

**2025 Spring Annual Town Meeting
Kennedy Middle School Auditorium
May 6, 2025, Fourth Session**

The fourth session of the 2025 Spring Town Meeting was called to order at 7:32 PM by Town Moderator, Jeffrey Alderson, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the fourth session of 2025 Spring Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting stand to take the oath of office.

The Moderator asked the audience to stand for the Pledge of Allegiance and a moment of silence in recognition of all the men and women serving on our behalf throughout the world.

The Moderator introduced the officials present for the meeting: Andrew Ghobrial, Town Clerk; Todd Gillenwater, Finance Committee Chair; Cody Jacobs, Finance Committee Secretary; David DeLuca, Town Counsel; James Errickson, Town Administrator; and Kathryn Coughlin, Select Board Chair. Gloria Huang will operate the slides and Jeff Horan, a representative from Option Technologies, will operate the electronic voting system.

The Moderator reviewed the staging arrangement of the auditorium and the rules for this Town Meeting. The proceedings of Town Meetings shall be governed by *Town Meeting Time, third edition*, the Town of Natick Home Rule Charter, the Natick Bylaws and the General Laws of the Commonwealth of Massachusetts. The Moderator reviewed the general rules and procedures of Town Meeting. He indicated that all residents and taxpayers of the town, town officers and employees, whether or not residents, have the same right to speak as Town Meeting Members; however they do not have the right to submit motions for consideration at Town Meeting, nor vote on any matter before Town Meeting. Non-residents may only speak at Town Meeting after approval by Town Meeting Members. No person shall speak upon any debatable motion more than once when any other person desires to be heard, nor more than twice on the same question without permission of Town Meeting; and no person shall speak more than five (5) minutes at one time without permission of Town Meeting. All motions offered for the consideration of Town Meeting shall be in writing if required by the Moderator; and all motions involving the expenditure of money shall be in writing when required by any Town Meeting Member. Written motions shall be presented to the Moderator on prescribed forms.

Consistent with the Natick Bylaws, once a member is recognized, it has been the practice of Town Meeting Members to first ask a question(s), then propose a motion and/or debate the highest-ranking motion. Once a speaker is called upon by the moderator, the speaker's time will begin. Time expended asking questions will be considered part of the speaker's time, pursuant to the Natick Bylaws. Responses to the speaker's question will not be considered part of the speaker's requisite time. Each speaker will be limited to three questions, whether they are stated singularly or in a compound question, such will be responded to at the direction of the Moderator. Motions shall be made and have precedence as listed in the table entitled "Precedence of Motions," found in the Natick Bylaws, the Town Meeting Member Handbook and *Town Meeting Time, third edition*. The

motion for the previous question shall not be entertained by the Moderator if three or more persons are seeking recognition, who have not previously spoken to the question.

Any person having a monetary or equitable interest in any matter under discussion at a Town Meeting, and any person employed by another having such an interest, shall disclose the fact of his/her interest or employment before speaking on the matter.

Regarding advance communications of amendments or alternate motions which may be presented at Town Meeting, the Moderator and the Clerk must receive draft motions in advance; 48 hours before Town Meeting is preferred to deliberate such. In addition, with complex motions, motions need to be provided via a document file format (Word or Google Docs), so that motions may be displayed on the stage screen. Finally, the Moderator, must accept as “in order” or rule “out of order” all motions. Therefore, complex motions that have not been reviewed by the Moderator and the Clerk (and in some cases town counsel) will likely cause a delay at Town Meeting, and/or may be - unilaterally ordered or - suggested that you folks postpone consideration of the current question for technical review.

Moderator Alderson notes that having postponed Motion D of Article 11 to the first order of business, Town Meeting will start with article 11 Motion D. He notes that he Finance Committee has recommended favorable action on this article.

ARTICLE 11 – Capital Equipment and Improvement

Motion D: (Requires Majority Vote)

Moved by Cody Jacobs, seconded by Todd Gillenwater that the Town vote to appropriate the sum of \$497,000 to be expended as follows:

- Under the direction of the Public Works (Water/Sewer) Department for the purpose of:
 - SCADA Equipment Replacement
 - Water Distribution System Enhancements
 - Vehicle & Equipment Replacement Program
- Under the direction of Sassamon Trace Golf Course for the purpose of:
 - Lightweight Utility Vehicle
 - Aerator
 - Driveway Expansion & Cart Path Repair

all individually shown as items 1 through 6 in Table D below, and that to meet this appropriation the sum of \$370,000 be raised from

Water/Sewer Retained Earnings and \$127,000 be raised from Sassamon Trace Golf Course Retained Earnings.

Motion D (Table D)

| Item # | Department | Request Title | Amount | Funding Source |
|--------------|----------------------------|---|------------------|--------------------------------------|
| 1 | Public Works (Water/Sewer) | SCADA Equipment Replacement/Upgrade | \$80,000 | Water/Sewer Retained Earnings |
| 2 | Public Works (Water/Sewer) | Water Distribution System Enhancements | \$150,000 | Water/Sewer Retained Earnings |
| 3 | Public Works (Water/Sewer) | Vehicle & Equipment Replacement Program | \$140,000 | Water/Sewer Retained Earnings |
| 4 | Golf Operations | Lightweight Utility Vehicle | \$12,000 | Golf Retained Earnings |
| 5 | Golf Operations | Aerator | \$35,000 | Golf Retained Earnings |
| 6 | Golf Operations | Driveway Expansion and Cart Path Repair | \$80,000 | Golf Retained Earnings |
| Total | | | \$370,000 | Water/Sewer Retained Earnings |
| Total | | | \$127,000 | Golf Retained Earnings |

Moved by Simone Poliandri, seconded Frank Foss that the Town vote to amend Article 11, Motion D by inserting the text "and substantially similar as described on pages 57 through 60, excluding Sanitary Sewer Collection Systems," following the text "all individually shown as items 1 through 6 in Table D below," on page 49 of the 2025 SATM Finance Committee Recommendation Book.

The amended motion passed by a majority vote (111/5/1).

The amended main motion under Article 11 passed by a unanimous vote (123/0/0).

ARTICLE 12 – Collective Bargaining:

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

FINANCE COMMITTEE RECOMMENDATION

| | | |
|---|-------------------------|----------------------|
| The Finance Committee took the following action: | RECOMMENDATION | Favorable |
| | QUANTUM OF VOTE: | 14-0-0 |
| | DATE VOTED: | April 1, 2025 |

MOTION (Requires a Majority Vote)

Moved by Cody Jacobs, seconded by Todd Gillenwater that the Town vote to ratify and appropriate the total sum of \$77,693 from the Select Board Expenses, as approved by vote of the 2025 Spring

Annual Town Meeting under Article 3, for the implementation of the Terms of the Agreements reached between the Town and the

following collective bargaining units:

a) Massachusetts Laborers' District Council Public Employees Local Union 1116 of the Laborers International Union of North America -- AFL CIO Maintenance and Custodians.

For payment of wages effective July 1, 2025, through June 30, 2026.

The total sum of \$77,693 shall be transferred to the following departmental budget line items as indicated below:

Facilities Management – Salaries - \$77,693

The motion under Article 12 passed by a majority vote (119/2/0).

