equipment and furnishings in connection therewith, which appropriation shall be in addition to the other amounts appropriated for such project:

<u>Bonds Dated</u>	<u>Unexpended Proceeds</u>	<u>Original Authorization</u>	<u>Original Purpose</u>
8/1/99	\$131,631.16	10/1/96 (Art. 12) & 12/15/98 (Art. 5) & 4/15/99 (Art. 12)	Landfill
4/15/04	<u>16,000.00</u> \$147,631.16	10/4/01 (Art. 37)	Curbing

; or to take any other action relative thereto.

ARTICLE 9
(Town Administrator)

To see if the Town will vote to appropriate the aggregate amount of the following unexpended bond proceeds, which unexpended bond proceeds were not needed to complete the projects for which the bonds were originally issued, to pay costs of (a) cleaning and relining approximately 14,250 linear feet of water main on Speen Street between Sherborn and Framingham town lines, (b) constructing a system of sewer mains, lateral lines, trunk mains and pump stations to service the areas of Clubhouse Lane and Saddlebrook Road, such work to be performed and betterments assessed in accordance with Article 71 of the Town Bylaws, and (c) cleaning and relining approximately 20,000 feet of water mains on Union Street, Summer Street and Pond Street and sections of streets adjacent thereto:

<u>Bonds Dated</u>	<u>Unexpended Proceeds</u>	<u>Original Authorization</u>	<u>Original Purpose</u>
4/15/02	\$687,669.86	4/10/11 (Art. 13 & 14)	Water Mains
4/15/02	193,689.50	10/4/01 (Art. 32)	Water Meters
4/15/04	350,000.00	10/4/01 (Art. 32)	Water Meters
4/15/02	248,673.60	10/10/95 (Art. 14) & 4/24/01 (Art. 20)	Sewer
8/1/98	17,429.01	4/11/96 (Art. 18)	Sewer
8/1/99	35,127.22	6/22/93 (Art. 3) & 4/11/96 (Art. 19)	Sewer
	<hr/> \$1,532,589.19		

; to determine whether any other sum shall be appropriated for the projects described in clauses (a), (b) and (c) above and, if so, whether such additional appropriation shall be raised by transfer of retained earnings from the water and sewer enterprise fund or otherwise, to determine whether the votes of the Town passed (i) October 21, 2003 (Article 5), (ii) October 19, 2004 (Article 11), and (iii) October 19, 2004 (Article 13), as amended by a vote of the Town passed April 12, 2005 (Article 14), which authorized borrowings for the projects described in clauses (a), (b) and (c) above, shall be rescinded; or to take any other action relative thereto.

ARTICLE 10
(Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum or sums of money as may be required for capital equipment for the various departments of the Town of Natick, or otherwise act thereon.

ARTICLE 11
(Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum or sums of money to implement a Capital Improvement Program, to protect the physical infrastructure of the Town of Natick, or otherwise act thereon.

ARTICLE 12
(Town Administrator)

To see if the Town will vote to adopt a development program for the Natick Center/Natick Mall Area District Improvement Financing District (the "District") pursuant to G.L. c.40Q as stated in the draft application to the Economic Assistance Coordinating Council for approval of the development program pursuant to G.L.c.40Q on file in the offices of the Town Clerk and the Board of Selectmen (the "Draft Application") or otherwise (the "Development Program"), provided that, in accordance with the vote of the Town passed at the 2005 Annual Fall Town Meeting (Article 16, Motion B), such Development Program shall include a statement to the following effect with respect to the method for calculating the percentage of the captured assessed value to be retained and applied for the purpose of financing the development program: The percentage of captured assessed value retained in each fiscal year for the purpose of financing the development program shall be the percentage necessary in such fiscal year to generate tax increments for the development program which are equal in amount to the debt service due in that fiscal year on all bonds issued by the Town to finance the development program; to determine whether the Town shall appropriate a sum of money pursuant to G.L. c.40Q and the Development Program to pay costs of designing and constructing a new parking garage at the site of the Middlesex Avenue parking deck, including the costs of demolishing the existing parking structure at that site and paying all other project costs incidental and related thereto as defined in G.L. c.40Q; to determine whether this appropriation shall be raised by borrowing under G.L. c.40Q, by project revenues (including tax increments), or otherwise, as provided in the Development Program; if all or any portion of such appropriation is to be raised by borrowing, to determine whether the bonds or notes issued therefore shall be general obligations or special obligations of the Town and whether such bonds or notes shall be secured by

a pledge of tax increments or other project revenues, or otherwise, in accordance with the Development Program; to determine whether the Board of Selectmen or any other officer or officers shall be the officer or officers responsible for carrying out the development program; and to take any other action relative thereto.

ARTICLE 13
(Town Administrator)

To see if the Town will vote to adopt a development program for the Natick Center/Natick Mall Area District Improvement Financing District (the "District") pursuant to G.L. c.40Q as stated in the draft application to the Economic Assistance Coordinating Council for approval of the development program pursuant to G.L. c.40Q on file in the offices of the Town Clerk and the Board of Selectmen dated as of August 24, 2005, as amended February 10, 2006 (the "Draft Application") or otherwise; to determine whether the Town shall appropriate a sum of money pursuant to G.L. c.40Q and the development program adopted by the Town to pay costs of designing and constructing a new parking garage at the site of the Middlesex Avenue parking deck, including the costs of demolishing the existing parking structure at that site and paying all other project costs incidental and related thereto as defined in G.L. c.40Q; to determine whether this appropriation shall be raised by borrowing under G.L. c.40Q, by project revenues (including tax increments), or otherwise, as provided in the development program; if all or any portion of such appropriation is to be raised by borrowing, to determine whether the bonds or notes issued therefore shall be general obligations or special obligations of the Town and whether such bonds or notes shall be secured by a pledge of tax increments or other project revenues, or otherwise, in accordance with the development program adopted by the Town; to determine whether the Board of Selectmen or any other officer or officers shall be the officer or officers responsible for carrying out the development program; and to take any other action relative thereto.

ARTICLE 14
(Town Administrator)

To see if the Town will vote to appropriate a sum of money to pay costs of designing and constructing a new parking garage at the site of the Middlesex Avenue parking deck, including the costs of demolishing the existing parking structure at that site and paying all other project costs incidental and related thereto; to determine whether such appropriation shall be raised by borrowing pursuant to G.L. c.44 or otherwise; or to take any other action relative thereto.

ARTICLE 15
(Board of Selectmen)

To see if the Town will vote to appropriate and raise, or otherwise provide a sum or sums of money as may be required to execute a Long Range Strategic Planning process for the Town of Natick, or otherwise act thereon.

ARTICLE 16
(School Committee)

To see what sum of money the Town will vote to appropriate and raise or otherwise provide for the purpose of purchasing technology equipment for the Natick Public Schools; determine whether this appropriation shall be raised by borrowing or otherwise; or take any action relative thereto.

ARTICLE 17
(School Committee)

To see what sum of money the Town will vote to appropriate for the purpose of operation and administration of the school bus transportation system, and to reduce or offset fees charged for students who elect to use the school bus transportation system for transportation to and from school; or otherwise act thereon.

ARTICLE 18
(Town Administrator)

To see if the Town will vote to authorize the use of revolving funds previously established pursuant to votes of Town Meeting; to determine: 1) the programs and purposes for which each such revolving fund may be expended; 2) the departmental receipts which shall be credited to each such revolving fund; 3) the board, department or officer authorized to expend money from each such revolving fund; and 4) a limit on the total amount which may be expended from each such revolving fund in the fiscal year which begins on July 1, 2006; or otherwise act thereon.

