

**2019 Spring Annual Town Meeting
 Fine and Performing Arts Center
 Marshall Lebowitz Town Meeting Room,
 Natick High School
 April 25, 2019, Fourth Session**

The Fourth Session of the 2019 Spring Annual Town Meeting was called to order at 7:30 by Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the Second Session of 2019 Spring Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting stand to take the oath of office; there were no new members. 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: Diane Packer, Town Clerk; Patrick Hayes, Finance Committee Chair; Bruce Evans, Finance Committee Secretary; Karis North, Town Counsel, Melissa Malone, Town Administrator; and Michael Hickey, Chair, Board of Selectmen; John Townsend, Assistant Town Administrator for Finance will operate the slides and Tim Lathwood, a representative from Option Technologies, will operate the electronic voting system.

The Moderator announced that the meeting would begin with Article 14 followed by Articles 3-11, 13, followed by Articles 20-25. Ms. Shea moved, seconded by Mr. Sidney to postpone consideration of Article 4 until Tuesday, April 30th after consideration of Articles 26 and 26. *The postponement motion passed by majority vote (98-5-0)*. Mr. Freedman moved, seconded by Mr. Jennett to postpone consideration of Article 5 until Tuesday, April 30th. *The motion passed by majority vote (101-5-0)*.

ARTICLE 14: Capital Equipment (Town Administrator)

To see if the Town will vote to appropriate and raise, borrow or otherwise provide, a sum of money as may be required for capital equipment for the various departments of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATIONS:

ARTICLE #14	DATE VOTED	MOTION	QUANTUM OF VOTE
Motions A, B and C	March 19, 2019	Favorable Action	13-0-0

Mr. Chenard, Deputy Town Administrator for Operations made a presentation on the entire article at this time.

Motion A was moved by Mr. Evans and seconded by Mr. Hayes

MOTION A: (two-thirds vote required)

Move that the Town vote to appropriate the sum of \$1,129,200 to be expended under the direction of the Information Technology Department for the purpose of purchasing and installing payroll and time management automation upgrades, and completing an security assessment, under the direction of the Police Department for the purpose of replacing police cruisers, and replacing laptop computers, under the direction of the Department of Public Works for the purpose of replacing vehicle 428 Bombardier, replacing vehicle 411 truck with sander, upgrading garage equipment, replacing vehicle 303 pickup truck, replacing vehicle 402 dump truck, and replacing a mower with attachments, under the direction of Town Administration for capital emergencies, and under the direction of the Community Services Department for playground safety inspections and updates, individually shown as items 1 through 13 in Table A below, and that to meet this appropriation the sum of \$1,129,200 be raised from the Capital Stabilization Fund.

TABLE A - MOTION A: Article 14 - Capital Equipment - 2019 Spring Annual Town Meeting

Item #	Department	Item	Funding Source	Amount
1	Information Technology	PAYROLL AND TIME MANAGEMENT AUTOMATION UPGRADES	Capital Stabilization Fund	\$100,000
2	Information Technology	SECURITY ASSESSMENT	Capital Stabilization Fund	\$40,000
3	Police	CRUISER REPLACEMENT	Capital Stabilization Fund	\$153,000
4	Police	REPLACE LAPTOP COMPUTERS	Capital Stabilization Fund	\$6,200
5	DPW - Highway, Sanitation, and Recycling	REPLACE VEHICLE 428 (H-67) BOMBARDIER	Capital Stabilization Fund	\$220,000
6	DPW - Highway, Sanitation, and Recycling	REPLACE VEHICLE 411 (H-46) TRUCK/SANDER	Capital Stabilization Fund	\$250,000
7	DPW - Equipment Maintenance	UPGRADE GARAGE EQUIPMENT	Capital Stabilization Fund	\$30,000
8	DPW - Equipment Maintenance	REPLACE VEHICLE 303 (M-3) 2008 EMD PICKUP TRUCK	Capital Stabilization Fund	\$65,000
9	DPW - Highway, Sanitation, and Recycling	REPLACE VEHICLE 402 (H-40) DUMP TRUCK	Capital Stabilization Fund	\$135,000
10	DPW - Land Facilities and Natural Resources	MOWER WITH ATTACHMENTS	Capital Stabilization Fund	\$40,000
11	Town Administration	CAPITAL EMERGENCIES	Capital Stabilization Fund	\$75,000
12	Community Services Recreation	PLAYGROUND SAFETY INSPECTION AND UPDATES	Capital Stabilization Fund	\$15,000