Article 13 - Personnel Board Classification and Pay Plan:

To see if the Town, pursuant to the authority contained in Section 108A of Chapter 41 of the General Laws, will vote to amend Article 24 of the Natick Town By-Laws, specifically the Classification and Pay Plan referenced in Section 3, paragraph 3.10 therein, by adding, deleting or amending position titles; re-classifying positions to a different Grade; and/or effecting changes in the salary ranges as presently established; or otherwise act thereon. Steve Levinsky, Chair of the Personnel Board speaks to this article.

FINANCE COMMITTEE RECOMMENDATION

| | | |
|--|------------------|----------------------|
| The Finance Committee took the following action: | RECOMMENDATION: | Favorable |
| | QUANTUM OF VOTE: | 13-0-0 |
| | DATE VOTED: | March 4, 2025 |

MOTION (Requires a Majority Vote)

Moved by Cody Jacobs, seconded by Todd Gillenwater that the Town vote to amend the By-Laws by changing in its entirety the table entitled Classification and Pay Plan that is incorporated by reference into Article 24, Section 3, Paragraph 3.10 with the new Classification and Pay Plan as follows:

Town of Natick Classification and Pay Plan

Effective July 1, 2025

Classification changes are effective upon the vote of the Personnel Board

| Grade | Minimum | Point 1 | Point 2 | Maximum |
|-------|--------------|--------------|--------------|--------------|
| 6 | \$125,000.00 | \$140,000.00 | \$155,000.00 | \$200,000.00 |
| 5 | \$100,000.00 | \$120,000.00 | \$135,000.00 | \$175,000.00 |
| 4 | \$75,000.00 | \$90,000.00 | \$105,000.00 | \$151,000.00 |
| 3 | \$60,000.00 | \$72,000.00 | \$85,000.00 | \$127,000.00 |
| 2 | \$48,000.00 | \$55,000.00 | \$62,500.00 | \$97,000.00 |
| 1 | \$42,000.00 | \$48,000.00 | \$54,000.00 | \$77,000.00 |

| GRADE 6 | GRADE 3 (continued) | GRADE 2 |
|---|---|---|
| Chief of Police | Assistant Director of Programs & Services | Assistant Director, Bacon Free Library |
| Deputy Town Administrator/Director of Finance | Assistant Director Programs & Special Events | Assistant Director, Farm |
| Deputy Town Administrator/Operations | Assistant Director – Resource Allocation | Assistant Director, Internal Operations |
| Executive Director of Public Works and Facilities | Assistant Director – Services & Outreach | Assistant to Town Administration & Select Board |
| Fire Chief | Assistant Library Director, Morse Institute Library | Associate Planner |
| Town Administrator | Assistant Town Clerk | Associate Project Coordinator |
| GRADE 5 | Assistant Treasurer | Case Manager |
| Comptroller | Bacon Free Director | Clinical Social Worker |
| Deputy Chief of Police | Benefits Manager | Coordinator of Adaptive Programs |
| Director of Community & Economic Development | Budget & Financial Analyst | Custodial Supervisor |
| Director of Community Services | Business & Special Projects Manager | Executive Assistant |
| Director of Facilities Management | Communications Director | Executive Assistant to the Fire Chief |
| Director of Human Resources/Labor Relations | Community & Economic Development Office Manager | Executive Assistant - Library |
| Director of Public Works | Community Planner | Finance Coordinator |
| GRADE 4 | Conservation Agent/Environmental Planner | Golf Course Superintendent |
| Assistant Comptroller | Desktop Support Specialist | Health Agent |
| Building Commissioner | Environmental Health Agent | Human Resources Coordinator |
| Director of Assessing | Environmental Health & Safety Manager | Payroll Manager |
| Director of Council on Aging & Human Services | Executive Director, Farm | Senior Executive Assistant to the Chief of Police |
| Director of Equity, Inclusion, & Outreach | Facility Maintenance Manager | Social Worker |
| Director of Procurement | Golf Course Manager | Special Asst. to Director of Facilities Management |
| Director of Public Health | Information Systems Network Administrator | Special Asst. to Director of Finance |
| Director of Recreation & Parks | Information Technology Manager | Special Asst. to Director of Senior Center & Community Services |
| Director of Sustainability | Local Building Inspector | Youth Center Coordinator |
| IT Infrastructure Manager | Prevention & Outreach Program Manager | GRADE 1 |
| Morse Library Director | Project Manager | Animal Control Officer |
| Town Clerk | Public Health Nurse | Assistant Superintendent Golf Course |
| Treasurer/Collector | Senior Building Official | Golf Professional |
| GRADE 3 | Senior Assistant to Town Administration | Outreach Coordinator |
| Assistant Assessor -Commercial/Personal Property | Senior Environmental Health Specialist | Parking Enforcement Officer |
| Assistant Assessor -Residential | Staff Accountant | Police Records Coordinator |
| Assistant Collector | Sustainability Coordinator | |
| Assistant Director of Assessing | Transportation & Economic Development Planner | |
| Assistant Director of Finance | Veterans Agent | |
| Assistant Director - Programs | | |

**Town of Natick
Part-Time Classification and Pay Plan**

Effective July 1, 2025

Classification changes are effective upon the vote of the Personnel Board

| Grade | Minimum | Point 1 | Point 2 | Maximum |
|-------|---------|---------|---------|---------|
| 1 | \$15.00 | \$19.00 | \$21.25 | \$23.50 |
| 2 | \$17.50 | \$27.75 | \$31.00 | \$34.50 |
| 3 | \$28.00 | \$36.50 | \$40.50 | \$45.00 |

| GRADE 1 | GRADE 2 | GRADE 3 |
|----------------------------------|-----------------------------------|------------------------------|
| Adaptive Program Leader | Adaptive Program Assistant | Adult Contractor |
| Adaptive Program Specialist | Administrative Support | Beach Manager |
| Assistant Leader (Rec) | Assistant Director (Rec) | Building Inspector |
| Assistant Swim Coach | Bookkeeper | Camp Arrowhead Nurse |
| Attendant (Rec) | Building Monitor II | Certified Sports Official |
| Building Monitor I (Rec) | Camp Arrowhead Program Supervisor | Health Care Supervisor |
| Bus Dispatcher | Camp Director | Instructor III |
| Bus Driver | Community Garden Coordinator | Laborer III |
| Camp Arrowhead Counselor | Conservation Agent | Nurse (RN) |
| Camp Arrowhead Head Counselor | Election Warden | Per Diem Public Health Nurse |
| Cart Attendant (Golf) | Golf Course Mechanic | |
| Clerical Assistant | Head Lifeguard | |
| Club House Attendant (Golf) | Instructor II | |
| Club House Supervisor (Golf) | Intern Cooperative | |
| Concession Manager | Labor II | |
| Custodian | Library Assistant (Bacon) | |
| Deputy Animal Control Officer | Lifeguard | |
| Election Clerk | Parking Enforcement Officer | |
| Electrician Inspector | Plumbing & Wiring Inspector | |
| Equipment Operator (Golf) | Police Matron | |
| Instructor | Program Assistant | |
| Laborer I | Program Supervisor (Rec) | |
| Leader/Counselor Certified (Rec) | Recycling Attendant | |
| Library Page (Morse) | School Crossing Guard | |
| Parking Clerk | Social Worker | |
| Ranger/Starter (Golf) | Substitute Library Assistant | |
| Receptionist | Swim Coach | |
| Senior Counselor Certified (Rec) | Transportation Coordinator | |
| Specialist (Rec) | | |

| Position | Annual Rate |
|----------------------|------------------|
| Inspector of Animals | \$3,750.00 |
| Registrar of Voters | \$966.00 |
| Town Meeting Page | \$100.00/session |

| Premium (up to a max of \$85/per hr) |
|--------------------------------------|
| Golf Instructor |
| Recreation Professional |
| Special Assignment Nurse |
| Subject Area Expert |
| Traffic Constable |

The motion under Article 13 passed by a majority vote (122/2/0).