ARTICLE 19
(Town Administrator)

To see if the Town will vote, pursuant to Chapter 44, Section 53E½ of the Massachusetts General Laws, to establish a Library Materials revolving fund in order to utilize the revenues collected from fines for overdue materials, and from charges for lost or damaged materials, for the purpose of purchasing new books and other

related materials; to authorize the Library Director, under the supervision of the Town Administrator, to expend money from such revolving fund; to determine a limit on the total amount which may be expended from such revolving fund during the fiscal year beginning July 1, 2006;

ARTICLE 20
(Town Administrator)

To see if the Town will vote, pursuant to Chapter 44, Section 53E½ of the Massachusetts General Laws, to establish a Library Equipment and Maintenance revolving fund in order to utilize fees received from rental of facilities at the Morse Institute Library, for the purpose of maintenance and repair of Library facilities and equipment and purchase of equipment for the Library; to authorize the Library Director, under the supervision of the Town Administrator, to expend money from such revolving fund; to determine a limit on the total amount which may be expended from such revolving fund during the fiscal year beginning July 1, 2006; or otherwise act thereon

ARTICLE 21
(Town Administrator)

To see if the Town will vote, pursuant to Chapter 44, Section 53E½ of the Massachusetts General Laws, to establish a Sassamon Trace Golf Cart revolving fund in order to utilize fees received from the sale of golf carts for the purpose of restoration and rehabilitation of golf carts owned by the Town; to authorize the Recreation Director, under the supervision of the Town Administrator, to expend money from such revolving fund; to determine a limit on the total amount which may be expended from such revolving fund during the fiscal year beginning July 1, 2006; or otherwise act thereon.

ARTICLE 22
(Town Administrator)

To see if the Town will vote, pursuant to Chapter 44, Section 53E½ of the Massachusetts General Laws, to establish a Building Department revolving fund in order to utilize fees received for inspection services and code compliance services for commercial construction projects and residential construction projects at the Natick Mall for the purpose of providing such services for the foregoing construction projects and administrative costs related thereto; to authorize the Building Department to expend money from such revolving fund; to determine a limit on the total amount

which may be expended from such fund during the fiscal year beginning July 1, 2006;

or otherwise act thereon.

ARTICLE 23
(Town Administrator)

To see if the Town will vote to raise and appropriate, or otherwise provide such sums of money as may be required 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 24
(Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, the sum of \$25,000 to assist the Town in using the Town Gazebo as a new origination site, or otherwise act thereon.

ARTICLE 25
(Town Administrator)

To see what sum of money the Town will vote to appropriate to reline, repair and/or replace sewer lines in the Town, including without limitation Speen Street, North Main Street and Park Avenue; to upgrade, repair and/or replace sewer pump stations which serve, without limitation, the areas of Speen Street, North Main Street and Park Avenue; and for related engineering services; a portion of such work to be performed in accordance with Article 71 of the By-Laws; to determine how said appropriation shall be raised, whether by borrowing under applicable provisions of law or otherwise;
or otherwise act thereon

ARTICLE 26
(Town Administrator)

To see what sum of money the Town will vote to appropriate for surveying services and preparing a street layout plan for Cottage Street; to determine how said appropriation shall be raised, whether by borrowing under applicable provisions of law or otherwise;
or otherwise act thereon

ARTICLE 27
(Dight M. Crain, et al)

To see what sum of money the Town will vote to appropriate to mill and resurface Cottage Street, from the intersection of South Main Street southerly, to the intersection of Everett Street, or otherwise act thereon.

ARTICLE 28
(Patricia Burchette)

To see if the Town will vote to accept Cottage Street, or otherwise act thereon.

ARTICLE 29
(Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen to enter into a lease agreement with the Commonwealth of Massachusetts regarding property used now or formerly in relation to the National Guard Armory on Speen Street in Natick, which parcel is shown on the Town of Natick Assessors' Maps as Map 41, Lot 84, containing approximately three (3) acres, which lease agreement shall allow the Town of Natick to use said property for active recreation purposes or passive recreation purposes and shall contain a provision that the Commonwealth of Massachusetts shall be responsible for inspecting said property for the presence of oil and hazardous materials as those terms are defined in Chapter 21E of the Massachusetts General Laws and for remediation of such conditions; to determine what other conditions shall apply to such lease agreement, including without limitation the term of years thereof; to see what sum of money the Town will vote to appropriate for the purposes of this Article, whether by borrowing under any applicable provisions of law or otherwise;
or otherwise act thereon.

ARTICLE 30
(Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation in substantially the following form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING
THE TOWN OF NATICK
TO LEASE CERTAIN PROPERTY IN NATICK
OWNED BY THE COMMONWEALTH OF MASSACHUSETTS

*Be it enacted by the Senate and House of Representatives in
General Court assembled, and by the authority of the same, as follows:*

SECTION 1. The Town of Natick is hereby authorized to lease from the commissioner of the division of capital asset management and maintenance, and the commissioner of the division of capital asset management and maintenance is hereby authorized, subject to the provisions of sections forty E to forty J, inclusive, of chapter seven of the General Laws, to lease to the Town of Natick certain property located on Speen Street in said Natick, shown on the Town of Natick Assessors' Maps as Map 41, Lot 84, which property is used now or formerly in relation to the National Guard Armory on Speen Street in said Natick, for a term not to exceed thirty years, subject to the requirements of sections two and three of chapter seven of the General Laws and subject to such additional terms and conditions as the commissioner of the division of capital asset management and maintenance may prescribe in consultation with the military division.

SECTION 2. Said lease shall provide that the Town of Natick may use said land for active recreation purposes and passive recreation purposes.

SECTION 3. Said lease shall provide that the Commonwealth of Massachusetts shall assume the cost of inspection for the presence of oil and hazardous materials as those terms are defined in Chapter 21E of the Massachusetts General Laws and for remediation of such conditions.

SECTION 4. Said lease shall provide that in the event of military necessity the lease may be terminated upon thirty days prior written notice from the commissioner of the division of capital asset management and maintenance to the Town of Natick.

SECTION 5. This act shall take effect upon its passage.

or otherwise act thereon.

**ARTICLE 31
(Personnel Board)**

To see if the Town will vote to amend the Natick Home Rule Charter by deleting subsection (a) of Section 3-5, Town Clerk, which reads "There shall be a town clerk elected for a term of three years" and inserting in its place the following language:

"There shall be a town clerk appointed by the board of selectmen for a term of three (3) years. Such appointment shall be based upon qualifications in the field of municipal record keeping management. Minimum qualifications shall include a Bachelor's Degree in public administration, government, or business management or equivalent and five (5) years of experience in records/office management preferably in municipal government or equivalent. The town clerk, with the approval of the town administrator, may appoint, in writing, an assistant town clerk whose qualifications shall be based upon substantially similar qualifications to the town clerk's position. Unless a temporary town clerk is appointed, the assistant town clerk may, in the absence of the town clerk, perform the duties of the town clerk, and when performing the duties of the town clerk shall have the same power and be subject to the same requirements and penalties as the town clerk"

or take any other action relative thereto.

**ARTICLE 32
(Personnel Board)**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation in substantially the following form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

AN ACT REGARDING THE NATICK TOWN CLERK

Be it enacted by the Senate and House of Representatives in the General Court assembled and by the authority of the same as follows:

SECTION 1 Notwithstanding the provisions of Chapter 41, Section 1B of the Massachusetts General Laws, or any other law or special law to the contrary, the Town of Natick shall be permitted to place the following question on the official ballot for the State Election scheduled for November 7, 2006:

Shall the town have its elected town clerk become an appointed clerk of the town?

YES _____ NO _____

SECTION 2 *If a majority of votes cast in answer to said question is in the affirmative, said office shall become appointed in accordance with the provisions of this act.*

SECTION 3 *Any incumbent of such office serving at the time of acceptance by the voters shall continue to hold said office and to perform the duties thereof until the expiration of the term for which said individual was elected or until said individual otherwise vacates such office; provided, however, that any individual elected to an office which becomes an appointed office at the same election, under the provisions of this section, shall hold said office and perform the duties thereof until the appointment to said office is otherwise made under the provisions of this act.*

SECTION 4 *Such appointment shall be made by the board of selectmen for a term not to exceed three years, unless such manner of appointment or term is otherwise provided by law.*

SECTION 5 *This act shall take effect upon its passage.*

or take any other action relative thereto.