Appropriation under Article 14: MOTION A

\$ 1,129,200

Motion A under Article 14 passed by a two-thirds vote (106-2-1).

Motion B was moved by Mr. Evans and seconded by Mr. Hayes

MOTION B: (two-thirds vote required)

Move that the Town vote to appropriate the sum of \$45,000 to be expended under the direction of the Department of Public Works Water Sewer Enterprise Fund for the purpose of replacing vehicle 631 Van, individually shown as item 1 in Table B below, and that to meet this appropriation the sum of \$45,000 be raised from the Water Sewer Retained Earnings.

TABLE B, MOTION B: Article 14 - Capital Equipment - 2019 Spring Annual Town Meeting

Item #	Department	Item	Funding Source	Amount
1	Water Sewer	REPLACE VEHICLE 631	W/S Retained Earnings	\$ 45,000
Appropriation under Article 14: MOTION B				\$ 45,000

Motion B under Article 14 passed unanimously (109-0-2).

Motion C was moved by Mr. Evans and seconded by Mr. Hayes

MOTION C: (majority vote required)

Move that the Town vote to appropriate the sum of \$58,000 to be expended under the direction of the Community Services Department Golf Course Enterprise Fund for the purpose of purchasing a grinder, and replacing a light weight utility vehicle individually shown as items 1 and 2 in Table C below, and that to meet this appropriation the sum of \$58,000 be raised from the Golf Course Retained Earnings.

TABLE C, MOTION C: Article 14 - Capital Equipment - 2019 Spring Annual Town Meeting

Item #	Department	Item	Funding Source	Amount
1	Golf Course	GRINDER	GC Retained Earnings	\$50,000
2	Golf Course	LIGHT WEIGHT UTILITY VEHICLE	GC Retained Earnings	\$8,000
Appropriation under Article 14: MOTION C				\$ 58,000

Motion C under Article 14 passed by majority vote (105-8-0)

ARTICLE 3: Elected Officials Salary (Town Administrator)

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town of Natick for Fiscal Year 2020 (July 1, 2019 through June 30, 2020) as provided by Section 108 of Chapter 41 of the General Laws, as amended; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE #3	DATE VOTED	MOTION	QUANTUM OF VOTE
	March 19, 2019	Favorable Action	13-0-0

MOTION: (Requires a majority vote)

Moved by Mr. Evans, seconded by Mr. Hayes that the town vote to fix the salary and compensation of the following elected officer of the Town for the Fiscal Year 2020 (July 1, 2019 through June 30, 2020) as provided by section 108 Chapter 41 of the Massachusetts General Laws: Town Clerk: \$95,800.

Moved by Ms. McKenzie, seconded by Mr. Gath to amend the main motion such that the town vote to fix the salary and compensation of the following elected officer of the Town for the Fiscal Year 2020 (July 1, 2019 through June 30, 2020) as provided by section 108 Chapter 41 of the Massachusetts General Laws: Town Clerk: \$100,400.

The amendment passed by majority vote (94-15-4). The amended main motion passed by majority vote (by hand count).

ARTICLE 9: Fiscal 2020 Morse Institute Library Budget (Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Morse Institute Library, for Fiscal Year 2020 (July 1, 2019 through June 30, 2020); or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE #9	DATE VOTED	MOTION	QUANTUM OF VOTE
	March 19, 2019	Favorable Action	13-0-0

MOTION: (Requires a majority vote)

Moved by Mr. Evans, seconded by Mr. Hayes that the Town vote to appropriate the Total Budget Amount shown below to be expended under the direction of the Morse Institute Board of Trustees for the operation of the Morse Institute Library, for the Fiscal Year July 1, 2019 through June 30, 2020.