Article 14 - Increase Amount to be Credited Under Senior/Veteran’s Work Program, Ch.59, S. 5K and 5N:

To see if the Town will vote to adjust the PROPERTY TAX LIABILITY REDUCED IN EXCHANGE FOR VOLUNTEER SERVICES; PERSONS OVER AGE 60 Ch 59 § 5K and REDUCTION OF PROPERTY TAX OBLIGATION OF VETERAN IN EXCHANGE FOR VOLUNTEER SERVICES, Ch 59 §5N by allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,500; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION

| | | |
|--|------------------|----------------------|
| The Finance Committee took the following action: | RECOMMENDATION: | No Action |
| | QUANTUM OF VOTE: | 13-0-1 |
| | DATE VOTED: | March 4, 2025 |

MOTION (Requires a Majority Vote)

Moved by Cody Jacobs, seconded by Todd Gillenwater that the Town take NO ACTION on Article 14.

James Errickson, Town Administrator, spoke to this article. *The motion under Article 14 passed by a majority vote (109/5/3).*

Article 16 - Amend Zoning Bylaw: Section 326.1 Height:

To see if the Town will vote to amend the Natick Zoning Bylaws by amending Section 326.1 Height; and further amend any other associated sections of the Natick Zoning Bylaws, where applicable; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION

| | | |
|--|------------------|-----------------------|
| The Finance Committee took the following action: | RECOMMENDATION : | Favorable |
| | QUANTUM OF VOTE: | 12-0-0 |
| | DATE VOTED: | March 20, 2025 |

MOTION (Requires a 2/3 Vote)

Moved by Cody Jacobs, seconded by Todd Gillenwater that the Town vote to *amend Section 326.11 by deleting the acronym “HOD” after the words “Height limitations in the” and before the words “shall be as specified for...” and replace with the title “Highway Overlay Districts” to read as follows:*

- 326.11 Height limitations in the Highway Overlay Districts shall be as specified for the underlying zoning district(s), except as modified below.

And amend Section 326.12 by deleting Section 326.12 in its entirety; and a new Section 326.12 to read as follows

326.12 Structures in the Highway Overlay Districts located adjacent to residential zoning districts or residential uses shall have a maximum height as follows:

| <u>Distance from Residential Use/District</u> | <u>Maximum Building Height</u> |
|---|--------------------------------|
| less than 50 feet | 30 feet |
| equal to or greater than 50 but less than 200 feet | 40 feet |
| equal to or greater than 200 but less than 300 feet | 50 feet |
| equal to or greater than 300 but less than 400 feet | 60 feet |
| equal to or greater than 400 feet | 75 feet |

Amend Section 326.13 by deleting “Development” after the words “For a Regional Center Mixed-Use” and before the words “, the height limitation for shopping mall...” and replacing with “(RCP) Overlay District; deleting the words “Regional Center Mixed-Use Development” after the words “The residential buildings in a” and before the words “shall conform to the following limitations:...” and replace with the words “RCP Overlay District” to read as follows:

326.13 For a Regional Center Mixed-Use (RCP) Overlay District , the height limitation for shopping mall buildings shall be 80 feet measured from the adjacent average finished grade. The residential buildings in a RCP Overlay District shall conform to the following limitations: Any building or portion thereof located less than 400 feet from a public way shall not exceed more than eighty (80) feet in height measured from the adjacent averaged finished grade. For buildings located more than 400 feet from a public way:

(Art. 1, Fall S.T. M. #1, 10/18/2005)

| | |
|---|---|
| No more than 40% of the roof area of the building shall exceed: | 85 feet measured from the center line of the adjacent public way and 105 feet measured from the averaged finished grade adjacent to the building |
| No more than 20% of the roof area of such a building shall exceed: | 100 feet measured from the center line of the adjacent public way and 120 feet measured from the averaged finished grade adjacent to the building and provided the roof area within such height limit is set back at least 600 feet from a public way |
| Other than as authorized under Section IV-A.5 of the General Requirements, no portion of the building shall exceed: | 120 feet measured from the center line of the adjacent public way and 140 feet measured from the averaged finished grade adjacent to the building |

And amend Section 326.14 by inserting the words “Mall Center” after the words “In an” and before the words “MC Overlay District...”; add “()” around the acronym “MC” in the first sentence of Section 326.14; and delete the word “Development” after the words “(except in the case of a Regional Center Mixed-Use” and before the words “), no building or portion...” and replace with “(RCP) Overlay District” to read as follows:

326.14 In an Mall Center (MC) Overlay District (except in the case of a Regional Center Mixed-Use (RCP) Overlay District), no building or portion thereof shall exceed more than eighty (80) feet in height.
(Art. 1, Fall S.T.M. #1, 10/18/2005)

And further amend Section 326.14, by deleting the table with the top row in its entirety that reads “Distance from Residential Use/District Maximum Building Height”

Amanda Loomis, Community Economic Development Director spoke to this and shared a presentation. ***The motion under Article 16 passed by a 2/3 vote (119/2/1).***

Article 17 - Amend Zoning Bylaws: Flood Plain District:

To see if the Town will vote to amend the Natick Zoning Bylaws by amending § III-A.3 Flood Plain District; amend Section 200 – Definitions; and further amend any other associated sections of the Natick Zoning Bylaws, where applicable; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION

| | | |
|--|------------------|--------------------------|
| The Finance Committee took the following action: | RECOMMENDATION: | No Recommendation |
| | QUANTUM OF VOTE: | 6-3-1 |
| | DATE VOTED: | March 18, 2025 |

MOTION (Requires a 2/3 Vote)

Moved by Terry Evans, seconded by Carol Gloff that the Town vote to delete § III-A.3 Floodplain District, in its entirety; add a new § III-A.3 Floodplain District, to read as follows:

Part 1:

III-A.3 FLOODPLAIN DISTRICT

1. Purpose

The purpose of the Floodplain District is to insure public safety through reducing the threats to life and personal injury; eliminate new hazards to emergency response officials; prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding; avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding; eliminate costs associated with the response and cleanup of flooding conditions, and reduce damage to public and private property resulting from flooding waters.

2. Location of Floodplain District

The Floodplain District is herein established as an overlay district for all areas identified in § III-A.3.2 of this Bylaw.

- a. All areas shown as being within the 100-year floodplain on the TOWN OF NATICK DRAINAGE

STUDY, 100-YEAR FLOOD PLAIN MAP, 1" equals 100', September 1979 by Coffin & Richardson, Inc., Engineers, Boston, Massachusetts. As further described in the Drainage Report, Natick Massachusetts, September 1979 prepared by Coffin & Richardson.