ARTICLE 33
(Board of Selectmen)

To see if the Town will vote, pursuant to Chapter 59, Section 5, Clause 41A of the Massachusetts General Laws, as amended by Chapter 136, Section 1 of the Acts and Resolves of 2005, to determine a lower rate of interest than the rate of eight (8%) percent per annum currently provided by law applicable to the payment of real estate taxes upon the sale or transfer of real property, which real estate taxes have been deferred pursuant to a tax deferral and recovery agreement between the Natick Board of Assessors and the owner(s) of the subject property.

or otherwise act thereon.

ARTICLE 34
(John Connolly, et al)

To see if the Town will vote to expand/adopt property tax exemptions for senior citizens, to ease financial impacts related to property tax.

ARTICLE 35
(Board of Assessors)

To see if the Town will vote to increase the Personal Exemption Amounts by 25.% under the provisions of Chapter 126 of the Acts of 1988 which provides for "Optional

Additional Property Tax Exemptions” allowing an annually determined, uniform increase in the amount of exemption in General Laws, Chapter 59 Section 5 Clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A and 41C (elderly person, disabled veteran, or blind person).

**ARTICLE 36
(Board of Health)**

To see if the Town will vote, pursuant to Chapter 40, Section 4A of the Massachusetts General Laws, or any other applicable law, to authorize the Board of Health to enter into an agreement with one or more governmental units to provide public health services which the Board of Health is authorized to perform; to determine the length of term of such agreement; to determine what other conditions shall apply, including without limitation financial safeguards for the parties and the maximum financial liability of the parties; or otherwise act thereon.

**ARTICLE 37
(Board of Health)**

To see if the Town will vote to amend the Town of Natick By-laws by adding a new article, which reads:

ILLICIT DISCHARGE BY-LAW

SECTION 1. PURPOSE

- A. Increased volumes of stormwater and contaminated stormwater runoff are major causes of:
1. impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater;
 2. contamination of drinking water supplies;
 3. alteration or destruction of aquatic and wildlife habitat; and
 4. flooding.

Regulation of illicit connections and discharges to the municipal storm drain system is necessary for the protection of water bodies and groundwater resources within the Town of Natick and to safeguard the public health, safety, and welfare and the natural resources of the Town.

- B. The objectives of this By-law are:
1. To prevent pollutants from entering the Town of Natick’s municipal storm drain system;

2. To prohibit illicit connections and unauthorized discharges to the municipal storm drain system;
3. To require the removal of all such illicit connections;
4. To comply with state and federal statutes and regulations relating to stormwater discharges; and
5. To establish the legal authority to ensure compliance with the provisions of this By-law through inspection, monitoring, and enforcement.

SECTION 2. DEFINITIONS

For the purposes of this By-law, the following shall mean:

CLEAN WATER ACT: The Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*) as hereafter amended

DISCHARGE OF POLLUTANTS: The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

GROUNDWATER: Water beneath the surface of the ground including confined or unconfined aquifers.

ILLICIT CONNECTION: A surface or subsurface drain or means of conveyance, which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this By-law.

ILLICIT DISCHARGE: Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in Section 7. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or a Surface Water Discharge Permit, or resulting from fire fighting activities exempted pursuant to Section 7, subsection B.1, of this By-law.

MUNICIPAL STORM DRAIN SYSTEM or MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4): The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Natick.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT: A permit issued by United States Environmental Protection Agency or jointly with the State that authorizes the discharge of pollutants to waters of the United States.

NON-STORMWATER DISCHARGE: Discharge to the municipal storm drain system not composed entirely of stormwater.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POLLUTANT: Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source that is considered toxic or detrimental to humans or the environment and may be introduced into the municipal storm drain system on into any water watercourse or waters of the Commonwealth.

PROCESS WASTEWATER: Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

STORMWATER: Stormwater runoff, snow melt runoff, and surface water runoff and drainage

SURFACE WATER DISCHARGE PERMIT. A permit issued by the Department of Environmental Protection pursuant to 314 CMR 3.00 that authorizes the discharge of pollutants to waters of the Commonwealth of Massachusetts.

TOXIC OR HAZARDOUS MATERIAL or WASTE: Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under G.L. Ch.21C and Ch.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

WATERCOURSE: A natural or man-made channel through which water flows, or a stream of water, including a river, brook, stream, underground stream, pond or lake.

WATERS OF THE COMMONWEALTH: All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, costal waters, and groundwater.

WASTEWATER: Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

SECTION 3. APPLICABILITY

This By-Law shall apply to flows entering the municipal storm drainage system.

SECTION 4. AUTHORITY

This By-law is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and in accordance with the regulations of the Federal Clean Water Act found at 40 CFR 122.34 and the Phase II ruling from the Environmental Protection Agency found in the December 8, 1999 Federal Register, as amended.

SECTION 5. RESPONSIBILITY FOR ADMINISTRATION

The Natick Board of Health shall administer, implement and enforce this By-Law. The Board of Health and its agents may consult with and request assistance from the Department of Public Works, and/or other Town departments for the purpose of administration, implementation, and enforcement of this By-law.

SECTION 6. REGULATIONS

The Natick Board of Health may promulgate rules and regulations to effectuate the purposes of this By-law. Failure by the Natick Board of Health to promulgate such rules and regulations shall not have the effect of suspending or invalidating this By-law.

SECTION 7. PROHIBITED AND EXEMPT ACTIVITIES

A. Prohibited Activities

1. Illicit Discharges. No person shall dump, discharge, cause, or allow to be discharged any pollutant or non-stormwater discharge into the municipal storm drain system, into a watercourse, or into the waters of the Commonwealth.
2. Illicit Connections. No person shall construct, use, allow, maintain, or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation, or custom at the time of connection.
3. Obstruction of Municipal Storm Drain System. No person shall obstruct or interfere with the normal flow of stormwater into or out of the

municipal storm drain system without prior written approval from the Natick Board of Health.

B. Exemptions

1. Discharge or flow resulting from fire fighting activities;
2. Discharges from Town of Natick snow and ice removal and control operations.
3. The following non-stormwater discharges or flows are exempt from this By-Law, provided that the source is not a significant contributor of a pollutant to the municipal storm drain system:
 - a. Municipal waterline flushing;
 - b. Flow from potable water sources;
 - c. Springs;
 - d. Natural flow from riparian habitats and wetlands;
 - e. Diverted stream flow;
 - f. Rising groundwater;
 - g. Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater;
 - h. Discharge from landscape irrigation or lawn watering;
 - i. Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air conditioning condensation;
 - j. Water from individual residential car washing and temporary fund-raising car wash events;
 - k. Discharge from *dechlorinated* swimming pool water (less than one ppm chlorine). provided test data is submitted to the Town substantiating that the water meets the one ppm standard, and the pool is drained in such a way as not to cause a nuisance or public safety issue and complies with all applicable Town By-Laws;
 - l. Discharge from street sweepers of minor amounts water during operations;
 - m. Winter roadway and parking lot sanding and salting operations associated with maintaining public safety;
 - n. Dye testing, provided verbal notification is given to the Natick Board of Health prior to the time of the test;
 - o. Non-stormwater discharge permitted under an NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order

administered under the authority of the United States Environmental Protection Agency or the Massachusetts Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations; and

- p. Discharge for which advance written approval is received from the Natick Board of Health as necessary to protect the public health, safety, welfare or environment.
4. Discharge or flow that results from exigent conditions and occurs during a State of Emergency declared by any agency of the federal or state government, or by the Natick Town Administrator, Board of Selectmen or Board of Health.