Morse Institute Library	
Salaries	\$1,928,397
Expenses	\$ 347,102
Total Budget Amount- Morse Institute Library	<u>\$2,275,499</u>

And that the above Total Budget Amount be raised from the following sources: Tax Levy of Fiscal year 2020 \$2,275,499

Ms. Malone, Town Administrator spoke to this Article. *The main motion under Article 9 passed by major vote (114-1-0).*

ARTICLE 10: Fiscal 2020 Bacon Free Library Budget (Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Bacon Free Library, for Fiscal Year 2020 (July 1, 2019 through June 30, 2020); or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION:

	DATE VOTED	MOTION	QUANTUM OF VOTE
ARTICLE #10	March 19, 2019	Favorable Action	13-0-0

MOTION: (Requires a majority vote)

Moved by Mr. Evans, seconded by Mr. Hayes that the Town vote to appropriate the Total Budget Amount shown below to be expended under the direction of the Bacon Free Library Maintenance Committee for the operation of the Bacon Free Library, for the Fiscal Year July 1, 2019 through June 30, 2020.

Bacon Free Library	
Salaries	\$163,106
Expenses	\$ 27,686
Total Budget Amount- Bacon Free Library	<u>\$190,792</u>

And that the above Total Budget Amount be raised from the following sources: Tax Levy of Fiscal year 2020 \$190,792

Ms. Malone, Town Administrator spoke to this Article. *The main motion under Article 10 passed by majority vote (112-2-0).*

ARTICLE 11: School Bus Transportation Subsidy (Superintendent of Schools)

To see if the Town will vote to appropriate and raise, or transfer from available funds, a sum of money 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, for Fiscal Year 2020 (July 1, 2019 through June 30, 2020); or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION:

	DATE VOTED	MOTION	QUANTUM OF VOTE
ARTICLE #11	March 19, 2019	Favorable Action	13-0-0

MOTION: (Requires a majority vote)

Moved by Mr. Evans, seconded by Mr. Hayes that the Town vote to appropriate the sum of \$410,137 from Tax Levy for the purpose of operation and administration of the school bus transportation system for FY 2020, and to reduce or offset fees charged for students who elect to use the school bus transportation system for transportation to and from school, said funds to be expended under the direction of the Natick School Committee.

Dr. Nolin, School Superintendent and Dr. Gray, Finance Director School Department spoke to this article. *The main motion under Article 11 passed by majority vote (112-2-0).*

ARTICLE 13: Establish Town Meeting Practices and Rules Committee (Town Moderator)

To see if the Town will vote to establish a special committee, which shall be appointed by the Town Moderator. Said committee shall be called the Town Meeting Practices and Rules Committee (TMPRC).

The TMPRC shall 1) review current Town Meeting practices and rules and other related processes, 2) advise Town Meeting of any recommendation modifying, adding or deleting Town Meeting practices, rules and/or related processes, 3) suggest modifications to the Natick By Laws relative to findings under items 1) and 2), and 4) update and make changes to the Town Meeting Member Handbook for Town Meeting approval.

The TMPRC shall consist of no more than seven (7) members, including the Town Moderator and Town Clerk as ex officio members.

Unless otherwise authorized by Town Meeting, the TMPRC shall complete its charge upon presenting a report to 2020 Spring Annual Town Meeting.

Or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE #13	DATE VOTED	MOTION	QUANTUM OF VOTE
	February 28, 2019	Favorable Action	9-0-0

MOTION: (Requires a majority vote)

Moved by Mr. Evans, seconded by Mr. Hayes that the Town vote to establish a special committee, which shall be appointed by the Town Moderator. Said committee shall be called the Town Meeting Practices and Rules Committee (TMPRC).