- b. The Floodplain District includes all special flood hazard areas designated on the Middlesex County's Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP). The map panels of the Middlesex County FIRM that are wholly or partially within the Town are panel numbers 25017C0509F, 25017C0517F, 25017C0519F, dated July 7, 2014; and panel numbers 25017C0528G, 25017C0529G, 25017C0536G, 25017C0537F, 25017C0538G, 25017C0539F, 25017C0543F, and 25017C0652F, effective dated July 8, 2025.
 - c. The exact boundaries of the Floodplain District shall be defined by the 1 percent chance base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) reports, dated effective date July 8, 2025. The effective FIRM and FIS reports are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Commissioner, Conservation Commission and the Department of Public Works, and available on the Town website.
 - d. In the event of any discrepancy between the above delineations of the 100-year flood plain, the Building Inspector, after consultation with the Natick Conservation Commission, shall determine which map will apply. The Natick Drainage Study can only be used in areas where the Base Flood Elevations are equal to or more restrictive than the FIRM and FIS.
3. Community Flood Plain Administrator
The Town Administrator shall designate an official Floodplain Administrator and a deputy Floodplain Administrator for the Town of Natick hereby.
4. Permitting Requirements
- a. The Town requires permits for all construction or development within the Floodplain District, including New Construction or changes to existing Buildings, placement of manufactured Structures, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.
 - b. All construction and developments in the Floodplain District, including structural and non-structural activities, whether permitted As of Right or by Special Permit, must comply with MGL c 131, § 40 and with the following:
 - i. Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (780 CMR, as amended);
 - ii. Wetlands Protection Regulations, Department of Environmental Protection (DEP) (310 CRM 10.00, as amended);
 - iii. Inland Wetlands Restriction, DEP (310 CMR 13.00, as amended); and
 - iv. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (310 CMR 15, Title 5, as amended).
 - c. The Town's permit review process includes the requirement that the proponent obtain all Federal, State, and local permits that will be necessary to carry out the proposed development in the Floodplain District. The proponent must acquire all necessary permits and must demonstrate that all necessary permits have been acquired prior to the issuance of a Building Permit.
5. Floodway Encroachment
In Zones A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM encroachments are prohibited, including fill, New Construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

6. Unnumbered A Zones

In A Zones, in the absence of FEMA Base Flood Elevation ("BFE") data and floodway data, the Town will obtain, review, and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring New Construction, substantial improvements, or other development in Zone A and as the basis for elevating residential structures to or above base flood level, for floodproofing, or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

The Town may require a Peer Review Consultant to deem necessary to determine base flood elevation.

7. AO and AH Zones Drainage Requirements

Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around Structures on slopes, to guide floodwater around and away from Buildings and Structures.

8. Subdivision Proposals and Base Flood Elevation

- a. All subdivision proposals and development proposals in the Floodplain District shall be reviewed to assure that:
 - i. Such proposals minimize flood damage.
 - ii. Public utilities and facilities are located & constructed to minimize flood damage.
 - iii. Adequate drainage is provided.
- b. When proposing subdivisions or other developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.

9. Recreational Vehicles

In A, A1-30, AH, AO, AE Zones, all Recreational Vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

10. Watercourse Alterations or Relocations in Riverine Areas

In a riverine situation, the Conservation Agent shall notify the following groups or individuals of any alteration or relocation of a watercourse:

- Adjacent Communities, especially upstream and downstream
- Bordering States, if affected
- NFIP State Coordinator, Massachusetts Department of Conservation and Recreation
- NFIP Program Specialist, Federal Emergency Management Agency, Region I

11. Requirement to Submit New Technical Data

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:

- NFIP State Coordinator, Massachusetts Department of Conservation and Recreation
- NFIP Program Specialist, Federal Emergency Management Agency, Region I

12. Variances to Building Code Floodplain Standards

The Town will request from the State Building Code Appeals Board a written copy of the portion of the hearing related to the variance and will maintain this record in the community's files.

The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that

- a. the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and
- b. such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the Floodplain District.

13. Variance of the Natick Zoning Bylaws

As related to community compliance with the National Flood Insurance Program (NFIP), a variance from these floodplain bylaws must meet the requirements set out by State law, and may only be granted if:

- a. Good and sufficient cause and exceptional non-financial hardship exist;
- b. the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and
- c. the variance is the minimum action necessary to afford relief.

14. Abrogation and Greater Restriction

The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

15. Local Enforcement

Enforcement of the Floodplain District Bylaw follows enforcement procedures for the Massachusetts Wetlands Protection Act (310 CMR 10.00).

The Natick Conservation Commission shall issue an Enforcement Order per 310 CMR 10.08 for Floodplain District violations requiring appropriate mitigation to rectify the violation. Notice of the Enforcement Order shall also be provided to the Building Commissioner and any other permitting authorities on the subject Lot and/or project.

16. DISCLAIMER OF LIABILITY

The degree of flood protection required by this bylaw [ordinance] is considered reasonable but does not imply total flood protection.

17. Severability

If any section, provision or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

Part 2: And further to amend Section 200 – Definitions by amending the definition for “Peer Review Consultant” and adding new definitions for “Development” “Flood Boundary and Floodway Map” “Flood Hazard Boundary Map (FHBM)” “Floodway” “Functionally Dependent Use” “Highest Adjacent Grade” “Historic Structure” “New Construction” “Recreational Vehicle” “Special Flood Hazard Area” “Start of Construction” “Structure” “Substantial Repair of a Foundation” “Variance” “Violation” (to be placed into Section 200 – Definitions in alphabetical order), to read as follows:

PEER REVIEW CONSULTANT: A professional consultant hired by the Planning Board, Zoning Board of Appeals (ZBA), or other reviewing authority of the Town, pursuant to MGL c. 44, § 53G. (Art. 23, 2024 Spring ATM, 05/09/2024)

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOOD BOUNDARY AND FLOODWAY MAP means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.)

FLOOD HAZARD BOUNDARY MAP (FHBM.) An official map of a community issued by the Federal Insurance Administrator, where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E. [US Code of Federal Regulations, Title 44, Part 59]

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE means any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

- (1) By an approved state program as determined by the Secretary of the Interior or

- (2) Directly by the Secretary of the Interior in states without approved programs. [US Code of Federal Regulations, Title 44, Part 59]

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. *New construction includes work determined to be substantial improvement.* [Referenced Standard ASCE 24-14]

RECREATIONAL VEHICLE means a vehicle which is:

- Built on a single chassis;
- 400 square feet or less when measured at the largest horizontal projection;
- Designed to be self-propelled or permanently towable by a light duty truck; and
- Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

REGULATORY FLOODWAY - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

STRUCTURE Per § III-A.3 of these Zoning Bylaws for the purposes of floodplain management, a Structure shall be a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair

or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

VARIANCE Per § III-A.3 of these Zoning Bylaws for the purposes of floodplain management, a Variance shall mean a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

VIOLATION Per § III-A.3 of these Zoning Bylaws for the purposes of floodplain management, Violation shall mean the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3 is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

Moved by William Gath, seconded by David Krentzman to move the question. ***This motion passed by a majority vote (118/3/4).***