SECTION 8. EMERGENCY SUSPENSION OF STORM DRAINAGE SYSTEM ACCESS

The Natick Board of Health may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event any person fails to comply with an emergency suspension order, the Natick Board of Health may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

SECTION 9. NOTIFICATION OF SPILLS

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify Natick's Fire and Police Departments and Natick Board of Health. In the event of a release of non-hazardous material, the reporting person shall notify the Natick Board of Health no later than the next business day. The reporting person shall provide to the Natick Board of Health written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or facility operator shall also retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

SECTION 10. ENFORCEMENT

A. Authorized Agent

The Director of Public Health or an authorized agent of the Director of Public Health shall enforce this By-Law, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

B. Civil Relief

If a person violates the provisions of this By-Law or any regulations, permit, notice, or order issued thereunder, the Natick Board of Health may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

C. Orders

The Natick Board of Health or an authorized agent of the Natick Board of Health may issue a written order to enforce the provisions of this By-Law or the regulations thereunder, which may include: (a) elimination of illicit connections or discharges to the municipal storm drain system; (b) performance of monitoring, analyses, and reporting; (c) a requirement that unlawful discharges, practices, or operations shall cease and desist; and (d) remediation of contamination in connection therewith.

If the enforcing person determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation shall be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Natick may, at its option, undertake such work, and all costs incurred by the Town shall be charged to the violator, to be recouped through all available means, including the placement of liens on the property.

Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Natick Board of Health within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Natick Board of Health affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest

shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. Ch. 59, § 57 after the thirty-first day at which the costs first become due.

D. Criminal Penalty

Any person who violates any provision of this By-Law or any regulation, order or permit issued thereunder, shall be punished by a fine of not more than \$300.00 for each offense. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

E. Non-Criminal Disposition

As an alternative to criminal prosecution or civil action, the Town of Natick may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch. 40, §21D, in which case the Natick Board of Health or an authorized agent of the Natick Board of Health shall be the enforcing person. The penalty for each violation shall be \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

F. Entry to Perform Duties Under this By-Law

To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Natick Board of Health, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this By-Law and regulations and may make or cause to be made such examinations, surveys or sampling as the Natick Board of Health deems reasonably necessary

G. Appeals

All decisions or orders of the Natick Board of Health shall be final. Further relief shall be to a court of competent jurisdiction.

H. Remedies Not Exclusive

The remedies listed in this By-Law are not exclusive of any other remedies available under any applicable federal, state or local law.

SECTION 11. SEVERABILITY

The provisions of this By-Law are hereby declared to be severable. If any provision, paragraph, sentence, or clause, of this By-Law or the application thereof to any person, establishment, or circumstances shall be held invalid for any reason, the remaining provision shall continue in effect to the extent permitted by law.

SECTION 12. TRANSITIONAL PROVISIONS

Residential property owners shall have one hundred eighty (180) days from the effective date of the By-Law to comply with its provisions or petition the Natick Board of Health for an extension or otherwise act thereon.

**ARTICLE 38
(Conservation Commission)**

To see if the Town will vote to amend the Town of Natick By-laws by adding a new article, which reads:

**STORMWATER MANAGEMENT AND
EROSION CONTROL BY-LAW**

SECTION 1. PURPOSE

- A. Increased volumes of stormwater, contaminated stormwater runoff from impervious surfaces, and soil erosion and sedimentation are major causes of:
1. impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater;
 2. contamination of drinking water supplies;
 3. erosion of stream channels;
 4. alteration or destruction of aquatic and wildlife habitat;
 5. flooding; and,
 6. overloading or clogging of municipal catch basins and storm drainage systems.

The United States Environmental Protection Agency has identified sedimentation from land disturbance activities and polluted stormwater runoff from land development and redevelopment as major sources of water pollution, impacting drinking water supplies, natural habitats, and recreational resources. Regulation of activities that result in the disturbance of land and the creation of stormwater runoff is necessary for the protection of the water bodies and groundwater resources within the Town of Natick, to safeguard the health, safety, and welfare of the general public and protect the natural resources of the Town.

- B. The objectives of this By-Law are to:
1. protect water resources;
 2. require practices that eliminate soil erosion and sedimentation;
 3. control the volume and rate of stormwater runoff resulting from land disturbance activities in order to minimize potential impacts of flooding;

4. require practices to manage and treat stormwater runoff generated from new development and redevelopment;
5. protect groundwater and surface water from degradation;
6. promote infiltration and the recharge of groundwater;
7. maximize recharge of groundwater in the Natick Aquifer Protection District as defined by Section III-A.5 of the Natick Zoning By-Law;
8. prevent pollutants from entering the municipal storm drain system;
9. ensure that soil erosion and sedimentation control measures and stormwater runoff management practices are incorporated into the site planning and design process and are implemented and maintained;
10. ensure adequate long-term operation and maintenance of structural stormwater best management practices;
11. require practices to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at construction sites that may cause adverse impacts to water quality;
12. comply with state and federal statutes and regulations relating to stormwater discharges; and
13. establish the Town of Natick's legal authority to ensure compliance with the provisions of this By-Law through inspection, monitoring and enforcement.

SECTION 2. DEFINITIONS

For the purposes of this By-Law, the following shall mean:

ABUTTER: The owner(s) of land abutting the activity.

AGRICULTURE: The normal maintenance or improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act and its implementing regulations.

ALTERATION OF DRAINAGE CHARACTERISTICS: Any activity on an area of land that changes the water quality, or the force, quantity, direction, timing or location of runoff flowing from the area. Such changes include: change from distributed runoff to confined, discrete discharge; change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area.

APPLICANT: Any "person" as defined below requesting a soil erosion and sediment control permit for proposed land-disturbance activity.

AUTHORIZED ENFORCEMENT AGENCY: Conservation Commission and its employees or agents designated to enforce this By-Law.

BEST MANAGEMENT PRACTICE (BMP): An activity, procedure, restraint, or structural improvement that helps to reduce the quantity of or improve the quality of stormwater runoff.

CONSTRUCTION AND WASTE MATERIALS: Excess or discarded building or site materials, including but not limited to concrete truck washout, chemicals, litter and sanitary waste at a construction site that may adversely impact water quality.

CLEARING: Any activity that removes the vegetative surface cover. Clearing activities generally include grubbing activity as defined below.

DEVELOPMENT: The modification of land to accommodate a new use or expansion of use, usually involving construction.

DISTURBANCE OF LAND: Any action, including clearing and grubbing, that causes a change in the position, location, or arrangement of soil, sand, rock, gravel, or similar earth material.

ENVIRONMENTAL SITE MONITOR: A Registered Professional Engineer or other trained professional selected by the Conservation Commission and retained by the holder of a Minor Land Disturbance Permit or a Full Land Disturbance Permit to periodically inspect the work and report to the Conservation Commission.

EROSION: The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

EROSION AND SEDIMENTATION CONTROL PLAN: A document containing narrative, drawings and details developed by a registered professional engineer (PE) or a registered professional land surveyor (PLS), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbance activities.

ESTIMATED HABITAT OF RARE WILDLIFE AND CERTIFIED VERNAL POOLS: Habitats delineated for state-protected rare wildlife and certified vernal pools for use with the Wetlands Protection Act Regulations (310 CMR 10.00) and the Forest Cutting Practices Act Regulations (304 CMR 11.00).

GRADING: Changing the level or shape of the ground surface.

GRUBBING: The act of clearing land surface by digging or grinding up roots and stumps.

IMPERVIOUS SURFACE: Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and roof tops. Impervious surface also includes soils, gravel driveways, and similar surfaces with a runoff coefficient (Rational Method) greater than 85.

LAND-DISTURBING ACTIVITY or LAND DISTURBANCE: Any activity, including without limitation: clearing, grubbing, grading, digging, cutting, excavation of soil, placement of fill, and construction that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material.

LOT: A single parcel of land held in identical ownership throughout and defined by metes, bounds, or boundary lines in a recorded deed on a recorded plan.

MASSACHUSETTS ENDANGERED SPECIES ACT: (M.G.L. c. 131A) and its implementing regulations at (321 CMR 10.00) which prohibit the "taking" of any rare plant or animal species listed as Endangered, Threatened, or of Special Concern.