The TMPRC shall 1) review current Town Meeting practices and rules and other related processes, 2) advise Town Meeting of any recommendation modifying, adding or deleting Town Meeting practices, rules and/or related processes, 3) suggest modifications to the Natick By Laws relative to findings under items 1) and 2), and 4) update and make changes to the Town Meeting Member Handbook for Town Meeting approval.

The TMPRC shall consist of no more than seven (7) members, including the Town Moderator and Town Clerk as ex officio members.

Unless otherwise authorized by Town Meeting, the TMPRC shall complete its charge upon presenting a report to 2020 Spring Annual Town Meeting.

Town Clerk, Diane Packer served as Moderator for this article. Mr. Foss, Moderator spoke to this article. *The main motion under Article 13 passed unanimously (114-0-0).*

ARTICLE 20: Home Rule Petition: Means Tested Senior Tax Exemption (Board of Selectmen)

Move 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. "SECTION 1. With respect to each qualifying parcel of real property classified as class one, residential in the town of Natick there shall be an exemption from the property tax in an amount to be set annually by the board of selectmen as provided in section 3. The exemption shall be applied to the domicile of the taxpayer only. For the purposes of this act, "parcel" shall be a unit of real property as defined by the board of assessors under the deed for the property and shall include a condominium unit. The exemption provided for herein shall be in addition to any and all other exemptions allowed by the General Laws. SECTION 2. The board of assessors of the town of Natick may deny an application for exemption if the board finds that the applicant has excessive assets that place the applicant outside of the intended recipients of the senior exemption established pursuant to the act. Real property shall qualify for the exemption under section 1 if all of the following criteria are met: a) The qualifying real property is owned and occupied by a person who qualified and received the circuit breaker income tax credit the previous year under section 6(k) of chapter 62 of the General Laws; b) The qualifying real property is owned by a single applicant age 65 or older at the close of the previous year or jointly by persons either of whom is age 65 or above at the close of the previous year and if the joint applicant is 60 years of age or older; c) The qualifying real property is owned and occupied by the applicant or joint applicants as their domicile; d) The applicant or at least 1 of the joint applicants has been domiciled and owned a home in the town of Natick for at least the 10 consecutive years preceding the filing of an application for the exemption; e) The maximum prior year assessed value of the domicile is no greater than the prior year's maximum assessed value for qualification for the circuit breaker income tax credit under said section 6(k) as adjusted annually by the department of revenue; and f) The board of assessors has approved the application. SECTION 3. The board of selectmen shall annually set the exemption amount provided for in section 1, provided that the amount of the exemption shall be up to a 100% match, and no less than a 50% match, of the amount of the circuit breaker income tax credit under section 6(k) of chapter 62 of the General Laws for which the applicant received in the previous year. The total amount exempted by this act shall be allocated proportionally within the tax levy on all residential taxpayers. SECTION 4. A person who seeks to qualify for the exemption under section 1

shall, before the deadline established by the board of assessors, file an application, on a form to be adopted by the board of assessors, with the supporting documentation of the filed income tax return of the applicant showing the circuit breaker tax credit. The application shall be filed each year for which the applicant seeks the exemption. SECTION 5. No exemption shall be granted under this act until the department of revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the residential tax levy. SECTION 6. The exemption provided in this act shall expire after 3 years of implementation, which shall begin in fiscal year 2020; provided, however, that the town of Natick may reauthorize the exemption for additional 3-year intervals by a vote of the legislative body of the town. SECTION 7. This act shall take effect upon its passage.” Or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 20	DATE VOTED	MOTION	QUANTUM OF VOTE
	February 26, 2019	Referral to the BOS	9-0-0

MOTION: (Requires a majority vote)

Moved by Mr. Evans, seconded by Mr. Hayes to refer the subject matter of Article 20 to the Board of Selectmen.