Claire Rundelli, Environmental Planner/Conservation Agent spoke to this article and shared a presentation. ***The motion under Article 17 passed by a majority vote (107/16/3).***

Article 18 - Amend Zoning Bylaws: Accessory Dwelling (ADU), Gross Floor Area:

To see if the Town will vote to amend the Natick Zoning Bylaws by amending Section 200 – Definitions, Gross Floor Area and Accessory Dwelling Units Gross Floor Area; amending § III-M Accessory Dwelling Unit regarding Gross Floor Area; and further amend any other associated sections of the Natick Zoning Bylaws, where applicable; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION

| | | |
|--|------------------|--------------------------|
| The Finance Committee took the following action: | RECOMMENDATION: | No Recommendation |
| | QUANTUM OF VOTE: | 7-5-0 |
| | DATE VOTED: | March 20, 2025 |

MOTION (Requires a majority Vote)

Moved by Terry Evans, seconded by Joshua Ostroff to amend the Natick Zoning Bylaws, by amending Section 200 - Definitions, by amending the definition for “Gross Floor Area” by adding a new sentence “The Gross Floor Area of a Principal One-Family Dwelling or an Accessory Dwelling Unit (ADU), shall be calculated per 760 CMR 71.00, as amended.” to the end of the existing definition; and by deleting the definition Gross Floor Area, Accessory Dwelling Unit, to read as follows

Gross Floor Area: The sum of the areas of all stories of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings, including any floor area below grade when usable for residential, office, business, storage,

industrial, or other purposes, but excluding any area used exclusively for heating, air conditioning or other mechanical equipment which services the building, and excluding floor area intended or designed for off-street parking. The Gross Floor Area of a Principal One-Family Dwelling or an Accessory Dwelling Unit (ADU), shall be calculated per 760 CMR 71.00, as amended. ~

and amend § III-M Accessory Dwelling Unit of the Natick Zoning Bylaws, by adding a new §III-M.2.d. “The gross floor area of the Principal One-Family Dwelling or the ADU outlined in § III-M of these Zoning Bylaws shall be calculated per 760 CMR 71.00, as amended” to read as follows

2. Massachusetts General Law (MGL)

- a. ADUs are permitted As of Right per Massachusetts General Laws (MGL), Chapter (c) 40A, § 3.
- b. The Town has established §III-M of these Zoning Bylaws to provide guidance and to reasonably regulate the construction of ADUs within single-family zoning districts.
- c. No ADU unit may be utilized as Short-term Rental.
- d. The gross floor area of the Principal One-Family Dwelling or the ADU outlined in § III-M of these Zoning Bylaws shall be calculated per 760 CMR 71.00, as amended.

Amanda Loomis, Director of Community Economic Development, spoke to this article and shared a presentation. ***The motion under Article 18 passed by a majority vote (116/10/1).***

Article 19 - Amend Zoning Bylaws and Zoning Map: Indoor Recreational Overlay District:

To see if the Town will vote to amend the Natick Zoning Bylaws by amending Section III-L Indoor Recreational Overlay District, and amend any other associated sections of the Natick Zoning Bylaws, where applicable; and further amend the Natick Zoning Map by deleting the Indoor Recreational Overlay District; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION

| | | |
|--|------------------|--------------------------|
| The Finance Committee took the following action: | RECOMMENDATION: | No Recommendation |
| | QUANTUM OF VOTE: | 7-5-0 |
| | DATE VOTED: | March 20, 2025 |

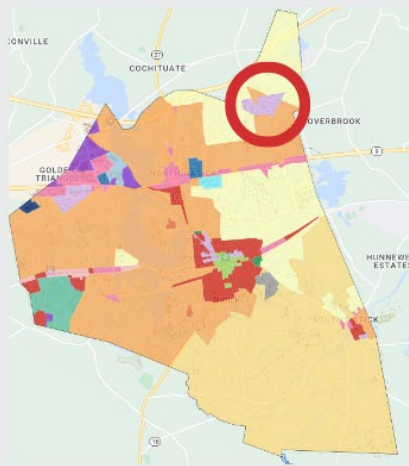
MOTION (Requires a 2/3 Vote)

Moved by Terry Evans, seconded by Joshua Ostroff to delete Section III-L Indoor Recreational Overlay District in its entirety and replace with the words “Section III-L RESERVED” to read as follows:

Section III-L RESERVED

And amend the Natick Zoning Map by deleting the Indoor Recreational Overlay District in its entirety from the Natick Zoning Map as presented on the attached Natick Zoning Map.

ARTICLE 19 INDOOR RECREATIONAL OVERLAY DISTRICT



Warrant Language
To see if the Town will vote to amend the Natick Zoning Bylaws by amending Section III-L Indoor Recreational Overlay District, and amend any other associated sections of the Natick Zoning Bylaws, where applicable; and further amend the Natick Zoning Map by deleting the Indoor Recreational Overlay District; or act in any other manner in relation thereto.

Goal of Article 19

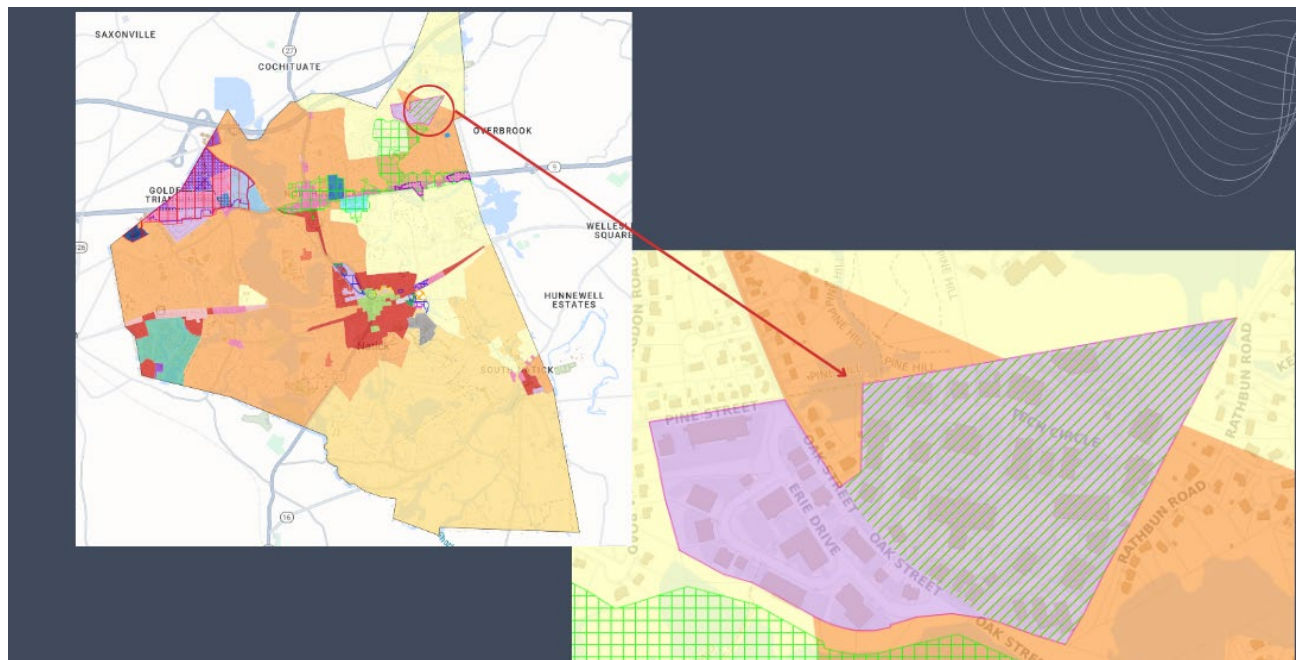
- Update Zoning Bylaws and Map to reflect work associated with the Use Regulation Schedule
- Reduce redundancy and conflict when possible