MASSACHUSETTS STORMWATER MANAGEMENT POLICY: The Policy issued by the Department of Environmental Protection, as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act MGL c. 131 s. 40 and the Massachusetts Clean Waters Act MGL c. 21, ss. 23-56. The Policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

MUNICIPAL STORM DRAIN SYSTEM or MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4): The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Natick.

OPERATION AND MAINTENANCE PLAN: A plan describing the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

OUTFALL: The point at which stormwater flows out from a discernible, confined point source or discrete conveyance into waters of the Commonwealth.

OUTSTANDING RESOURCE WATERS (ORWs): Waters designated by the Massachusetts Department of Environmental Protection as ORWs. These waters have exceptional sociologic, recreational, ecological and/or aesthetic values and are subject to more stringent requirements under both the Massachusetts Water Quality Standards (314 CMR 4.00) and the Massachusetts Stormwater Management

Standards set forth in the Massachusetts Stormwater Management Policy. ORWs include vernal pools certified by the Natural Heritage Program of the Massachusetts Department of Fisheries and Wildlife and Environmental Law Enforcement, all Class A designated public water supplies with their bordering vegetated wetlands, and other waters specifically designated.

OWNER: A person with a legal or equitable interest in property.

PERMITTEE: The person who holds a land disturbance permit and therefore bears the responsibilities and enjoys the privileges conferred thereby.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POINT SOURCE: Any discernible, confined, and discrete means of conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

PRE-CONSTRUCTION: All activity in preparation for construction.

PRIORITY HABITAT OF RARE SPECIES: Habitats delineated for rare plant and animal populations protected pursuant to the Massachusetts Endangered Species Act and its regulations.

REDEVELOPMENT: Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface or increase the impervious area on previously developed sites.

RESPONSIBLE PARTIES: owner(s), persons with financial responsibility, persons with operational responsibility, and persons with administrative responsibility.

RUNOFF: Rainfall, snowmelt, or irrigation water flowing over the ground surface.

SEDIMENT: Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

SEDIMENTATION: The process or act of deposition of sediment.

SITE: Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

SLOPE: The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

SOIL: Any earth, sand, rock, gravel, or similar material.

STABILIZATION: The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or retard erosion.

STORMWATER: Stormwater runoff, snow melt runoff, and surface water runoff and drainage.

STORMWATER MANAGEMENT PLAN: A document containing narrative, drawings and details prepared by a registered professional engineer (PE) or a registered professional land surveyor (PLS), which includes structural and non-structural best management practices to manage and treat stormwater runoff generated from regulated development activity. A stormwater management plan also includes an Operation and Maintenance Plan describing the maintenance requirements for structural best management practices.

STRIP: Any activity which removes the vegetative ground surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

TSS: Total Suspended Solids. Material, including but not limited to trash, debris, and sand suspended in stormwater runoff.

VERNAL POOLS: Temporary bodies of freshwater which provide critical habitat for a number of vertebrate and invertebrate wildlife species.

WATERCOURSE: A natural or man-made channel through which water flows, including a river, brook, stream, underground stream, pond or lake.

WETLAND RESOURCE AREA: Area specified in the Massachusetts Wetlands Protection Act M.G.L. c. 131, s.40 and in the Town of Natick Wetland Protection By-law.

WETLANDS: Freshwater wetland, marsh, bog, wet meadow and swamp are defined in M.G.L. Chapter 131, Section 40, and are collectively know as vegetated wetlands. Credible evidence as to wetland affinities of other vegetation in an area shall be considered in making wetland determinations.

SECTION 3. AUTHORITY

This By-Law is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the regulations of the Federal Clean Water Act found at 40 CFR 122.34 published in the Federal Register on December 8, 1999, as amended.

SECTION 4. APPLICABILITY

This By-Law shall apply to all land-disturbing activities within the jurisdiction of the Town of Natick. Except as permitted by the Conservation Commission, or as

otherwise provided in this By-Law, no person shall perform any activity that results in land disturbance of 40,000 square feet or more.

A. **Regulated Activities.** Regulated activities shall include, but not be limited to:

1. Land disturbance of greater than 40,000 square feet, associated with construction or reconstruction of structures.
2. Development or redevelopment involving multiple separate activities in discontinuous locations or on different schedules if the activities are part of a larger common plan of development that all together disturbs 40,000 square feet or more of land,
3. Paving or other change in surface material over an area of 40,000 square feet or more causing a significant reduction of permeability or increase in runoff,
4. Construction of a new drainage system or alteration of an existing drainage system or conveyance serving a drainage area of more than 40,000 square feet,
5. Any other activity altering the surface of an area exceeding 40,000 square feet that will, or may, result in increased stormwater runoff flowing from the property into a public way or the municipal storm drain system, OR
6. Construction or reconstruction of structures where more than 40,000 square feet of roof drainage is altered.

B. **Erosion and Sedimentation Control Requirement:**

A project which includes land disturbance of less than 40,000 s.f. shall be considered to be in conformance with this By-Law if soils or other eroded matter have been or will be prevented from being deposited onto adjacent properties, rights-of-ways, public storm drainage system, or wetland or watercourse. The design, installation, and maintenance of erosion and sediment control operations and facilities shall adhere to the standards specified in the Regulation to the By-Law.

C. **Exempt Activities.** The following activities are exempt from the requirements of this By-Law:

1. Normal maintenance and improvement of land in agricultural use as defined by the Wetland Protection Act.
2. Repair of septic systems when required by the Board of Health for the protection of public health and compliance with Section 4, Paragraph B.
3. Normal maintenance of existing landscaping, gardens or lawn areas associated with a single family dwelling provided such maintenance does not include the addition of more than 50 cubic yards of soil material,

- construction of any walls, alteration of existing grades by more than one foot in elevation, or alteration of drainage patterns.
4. The construction of fencing that will not alter existing terrain or drainage patterns.
 5. Construction of utilities other than drainage (gas, water, electric, telephone, etc.) that will not alter terrain or drainage patterns.
 6. Projects wholly within the jurisdiction of the Conservation Commission and requiring an Order of Conditions.

SECTION 5. ADMINISTRATION

The Conservation Commission shall administer, implement and enforce this By-Law. Any powers granted to or duties imposed upon the Conservation Commission through this By-Law may be delegated in writing by the Conservation Commission to its employees or agents.

SECTION 6. REGULATIONS

The Conservation Commission may adopt, and periodically amend rules and regulations to effectuate the purposes of this By-Law. Failure by the Conservation Commission to promulgate such rules and regulations shall not have the effect of suspending or invalidating this By-Law.

SECTION 7. PERMITS

Permit issuance is required prior to any activity disturbing 40,000 or more square feet of land. The site owner or his agent shall apply for the permit with the Conservation Commission. While application may be made by a representative, the permittee must be the owner of the site.

- A. **Applications:** An application shall be made to the Conservation Commission in a form and containing information as specified in this By-Law and in the Regulations adopted by the Conservation Commission and shall be accompanied by payment of the appropriate application and review fees.
- B. **Fees.** Fees shall be established by Conservation Commission to cover expenses connected with public notice, application review, and monitoring permit compliance. The fee shall be sufficient to also cover professional review. The Conservation Commission is authorized to retain a Registered Professional Engineer or other professional consultant to advise the Commission on any or all aspects of these plans. Applicants must pay review fees before the review process may begin. The applicant for a Land Disturbance Permit may be required to cover the costs of said consultant through an account established pursuant to GL. c. 44§53G.
- C. **Information Requests:** The Conservation Commission may request such additional information as is necessary to enable the Conservation Commission

to determine whether the proposed land disturbance activity will protect water resources and comply with the requirements of this By-Law.