Ms. Salamoff, member of the Board of Selectmen spoke to this Article. *The main motion under Article 20 passed by majority vote (113-1-0).*

ARTICLE 21: Amend By-Law Article 22: Town Counsel (Board of Selectmen)

To see if the Town will vote to amend Article 22 of the Town of Natick By-Laws as follows:

1. Section 2: Relationship
 - a. Delete the words “Town Counsel shall be an independent contractor and shall not be an employee of the Town”
 - b. Add the words “Town Counsel may be an independent contractor or Town Employee”
2. Section 5.c
 - a. Add the words “Community Services Director, Facilities Management Director” after the words “The following shall have the right to request of Town Counsel advice concerning their duties: members of the Board of Selectmen, Town Clerk, Superintendent of Schools, Building Commissioner,”

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 21	DATE VOTED	MOTION	QUANTUM OF VOTE
	February 28, 2019	No Recommendation	NA

MOTION: (Requires a majority vote)

Mr. Sidney moved, seconded by Ms. Foss to indefinitely postpone the subject matter of Article 21.

Mr. Hickey, Chair of the Board of Selectmen spoke to this article. Mr. Griesmer moved, seconded by Ms. Gloff to refer the subject matter of Article 21 to the Board of Selectmen. The Moderator announced that Town Meeting will vote the referral motion first. *The motion to refer the subject matter of Article 21 to the Board of Selectmen passed by majority vote (108-5-0).*

ARTICLE 22: Establish a Study Committee Regarding the Services of Town Counsel (Paul Griesmer et. al.)

To see what action(s) the Town will take to establish a study committee appointed by the Moderator to study, report, advise on and develop possible changes to Article 22 Town Counsel and Article 44 Conflicts Between Town Agencies and Article 10 Board of Selectmen Section 3 Litigation Authority of the Town ByLaws including but not limited to the following:

- 1) whether the good faith requirement for the services of Town Counsel should apply to the Selectmen and Town Administrator as such requirement applies to all others.
- 2) whether the requirements that any requests for services of Town Counsel must pertain to the job of the Town agency requesting such services and be of sufficient legal importance should likewise apply to the Board of Selectmen and Town Administrator
- 3) whether it is advisable to have Town Counsel be an employee under the direction of the Board of Selectmen or Town Administrator and whether such employee might be subject undue influence

in the performance of their job on any matter including but not limited to open meeting laws and executive session matters

- 4) what additional annual and long-term costs in terms of benefits, pension, OPEB, payroll tax matching would be associated with making town counsel an employee
- 5) whether the needs of all town agencies would be both adequately and appropriately served by making Town Counsel an in-house employee selected solely by the Board of Selectmen
- 6) whether the Town needs to retain a full service law firm/s which can provide resources and expertise on a wide range of legal matters including procurement, labor law, Federal and State taxation, withholding and employee classification, real estate acquisitions, dispositions and leases, Massachusetts municipal finance laws and regulations, allowed powers of Massachusetts cities and Towns under MGL Chapters 39, 40, 41, 42 and 43, alcohol and marijuana licensing, zoning (including permitting, variances, etc.), eminent domain, elections and voting, public records retention and requests, open meeting law, historic districts, conservation, water quality and environmental laws, property taxation and exemptions, local options statutes, affordable housing laws and regulations, health and restaurant regulations, etc. and whether such capabilities can be found in any one individual
- 6) whether the various roles of Town Counsel should be divided such that any in-house employee would be limited to routine and recurring contracting matters
- 7) whether the language allowing certain specific Town agencies to request the advice of legal counsel should be expanded to include the ability to receive such advice and associated legal services without prior approval of the Board of Selectmen or Town Administrator and whether any Town agencies eligible to request the services of Town counsel in performance of their job have been frustrated, hindered, delayed or prevented in receiving such services and advice
- 8) whether the selection process and appointment power for Town Counsel should include any other elected town agency/ies
- 9) whether Town agencies that have enforcement power in statute should be allowed direct authority for legal services pertaining to their performance roles and whether the Board of Selectmen should have 100% exclusive control over all litigation matters as provided in Article 10 Section 3
- 10) whether the language in Article 44 prevents appropriate or necessary actions from being taken
- 11) to provide for the number, composition, term and resources for such committee and/or
- 12) to take any action(s) necessary to implement the foregoing purposes of this article;

Or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 22	DATE VOTED	MOTION	QUANTUM OF VOTE
	March 7, 2019	No Recommendation	NA

MOTION: (Requires a majority vote)

Moved by Mr. Griesmer, seconded by Mr. Ball to refer the subject matter of Article 22 to the Board of Selectmen and the Sponsor.