Indoor Recreational Overlay District

- Article 28 of the Fall Town Meeting - October 16, 2028

Breakdown of Article 19

1. Delete Section III-L Indoor Recreational Overlay District from the Zoning Bylaws
 - a. Replace with "Section III-L RESERVED"
2. Delete Indoor Recreational Overlay District from the Zoning Map



For Reference – existing Zoning Bylaws

Section 200 – Definitions

Indoor Recreational Facility: A facility designed and equipped for the conduct and instruction of sports and recreation such as ice skating, roller skating, racquet ball, tennis, swimming, golfing, body building, fitness training, swimming pools, field sports (soccer, lacrosse, field hockey, football) and court sports (basketball, tennis, volleyball), boxing, aerobics, yoga, dancing, martial arts, bowling, ball games, miniature golf, or similar customary and usual sports and recreational activities, where all activities are entirely within a structure. Such facility may include the sales of food and drink, which may be located inside or outside of the structure. (Art. 22, Fall ATM, 10/17/2024)

Section III-A.2, D. Recreational, Amusement, Entertainment Uses

| | RG | RM | RS | PCD | AP | DM | CII | INI | INII | H | CG | HMI ^a | HMI ^b | LC |
|---|----|----|----|-----|----|----|-----|-----|------|----|----|------------------|------------------|----|
| D. RECREATIONAL, AMUSEMENT, ENTERTAINMENT USES (Art. 22, Fall ATM, 10/17/2024) | | | | | | | | | | | | | | |
| D1. Indoor Recreational Facility | SP | SP | N | N | N | Y | Y | Y | Y | N | Y | SP | SP | Y |
| D2. Outdoor Recreational Facility | SP | SP | SP | N | N | SP | SP | Y | Y | SP | SP | SP | SP | SP |
| D3. Indoor Amusement Facility | N | N | N | N | N | Y | Y | Y | Y | N | Y | N | SP | Y |
| D4. Outdoor Amusement Facility | N | N | N | N | N | N | SP | SP | SP | N | SP | N | SP | SP |
| D5. Golf Course | SP | SP | SP | N | N | N | SP | SP | SP | N | N | SP | SP | Y |
| D6. Outdoor Driving Range | N | N | SP | N | N | N | SP | SP | SP | N | N | SP | SP | N |
| D7. Theater or Performing Arts Center | N | N | N | N | N | SP | SP | SP | SP | N | SP | N | N | N |
| D8. Event or Conference Center | N | N | N | N | N | SP | SP | SP | SP | SP | SP | SP ² | SP ² | SP |
| D9. Community Center | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| D10. Club, Clubhouse, or Lodge | Y | N | SP | SP | N | Y | N | N | N | N | Y | N | N | Y |
| D11. Adult Day Care Facility | N | N | N | N | SP | SP | Y | SP | SP | Y | SP | SP | SP | SP |



Moved by Richard Sidney, seconded by Carol Gloff to move the question. ***This motion passed by a majority vote (109/17/1).***

Amanda Loomis, Director of Community Economic Development, spoke to this article and shared a presentation. ***The motion under Article 19 passed by a majority vote (105/22/1).***

Article 20 - Amend Zoning Bylaws: Body Art Establishment

To see if the Town will vote to amend the Natick Zoning Bylaws by amending Section III-A.2.F9. Body Art Establishment; amend Section 200 – Definitions for Body Art and Personal Services Establishment; and further amend any other associated sections of the Natick Zoning Bylaws, where applicable; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION

| | | |
|--|------------------|-----------------------|
| The Finance Committee took the following action: | RECOMMENDATION: | Favorable |
| | QUANTUM OF VOTE: | 12-0-0 |
| | DATE VOTED: | March 20, 2025 |

MOTION (Requires a 2/3 Vote)

Moved by Cody Jacobs, seconded by Todd Gillenwater to amend Section 200 – Definition by deleting the existing definition “Body Art” and replacing with a new definition “Body Art” to read as follows:

Body Art: The practice of physical body adornment by permitted establishments and practitioners using, but not limited to, the following techniques: body piercing, tattooing, cosmetic tattooing, permanent cosmetics, branding and/or scarification. This definition shall not include practices that are considered medical procedures by the Board of Registration in Medicine in the Commonwealth, such as implants under the skin, which shall be performed in a Body Art Establishment.

and amend the Use Regulation Schedule, § III-A.2.F9 Body Art Establishments by

- *deleting “SP” for the DM Zoning District and replacing with “Y”*
- *deleting “N” for the C-II, CG, LC Zoning Districts and replacing with “Y”*
- *deleting “N” for the IN-I and IN-II Zoning Districts and replacing with “SP”*
- *deleting “N” for the HMI^a and HMI^b and replacing with “SP²”*

to read as follows:

| F. RETAIL OR CONSUMER SERVICE ESTABLISHMENT USES (Art. 22, Fall ATM, 10/17/2024) | | | | | | | | | | | | | | | | |
|--|--|----|----|----|-----|----|----|-----|-----|----------|---|----|------------------|------------------|--------|--|
| | | RG | RM | RS | PCD | AP | DM | CII | INI | INI I | H | CG | HMI ^a | HMI ^b | L C | |
| F9. | Body Art Establishments ⁴ (Art. 37, Spring A.T.M., 4/24/01) | N | N | N | N | N | Y | Y | SP | SP | N | Y | SP ² | SP ² | Y | |

4 Body Art Establishments: Body Art Establishments shall be allowable only on parcels of land situated within the Regional Corridor (RC) Overlay District and the Downtown Mixed Use (DM) Zoning District upon the grant of a special permit by the Planning Board acting as a Special Permit Granting Authority (SPGA). This use is prohibited on all parcels which are not located totally within the RC overlay district or the DM district and specifically prohibited on any premises zoned Highway Mixed Use III (HM-III), even if said HM-III premises are overlaid by the RC zoning district. (Art. 22, Fall ATM, 10/17/2024)

and amend the Use Regulation Schedule, §III-A.2 by deleting the “4” endnote reference from §III-A.2.F9 Body Art Establishment, and further deleting endnote “4” Body Art Establishments: Body Art Establishments shall be allowable only on parcels of land situated within the Regional Corridor (RC) Overlay District and the Downtown Mixed Use (DM) Zoning District upon the grant of a special permit by the Planning Board acting as a Special Permit Granting Authority (SPGA). This use is prohibited on all parcels which are not located totally within the RC overlay district or the DM district and specifically prohibited on any premises zoned Highway Mixed Use III (HM-III), even if said HM-III premises are overlaid by the RC zoning district. (Art. 22, Fall ATM, 10/17/2024)” in its entirety to read as follows:

| F. RETAIL OR CONSUMER SERVICE ESTABLISHMENT USES (Art. 22, Fall ATM, 10/17/2024) | | | | | | | | | | | | | | | | |
|--|---|----|----|----|-----|--------|----|---------|-----|----------|---|----|------------------|------------------|--------|--|
| | | RG | RM | RS | PCD | A P | DM | CI I | INI | INI I | H | CG | HMI ^a | HMI ^b | L C | |
| F9. | Body Art Establishments (Art. 37, Spring A.T.M., 4/24/01) | N | N | N | N | N | Y | Y | SP | SP | N | Y | SP ² | SP ² | Y | |