- D. **Determination of Completeness.** The Conservation Commission shall make a determination as to the completeness of the application and adequacy of the materials submitted. No review shall take place until the application has been found to be complete.
- E. **Coordination with Other Boards.**
On receipt of a complete application for a Land Disturbance Permit the Conservation Commission shall distribute one copy each to the Planning Board, Department of Public Works, Board of Health, and the Building Inspector for review and comment. Said agencies shall, in their discretion, investigate the case and report their recommendations to the Conservation Commission. The Conservation Commission shall not hold a hearing on the Land Disturbance Permit until it has received reports from said agencies or until said agencies have allowed twenty (20) days to elapse after receipt of the application materials without submission of a report thereon.
- F. **Entry.** Filing an application for a land disturbance permit grants the Conservation Commission or its agent, permission to enter the site to verify the information in the application and to inspect for compliance with permit conditions, to the extent permitted by law.
- G. **Hearing:** Within thirty (30) days of receipt of a complete application for a Land Disturbance Permit, the Conservation Commission shall hold a public hearing and shall take final action within thirty (30) days from the close of the hearing unless such time is extended by agreement between the applicant and the Conservation Commission. Notice of the public hearing shall, at least seven (7) days prior to said hearing, be given by publication in a local paper of general circulation, and by posting. The Conservation Commission shall be responsible for publishing the notice in the local newspaper and posting the notice at the Town Hall. The Conservation Commission shall make the application available for inspection by the public during business hours at the Town of Natick Conservation Office.
- H. **Action.** The Conservation Commission may:
1. **Approve** the Application and issue a permit if it finds that the proposed plan will protect water resources and complies with the requirements of this By-Law;
 2. **Approve the Application and issue a permit with conditions,** modifications or restrictions that the Conservation Commission determines are required to ensure that the project will protect water resources and complies with the requirements of this By-Law; or

3. **Disapprove** the application and deny a permit if it finds that the proposed plan will not protect water resources or fails to meet the objectives and complies with the requirements of this By-Law. If the Conservation Commission finds that the applicant has submitted insufficient information to describe the site, the work, or the effect of the work on water quality and runoff volume, the Conservation Commission may disapprove the application, denying a permit.

- I. **Project Changes.** The permittee, or his or her agent, must notify the agent of the Conservation Commission in writing of any change or alteration of a land-disturbing activity before the change or alteration occurs. If the agent of the Conservation Commission determines that the change or alteration is significant, based on the design requirements listed in Part II or Part III of the Regulations adopted by the Conservation Commission under this by-law, the agent of the Conservation Commission may require that an amended application or a full application be filed in accordance with this Section. If any change or alteration from the Land Disturbance Permit occurs during land disturbing activities, the agent of the Conservation Commission may require the installation of interim erosion and sedimentation control measures before approving the change or alteration.

SECTION 8. EROSION AND SEDIMENT CONTROL PLAN

The Erosion and Sediment Control Plan shall contain sufficient information to describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and proposed erosion and sedimentation controls. The applicant shall submit such material as is necessary to show that the proposed development will comply with the design standards and contain the information listed in the Regulations adopted by the Conservation Commission for administration of this By-Law.

SECTION 9. STORMWATER MANAGEMENT PLAN

The Stormwater Management Plan shall contain sufficient information to describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and proposed best management practices for the permanent management and treatment of stormwater. The Stormwater Management Plan shall contain sufficient information for the Conservation Commission to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the applicant for reducing adverse impacts from stormwater. The Plan shall be designed to meet the Massachusetts Stormwater Management Standards set forth in the Massachusetts Stormwater Management Policy and DEP Stormwater Management Handbook Volumes I and II. The Stormwater Management Plan shall fully describe the project in drawings, and narrative. The applicant shall submit such material as is required by the Regulations adopted by the Conservation Commission for the administration of this By-Law.

SECTION 10. OPERATION AND MAINTENANCE PLANS

A. **An Operation and Maintenance Plan** (O&M Plan) for the permanent storm water management system is required at the time of application for all projects. The maintenance plan shall be designed to ensure compliance with this By-Law and that the Massachusetts Surface Water Quality Standards contained in 314 CMR 4.00 are met in all seasons and throughout the life of the system. The Operation and Maintenance plan shall include any requirements deemed necessary by the Conservation Commission to insure compliance with said plan, including without limitation a covenant. The Conservation Commission shall make the final decision of what maintenance option is appropriate in a given situation. The Conservation Commission will consider natural features, proximity of site to water bodies and wetlands, extent of impervious surfaces, size of the site, the types of stormwater management structures, and potential need for ongoing maintenance activities when making this decision. Once approved by the Conservation Commission the Operation and Maintenance Plan shall be recorded at the South Middlesex Registry of Deeds by the permittee, shall run with the land, shall remain on file with the Conservation Commission and shall be an ongoing requirement. The Operation and Maintenance Plan shall conform to the requirements listed in the Regulations adopted by the Conservation Commission for the administration of this By-Law. Stormwater management easements shall be provided by the property owner(s) in areas and as necessary to carry out the required maintenance.

B. Changes to Operation and Maintenance Plans

1. The owner(s) of the stormwater management system must notify the Conservation Commission or its agent of changes in ownership or assignment of financial responsibility.
2. The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of this By-Law by mutual agreement of the Conservation Commission and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Responsible Parties shall include owner(s), persons with financial responsibility, persons with operational responsibility, and persons with administrative responsibility. Once the amended Plan is signed the Conservation Commission shall file it at the Registry of Deeds at the expense of the current owner(s).

SECTION 11. INSPECTION AND SITE SUPERVISION

A. **Preconstruction Meeting.** Prior to clearing, excavation, construction, or any land disturbing activity requiring a permit, the applicant, the applicant's technical representative, the general contractor, pertinent subcontractors, and any person with authority to make changes to the project, shall meet with the Conservation Commission or its designated agent to review the permitted plans and proposed implementation.

- B. **Commission Inspection.** The Conservation Commission or its designated agent shall make inspections as hereinafter required and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the approved plans and any conditions of approval. One copy of the approved plans and conditions of approval, signed by the Conservation Commission shall be maintained at the site during the progress of the work. In order to obtain inspections, the permittee shall notify the Agent of the Conservation Commission at least three (3) working days before each of the following events:
1. Erosion and sediment control measures are in place and stabilized;
 2. Rough Grading has been substantially completed;
 3. Final Grading has been substantially completed;
 4. Bury Inspection: prior to backfilling of any underground drainage or stormwater conveyance structures.
 5. Close of the Construction Season; and
 6. Final landscaping (permanent stabilization) and project final completion.
- C. **Permittee Inspections.** The permittee or his/her agent shall conduct and document inspections of all control measures no less than weekly or as specified in the permit, and prior to and following anticipated storm events. The purpose of such inspections will be to determine the overall effectiveness of the control plan, and the need for maintenance or additional control measures. The permittee or his/her agent shall submit monthly reports to the Conservation Commission or designated agent in a format approved by the Conservation Commission. The Conservation Commission may require, as a condition of approval, that an Environmental Site Monitor, approved by the Conservation Commission, be retained by the applicant to conduct such inspections and prepare and submit such reports to the Conservation Commission or its designated agent.
- D. **Access Permission.** To the extent permitted by law, or if authorized by the owner or other party in control of the property, the Conservation Commission, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this By-Law and may make or cause to be made such examinations, surveys or sampling as the Conservation Commission deems reasonably necessary to determine compliance with the permit.

SECTION 12. SURETY

The Conservation Commission may require the permittee to post before the start of land disturbance activity, a surety bond, irrevocable letter of credit, cash, or other

acceptable security. The form of the bond shall be approved by town counsel, and be in an amount deemed sufficient by the Conservation Commission to insure that the work will be completed in accordance with the permit. If the project is phased, the Conservation Commission may release part of the bond as each phase is completed in compliance with the permit but the bond may not be fully released until the Conservation Commission has received the final report as required by Section 13 and issued a certificate of completion.

SECTION 13. FINAL REPORTS

Upon completion of the work, the permittee shall submit a report (including certified as-built construction plans) from a Registered Professional Engineer (P.E.) or Registered Professional Land Surveyor certifying that all erosion and sediment control devices, and approved changes and modifications, have been completed in accordance with the conditions of the approved permit. Any discrepancies should be noted in the cover letter.

SECTION 14. ENFORCEMENT

A. The Conservation Commission or an authorized agent of the Conservation Commission shall enforce this By-Law, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

B. Orders.

1. The Conservation Commission or an authorized agent of the Conservation Commission may issue a written order to enforce the provisions of this By-Law or the regulations thereunder, which may include:
 - a. a requirement to cease and desist from the land-disturbing activity until there is compliance with the By-Law and provisions of the land-disturbance permit;
 - b. maintenance, installation or performance of additional erosion and sediment control measures;
 - c. monitoring, analyses, and reporting;
 - d. remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity
2. If the enforcing person determines that abatement or remediation of erosion and sedimentation is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Natick may, at its option, undertake such work, and the property owner shall reimburse the Town's expenses.

3. Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner shall be notified of the costs incurred by the Town of Natick, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Conservation Commission within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Conservation Commission affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate, as provided in G.L. Ch. 59, § 57, after the thirty-first day following the day on which the costs were due.

C. **Criminal Penalty.** Any person who violates any provision of this By-Law, regulation, order or permit issued thereunder, shall be punished by a fine of not more than \$ 300.00 for each offense. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

D. **Non-Criminal Disposition.** As an alternative to criminal prosecution or civil action, the Town of Natick may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch.. 40, §21D in which case the Conservation Commission or authorized agent shall be the enforcing person. The penalty for each violation shall be \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

E. **Appeals.** All decisions or orders of the Conservation Commission shall be final. Further relief shall be to a court of competent jurisdiction.

F. **Remedies Not Exclusive.** The remedies listed in this By-Law are not exclusive of any other remedies available under any applicable federal, state or local law.

SECTION 15. CERTIFICATE OF COMPLETION

The Conservation Commission will issue a Certificate of Completion upon receipt and approval of the final reports and/or upon otherwise determining that all work of the permit has been satisfactorily completed in conformance with this By-Law. The Certificate of Completion shall be recorded at the Registry of Deeds by the Owner(s).

SECTION 16. SEVERABILITY

If any provision, paragraph, sentence, or clause of this By-Law or the application thereof to any person, establishment or circumstance shall be held invalid for any reason, all other provisions shall continue in full force and effect to the extent permitted by law or otherwise act thereon.

ARTICLE 39
(Planning Board)

To see if the Town will vote to amend Section 326.4 of the Natick Zoning By-Laws as follows:

Side and Rear Yard:	20 feet but zero feet for buildings along their walls through which there is enclosed pedestrian access or solely to permit connections between parking structures and buildings.
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or otherwise act thereon.

ARTICLE 40
(Planning Board)

To amend the Zoning Bylaw as follows:

Section IV-B Footnotes to Intensity Regulations, footnote aa, subfootnote xi is hereby amended as follows:

After the word “met” insert: “, except that if the existing primary dwelling unit does not conform to all dimensional zoning requirements, the family suite may be approved so long as the family suite will not increase the primary dwelling unit’s pre-existing nonconformity with dimensional zoning requirements”

Or otherwise thereon.

ARTICLE 41
(Lawrence W. Forshner, et al)

To see if the Town of Natick will amend its Zoning Classification by rezoning the following land abutting Gannett Road being shown as Lots 149, 150, 151, 152, 153, 121, 122, 123 and 157 on assessors map 21 from Commercial Two (C11) to Residential Single C (RSC) or otherwise act thereon.

ARTICLE 42
(Susan G. Salamoff, et al)
Proposed New Bylaw:

Limit Late Night Meetings of Town Boards, Committees, and Commissions

To see if the Town will vote to amend the Town of Natick Bylaws with a new Article 45, and a new Section 1, to limit late night meetings of Town of Natick boards, committees or commissions.

The new bylaw establishes that no Town of Natick board, committee, or commission shall meet to conduct business, to deliberate, or to vote beyond 11:00 P.M., unless a majority of the members present of the board, committee or commission vote to continue the meeting. If a board, committee or commission has scheduled appointments with a person or persons, the person or persons scheduled have the right to request postponement of the appointment and the subject matter without prejudice to a future meeting date.

However, an exception to permit the meeting to continue beyond 11:00 P.M. would prevail, **if a deadline of 10 days or less required by a government agency or grant program** would jeopardize the Town of Natick's interest.

ARTICLE 43
(Finance Committee)

To see if the Town will vote to amend the By Laws by inserting a provision which requires that collective bargaining agreements be considered and voted separately from the applicable departmental appropriation. The purpose of said requirement is to provide Town Meeting with an opportunity to understand the financial obligations that said collective bargaining agreements will place upon the Town. Town Meeting may consider more than one collective bargaining agreement in one warrant article. In the event that Town Meeting votes a requested appropriation for the first year of a collective bargaining agreement with a term of more than one year, the appropriation for each subsequent year of the term of the collective bargaining agreement will be part of the departmental budget presented to Town Meeting for that fiscal year;

or otherwise act thereon.

ARTICLE 44
(Planning Board)

To see if the Town will vote to amend the Town of Natick Bylaws Article 78 to make the removal of overhead wires subject to cooperation agreements between the Town of Natick and the utility. Such amendment to prevent the installation of new overhead

utilities; -in sections of the Town currently free of overhead utilities; -in sections of Town currently serviced with overhead utilities; -in conjunction with development not subject to the Town's Subdivision Regulations; and, to permit the limited removal of existing overhead utilities in conjunction with major public works projects.

Amend **Section 1 Authority**, by changing the words "Section 7" to "Section 7.1 and 7.2",

Amend **Section 3 Program Requirements**, as follows:

subsection **a** by changing the words "Section 7" to "Section 7.1 and 7.2";

subsection **b** by changing the words "Section 7" to "Section 7.1 and 7.2";

subsection **c** by adding the words in the beginning, "Subject to Section 6 of this by-law"

Revise **Section 7** to read as follows:

Section 7.1 Prohibition of New Installation or Construction of Overhead Poles and Overhead Wires and Associated Overhead Structures

The new installation or construction of overhead poles and overhead wires and associated structures located within the town of Natick is prohibited.

Section 7.2 Designated Parts of Town for Removal of Overhead Poles and Overhead Wires and Associated Overhead Structures

Subject to Section 6 of this by-law, all overhead poles and overhead wires and associated overhead structures in place on or before January 1, 2008 located within the Town of Natick shall be included in the program for removal of overhead wires:

or otherwise act thereon.

**ARTICLE 45
(Board of Selectmen)**

To see if the Town will vote to amend the General By Laws by adding a new Article 33, which reads:

ARTICLE 33

COMMUNITY PRESERVATION COMMITTEE

Section 1. Composition

There shall be a Community Preservation Committee (hereinafter designated “the Committee”) which shall consist of nine (9) members. Each member of the Committee shall be a resident of the Town of Natick. The Committee shall include one (1) member of the Conservation Commission, as designated by the Conservation Commission; one (1) member of the Historical Commission, as designated by the Historical Commission; one (1) member of the Planning Board, as designated by the Planning Board; one (1) member of the Recreation and Parks Commission, as designated by the Recreation and Park Commissioner; and one (1) member of the Housing Authority, as designated by the Housing Authority. The remaining four (4) members shall be appointed without limitation regarding service on any board, commission, authority or committee.

Section 2. Appointing Authority

Subject to the provisions of Section 1 above, the members of the Committee shall be appointed by the Board of Selectmen.

Section 3. Appointments and Term

Subject to the provisions of Section 1 above, appointments to the Committee shall be made by a majority vote of the Board of Selectmen.

The Board of Selectmen shall appoint the original members of the Committee as follows: four (4) members for a three (3) year term, three (3) members for a two (2) year term and two (2) members for a one (1) year term.

Each term shall expire on December 31 of the applicable year. Upon the expiration of the initial term of a member, all future appointments to that position shall be for a term of three (3) years. A member may continue to serve on the Committee following the expiration of that member’s term until a successor is qualified.