- 1 Town House Dwelling shall per permitted through the use of the Open Space Residential Development (OSRD) and Historic Preservation Bylaws
- 2 Such use shall be permitted as an accessory use to a primary use and shall not constitute more than fifty (50) percent of the total floor area of all structures on the Lot (Art. 22, Fall ATM, 10/17/2024)
- 3 Ancillary Outlet shall not be permitted in any Industrial Zones covered by or underlying the Regional Center Overlay District or HOOP Overlay Districts. The Ancillary Outlet Setback from a residential zone to an Ancillary Outlet inclusive of its outside parking and vehicular access is 85 feet. (Art. 28, Spring Town Meeting, 4/14/15; Art. 22, Fall ATM, 10/17/2024)

Amanda Loomis, Director of Community Economic Development, spoke to this article and shared a presentation. ***The motion under Article 20 passed by a 2/3 vote (115/8/1).***

Article 21 - Amend Zoning Bylaws: Use Regulation Schedule:

To see if the Town will vote to amend the Natick Zoning Bylaws by amending § III-A.2 Use Regulations Schedule (Use Categories within the Use Headers: I. Professional and Medical Office Uses; J. Research and Development, Laboratory, and Technology Uses; K. Manufacturing and Industrial Uses; M. Other Uses); amend Section 200 – Definitions; and further amend any other associated sections of the Natick Zoning Bylaws, where applicable; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION

| | | |
|--|------------------|-----------------------|
| The Finance Committee took the following action: | RECOMMENDATION: | Favorable |
| | QUANTUM OF VOTE: | 12-0-0 |
| | DATE VOTED: | March 20, 2025 |

MOTION (Requires a 2/3 Vote)

Moved by Cody Jacobs, seconded by Todd Gillenwater to amend Section 200 – Definitions by deleting the following definitions in their entirety, Professional Office and Health Care Facility, and replacing with news definition “Professional Office” and “Health Care Facility” to read as follows:

Health Care Facility Two (2) or more medical practices, an equivalent aggregation of medical offices, hospital, diagnostic and health care professional offices, dialysis center, imaging center, radiology center operating in the same building or on the same property, which may also contain associated accessory uses such as diagnostic testing facilities, physical therapy, therapeutic or counseling services, pharmacies, medical supply retailers, and similar uses. A Health Care Facility shall not include medical or rehabilitation residential facilities.

Professional Office A building or part thereof, for the transaction of business or the provision of services exclusive of the receipt, sale, storage, or processing of merchandise, including office of a professional, advertising, editing, composition (but not a printer) employment agency, civic or social association, office of a manufacturer's representative or salesperson, and computer software and technology development.

and amend Section 200 – Definitions by adding new definitions “Animal or Veterinary Hospital” “Business Incubator Space” “Business Training Center” “Laboratory” “Professional Medical Office (Medical, Dental, or Psychiatric Office)” “Research and Development (R&D) to be placed into Section 200 – Definitions in alphabetical order), to read as follows:

Animal or Veterinary Hospital A place where animals or pets are given medical or surgical treatment, and the Boarding of animals is limited to short term care incidental to the use.

Business Incubator Space A place where individual small business owners or employees, remote workers, or freelancers can work alongside one another in a common space, or a business incubator, where individuals working to launch a new business can rent space in which to perform office work and access shared resources such as office equipment and other tools and services such as financial counseling and management training. A flex office may also be used for light manufacturing or makerspace.

Business Training Center A facility that provides education and training programs designed to enhance skills, knowledge, and attitudes necessary for business success, encompassing various aspects like management, technology, and industry-specific skills.

Laboratory A designated area within a building equipped to conduct scientific experiments, tests, investigations, research, prototype manufacture, experimental and testing activities including, but not

limited to, the fields of biology, life science, chemistry, electronics, engineering, geology, medicine and physics.

Professional Medical Office (Medical, Dental, or Psychiatric Office) A building or individual unit that is occupied by one (1) medical practice, within the building that are designed and used as an office for the diagnosis and treatment of human patients on an outpatient basis that does not include overnight care facilities or licensing as a clinic.

Research and Development (R&D) Research, development, and testing conducted in dry labs, wet labs, or other types of facilities related to such fields as chemical, pharmaceutical, medical, electrical, transportation, and engineering, which may include the development of mockups and prototypes but not the manufacture of finished products, provided all activities are conducted within entirely enclosed buildings and produce no noise, smoke, glare, vibration, or odor shall not be detectable beyond the property lines of the property abutting a residential area and shall otherwise comply with the Town’s Noise Bylaw.

and amend § III-A.2 Use Regulation Scheduled by deleting Use Headers and associated Use Categories known as I. Professional and Medical Office Uses, J. Research and Development, Laboratory, and Technology Uses, and M. Other Uses in their entirety; add new Use Headers and associated Use Categories I. Professional and Medical Office Uses, J. Research and Development, Laboratory, and Technology Uses, and M. Other Uses; delete endnotes “t” “u” “v” and “x” in their entirety and replace with new endnotes that read “t RESERVED” “u RESERVED” “v RESERVED” and “x RESERVED” to read as follows:

| | | RG | R M | RS | PCD | AP | D M | CII | INI | INII | H | CG | HM I ^a | HM I ^b | LC |
|---|--|----|--------|----|-----|----|--------|-----|-----|------|----|----|----------------------|----------------------|----|
| I. PROFESSIONAL AND MEDICAL OFFICE USES | | | | | | | | | | | | | | | |
| I1. | Professional Office | N | N | N | SP | Y | Y | Y | Y | SP | N | Y | Y | Y | Y |
| I2. | Business Incubator Space | N | N | N | N | Y | Y | Y | Y | Y | Y | Y | Y ² | Y ² | Y |
| I3. | Business Training Center | N | N | N | N | SP | Y | SP | SP | SP | SP | SP | Y ² | Y ² | Y |
| I4. | Professional Medical Office | SP | N | N | N | Y | Y | Y | Y | Y | Y | Y | Y ² | Y ² | Y |
| I5. | Health Care Facility | | | | | | | | | | | | | | |
| | a. under 3,500 sq. ft. | N | N | N | N | Y | Y | Y | Y | Y | Y | Y | Y ² | Y ² | Y |
| | b. over 3,500 sq. ft. (Art. 12, S.T.M. #1 Jan. 21, 1992) | N | N | N | N | SP | SP | SP | SP | SP | SP | Y | Y ² | Y ² | SP |
| I6. | Animal or Veterinary Hospital | N | N | N | N | SP | SP | Y | SP | SP | Y | Y | SP ² | SP ² | SP |
| J. RESEARCH AND DEVELOPMENT, LABORATORY, AND TECHNOLOGY USES | | | | | | | | | | | | | | | |
| J1. | Research and Development (R&D) | N | N | N | N | SP | Y | Y | Y | Y | N | Y | Y | Y | Y |
| J2. | Laboratory | N | N | N | N | SP | Y | Y | Y | Y | Y | Y | Y | Y | Y |
| J3. | Renewable or Alternative Energy Research and Development Facilities (Art. 58, Fall ATM 10/20/09) | N | N | N | N | N | N | N | Y | Y | N | N | Y | Y | N |
| M. OTHER USES | | | | | | | | | | | | | | | |
| M 1. | Accessory Uses (normally incidental to permitted use) | SP | SP | SP | SP | SP | SP | SP | SP | SP | SP | SP | SP | SP | SP |
| Note: For districts HM-II, HM-III, HPU see Section III | | | | | | | | | | | | | | | |