If a member vacates a position on the Committee before the expiration of the term, the Board of Selectmen shall, subject to the provisions of Section 1, appoint a replacement member to complete the unexpired term.

Section 4. Committee Responsibility

- a. The Committee shall study the needs, possibilities and resources of the Town of Natick regarding community preservation. The Committee shall consult with existing municipal boards, including without limitation the Conservation Commission, the Historical Commission, the Planning Board, the Recreation and Parks

Commission and the Housing Authority in conducting such study. As part of its study, the Committee shall hold one (1) or more public informational hearings on the needs, possibilities and resources of the Town of Natick regarding community preservation possibilities and resources, notice of which meeting(s) shall be posted publicly and published for each of two (2) weeks preceding a hearing in a newspaper of general circulation in the Town of Natick.

- b. The Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation and preservation of land for recreational use; for the creation, preservation and support of community housing; and for the rehabilitation or restoration of open space, land for recreational use and community housing that is acquired or created as provided in the Massachusetts Community Preservation Act, Chapter 44B of the Massachusetts General Laws. With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.
- c. The Committee may include in its recommendation to Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with community preservation.
- d. The Committee shall include in its recommendations to Town Meeting a request for an appropriation for administrative expenses and operating expenses of the Committee.
- e. The Committee's recommendations to Town Meeting shall include their anticipated costs.
- f. At least once during each calendar year the Committee shall report to the Board of Selectmen regarding its activities.

Section 5. Quorum

The Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Committee shall constitute a quorum.

Section 6. Votes

The Committee shall approve its actions by majority vote.

or otherwise act thereon.

ARTICLE 46
(Town Administrator)

To see if the Town will vote to accept Grace Circle and any appurtenant easements as laid out and filed with the Town Clerk, and as shown on the street acceptance plan on file with the Town Clerk:

ARTICLE 47
((James Williamson, et al)

To see if the Town will vote to designate the parcel of land commonly referred to as the "Natick Paperboard Site" as a HOOP I (Housing Overlay Option Plan 1). Said parcel contains 6.357 acres and is otherwise identified as shown on Town of Natick Assessors Map 35 (parcel's 111A, 113A, and 113B).

ARTICLE 48
(J.R. Culkin, et al)

To see if the Town will vote to amend Article 23 of the Town of Natick By-Laws by adding the following Section 6 at the end of Article 23:

"Section 6 Enterprise Funds

Enterprise Funds that have been established within the Town's financial structure use identified indirect costs as the mechanism whereby Enterprise Funds repay the General Fund for expenditures made by the General Fund that benefit the Enterprise Funds.

As part of its consideration of all matters of business included within the articles of any warrant for a Town Meeting, the Finance Committee shall examine in detail all indirect costs that have a financial impact on the Enterprise Funds.

In order to determine the appropriateness of any indirect costs, the Finance Committee shall be provided with information about each such cost in sufficient detail to allow it to identify:

- a. the Budget Unit (department, program or service) whose costs are being charged to an Enterprise Fund
- b. which Enterprise Fund Budget Unit is being charged
- c. the amount of the charge

- d. the basis for calculating the charge
- e. the methodology (written documentation, formulae and the like) used by the Budget Unit to determine the basis it used to calculate the cost it is charging to an Enterprise Fund
- f. the method the Enterprise Fund proposes to use to finance each charge

For warrant articles involving indirect costs being charged to an Enterprise Fund, the Finance Committee shall include in its report and recommendation to Town Meeting, a summary of items (a.) through (f.) above and an opinion as to the appropriateness of each indirect cost being considered as part of those warrant articles.”

or otherwise act thereon.

ARTICLE 49
(Natick Retirement Board)

To see if the Town is willing to accept the provisions of Section 1 of Chapter 157 of the Acts of 2005, An Act Relative To Disability Retirement Benefits For Veterans which would amend, which would amend the provisions of Subdivision (2) of Section 7 of Chapter 32 of the General Laws, and allow a veteran who retires for accidental disability to receive an additional yearly retirement allowance of \$15 for each year of creditable service or fraction thereof, but the total amount of this additional yearly retirement allowance shall not exceed \$300.

ARTICLE 50
(Natick Retirement Board)

To see if the Town is willing to accept the provisions of Section 2 of Chapter 157 of the Acts of 2005, An Act Relative to Disability Retirement Benefits For Veterans, which would provide an additional yearly retirement allowance which would have been payable under Section 1, for which a member in service would have been eligible at the time of the member’s retirement, retroactive to the date of the member’s retirement.

ARTICLE 51
(Design Review Board)

To see if the Town will amend Section V-H. SIGNS AND ADVERTISING DEVICES of the Natick Zoning By-Law as follows:

To amend Section V-H.D.2 Downtown Mixed Use District (DM) by adding the following paragraph under the heading:

All proposed signage in this use district shall be reviewed by the Design Review Board. Signage design shall be informed by the guidelines set forth by in the Natick Center Design Master Plan dated June 1998.

To amend Section V-H.D.2.(a) 1. Location: by revising the second sentence so that it reads, “A sign attached to a building shall be securely affixed to one of the walls of the building. The sign shall be compatible with the building it is affixed to, neighboring buildings, and the character of Natick Center as a whole. They shall avoid obscuring important architectural features that may exist on the building.”

To amend Section V-H.D.2 (a) 2. Size: by revising it so that it reads, “A sign parallel to the face of the building wall to which it is affixed shall not be more than two (2) feet in overall height with the total area not to exceed thirty (30) square feet and shall not project more than eight (8) inches from the face of such wall. A sign perpendicular to the wall of the building wall to which it is affixed shall not exceed six (6) square feet and shall not project more than four (4) feet from the façade of the building or one half the width of the sidewalk which ever is less, and the bottom of the sign must be mounted a minimum of ten (10) feet above grade and maintain a ten (10) foot clearance.”

or otherwise act thereon.

ARTICLE 52 **(Commission on Disability)**

To see if the Town will vote to appropriate and raise, or otherwise provide a sum of money not to exceed \$5,900 for the purchase of two (2) wheelchairs for use at Dug Pond and Camp Arrowhead; assistance to needy disabled people within the community; awareness/educational materials to be used in the public and private sector; and other related activities to improve the quality of life for the disabled in Natick.

ARTICLE 53 **(Paul Greismer, et al)**

To see what action(s) Town Meeting will take to hear a report and/or presentation on the Town Meeting Member Handbook and to allow Town Meeting members to ask questions and otherwise explore or understand the handbook.

ARTICLE 54
(Paul Greismer, et al)

To see what action(s) Town Meeting will take a) to amend ARTICLE 3 PROCEDURE AT TOWN MEETINGS of the By Laws of the Town of Natick with regard to Town Meeting's consideration of the "Proposed Budget" as such budget is defined and contemplated under Article 5, Fiscal Procedures of the Charter and/or b) to further amend Article 3 of the By Laws with regard to Town Meeting's consideration of any or all financial articles for proposed operating and/or proposed capital expenditures and/or c) or take any other action relative thereto.

The purpose of this warrant article broadly stated is to allow Town Meeting and Town Meeting members to question, debate, consider and/or vote the Proposed Budget, as so defined, on an integrated basis, to allow questions and debate among warrant articles and/or sections of the so called Omnibus Budget, to permit reconsideration of any item for new information or new perspectives that surface in consideration of a subsequent item or warrant article, to recognize that all elements of the Proposed Budget, as defined, are interrelated regardless of the manner of their arrangement on or within the overall warrant, and that items or articles that deal with revenues, operating expenditures, and capital expenditures are interrelated regardless of who files them, and to take any other action that is consistent with the objective of Town Meeting being able to exercise the full extent of its powers, duties and rights under Article 2 of the Charter and under the law.

Such amendments may be accomplished by either addition, deletion, amendment, clarification or otherwise.

ARTICLE 55
(Board of Selectmen)

To hear and act upon the reports of the several Town officers and reports of committees authorized by vote of any further Town Meeting and to authorize a sum of money for the purpose thereof.