1 Town House Dwelling shall be permitted through the use of the Open Space Residential Development (OSRD) and Historic Preservation Bylaws

2 Such use shall be permitted as an accessory use to a primary use and shall not constitute more than fifty (50) percent of the total floor area of all structures on the Lot (Art. 22, Fall ATM, 10/17/2024)

3 Ancillary Outlet shall not be permitted in any Industrial Zones covered by or underlying the Regional Center Overlay District or HOOP Overlay Districts. The Ancillary Outlet Setback from a residential zone to an Ancillary Outlet inclusive of its outside parking and vehicular access is 85 feet. (Art. 28, Spring Town Meeting, 4/14/15; Art. 22, Fall ATM, 10/17/2024)

4 Body Art Establishments: Body Art Establishments shall be allowable only on parcels of land situated within the Regional Corridor (RC) Overlay District and the Downtown Mixed Use (DM) Zoning District upon the grant of a special permit by the Planning Board acting as a Special Permit Granting Authority (SPGA). This use is prohibited on all parcels which are not located totally within the RC overlay district or the DM district and specifically prohibited on any premises zoned Highway Mixed Use III (HM-III), even if said HM-III premises are overlaid by the RC zoning district. (Art. 22, Fall ATM, 10/17/2024)

a Highway Mixed-use – I (HM-I) District, Small Corporate Campus Parcel permitting requirements

b Highway Mixed-use – I (HM-I) District, Large Corporate Campus Parcel permitting requirements

c RESERVED

d RESERVED

e RESERVED

f Multi-Family Dwellings and Residential Mixed-use Developments shall comply with § III.E.2 (for projects in DM Zoning District) and § III.EE (for projects in CG Zoning District) of the Natick Zoning Bylaws (Art. 24, Fall ATM, 10/17/2024)

g RESERVED

h RESERVED

i RESERVED

j RESERVED

k RESERVED

l RESERVED

m RESERVED

n RESERVED

o RESERVED

p RESERVED

q RESERVED

r RESERVED

s In the DM Zoning District radio and TV stations offices are included in this Use Category, while towers are excluded.

t RESERVED

u RESERVED

v RESERVED

w Such uses are subject to § VI-DD.2 Site Plan Review of the Zoning Bylaw (Art. 23, 2024 Spring ATM, 05/09/2024)

x RESERVED

y Use not yet authorized by Town Meeting

Amanda Loomis, Director of Community Economic Development, spoke to this article and shared a presentation. ***The motion under Article 21 passed by a 2/3 vote (114/6/1).***

Article 22 - Amend Town of Natick Bylaws, Article 80: Water Supply Protection:

To see if the Town will vote to amend the Natick General Bylaws by amending Article 80, Water Supply Protection, to update the provisions relating to nonessential outdoor water use restrictions; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION

| | | |
|--|------------------|--------------------------|
| The Finance Committee took the following action: | RECOMMENDATION: | No Recommendation |
| | QUANTUM OF VOTE: | 6-6-0 |
| | DATE VOTED: | March 20, 2025 |

MOTION (Requires a Majority Vote)

Moved by Kathryn Coughlin, seconded by Paul Griesmer that the Town amend Article 80 (WATER SUPPLY PROTECTION) of the Natick General Bylaws by removing the old Article 80 and replacing it with the language set forth below:

Section 1 Authority

This by-law is adopted by the Town of Natick under its home rule powers, its police powers to protect public health and welfare and its specific authorization under Sections 21 and 21D of Chapter 40 of the General Laws.

Section 2 Purpose

The purpose of this by-law is to protect, preserve, and maintain the public health, safety and welfare whenever there is in force a state of water supply emergency, or whenever nonessential outdoor water use restrictions are deemed necessary, by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the Town or by the Department of Environmental Protection and included in the Town's plan approved by the Department of Environmental Protection to abate the emergency.

Section 3 Definitions

For the purpose of this by-law:

Enforcement authority shall mean the Town's Board of Selectmen or its designee, or other Department or Board having responsibility for the operation and maintenance of the water supply, the Health Department, the Town police, special police, and any other locally designated body having police powers.

State of water supply emergency shall mean a state of water supply emergency declared by the Department of Environmental Protection pursuant to Chapter 21G and Section 160 of Chapter 111 of the General Laws.

Nonessential outdoor water use restrictions shall mean water use restrictions required by Department of Environmental Protection Well Registration Statement or Water Management Permit. See Water Use Restriction policy for details.

Section 4

The following shall apply to all users of water supplies supplied by the Town:

Following notification by the Town of the existence of a state of water supply emergency or nonessential outdoor water use restrictions, no person shall violate any provision, condition, requirement or restriction included in a plan approved by the Department of Environmental Protection which has as its purpose the abatement of a water supply emergency.

Notification of any provision, restriction, requirement, or condition with which users of water supplied by the Town are required to comply to abate a situation of water supply emergency shall be sufficient for purposes of this by-law if it is published in a newspaper of general circulation within the Town or by such other notice as is reasonably calculated to reach and inform all users of the Town supply.

The Select Board is hereby authorized to promulgate rules and regulations, and amendments thereto, regarding protection of the Town of Natick's public water supply system, including without limitation preventing of cross connections, unauthorized use, unauthorized use of fire hydrants, and tampering of water meters or any other part of the Town of Natick public water supply system.

Section 5 Penalty

Any person or entity who violates this by-law shall be liable to the Town in the amount of \$50.00 for the first violation and \$100.00 for each subsequent violation which shall inure to the Town for such uses as the Select Board may direct. Fines shall be recovered by complaint before the District Court or by noncriminal disposition in accordance with Section 21D of Chapter 40 of the General Laws. Each separate instance of noncompliance following issuance of any warning or citation pursuant to this section shall constitute a separate violation.

Section 6 Severability

The invalidity of any portion or provisions of this by-law shall not invalidate any other portion, provision or section hereof.

Bill Spratt, the Executive Director of Public Works spoke to this article. ***The motion under Article 22 passed by a majority vote (107/9/1).***

Richard Sidney moved to adjourn, seconded by William Gath. ***The motion to adjourn passed by a majority vote (80/41/0).***

The meeting adjourned at 9:57 until Thursday May 8 at 7:30 PM.

A record of the Fourth Session of
2025 Spring Annual Town Meeting
May 6, 2025

Andrew Ghobrial