Mr. Griesmer, sponsor of this article spoke to the motion. *The motion to refer the subject matter of Article 22 passed by majority vote (107-1-2).*

ARTICLE 23: Add By-Law Article 72D: Short Term Rentals (Michael Linehan et. al.)

To see if the Town will vote to amend the Town of Natick By-Laws by inserting a new Article 72D entitled “Short-term Rentals” to preserve the peace and good order of the Town and ensure all residents may enjoy their property and dwelling free from any detrimental effects resulting from short-term rentals as defined in M.G.L Chapter 337 of the Acts of 2018, and any amendments thereto; said Article 72D shall include, but not be limited to, whether, where, how often, for how long and under what conditions a residential property or part thereof may be offered as a short-term rental and/or how violations of said Article 72D shall be treated, including any fine;

or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 23	DATE VOTED	MOTION	QUANTUM OF VOTE
	March 21, 2019	Referral to BOS and Planning Board	12-0-1

MOTION: (Requires a majority vote)

Moved by Mr. Evans, seconded by Mr. Hayes to refer the subject matter of Article 23 to the Board of Selectmen and the Planning Board.

Mr. Linehan, sponsor of the Article spoke to the subject matter. *The motion to refer the subject matter of Article 23 to the Board of Selectmen and the Planning Board passed by majority vote (107-1-2).*

ARTICLE 24: Amend Historic Preservation Zoning By-Law (Planning Board)

“To see if the Town will vote amend the Town of Natick Zoning Bylaws, Historic Preservation By Law (Section III-J) to establish regulations promoting the preservation of smaller historic estates in residential single family zoning districts, including, but not limited to the following:

- 1) Create and/or specify the special permit and/or site plan review requirements and/or process;
 - 2) Specify the applicability of the provisions of the zoning bylaw;
 - 3) Specify the density and/or maximum number of units allowed;
 - 4) Specify the amount (if any) of “new” construction to be permitted as part of any project, and/or the design and/or materials to be used as part of the project;
 - 5) Specify the affordable housing requirements;
 - 6) Specify any and/or all dimensional requirements, including but not limited to minimum and/or maximum lot area requirements, minimum and/or maximum lot area per dwelling unit requirements, Floor Area Ratios, setbacks for all potential uses, buildings, or structures on site, sky exposure plane provisions, and/or other provisions;
 - 7) Specify the required peer review and/or reviews by other boards/committees in Town, including but not limited to the Natick Historical Commission and/or Design Review Board, as part of the permitting process;
 - 8) Specify the relationship with other provisions within the zoning bylaw, including but not limited to underlying or overlay zoning districts and/or cluster zoning provisions; and/or
 - 9) Specify any other factors or requirements that may affect the preservation of historic properties while protecting abutters and the neighborhood;
- or otherwise act thereon.”

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 24	DATE VOTED	MOTION	QUANTUM OF VOTE
	April 4, 2019	Favorable Action	8-1-0

MOTION: (Requires a two-thirds vote)

Moved by Mr. Evans, seconded by Mr. Hayes to amend the Historic Preservation Bylaw Section III-J of the Town of Natick Zoning By Laws by adding a new paragraph number 10 immediately after the existing paragraph number 9 as follows:

10. Historic Preservation: Smaller Estates. The SPGA may, at its sole discretion, consider an alternative preservation option for certain parcels that exceed the minimum lot size of the underlying zone by at least 20% but not more than 100%, and have a documented history of single ownership comprising houses, outbuildings, and supporting land or woods. For such projects the following criteria shall apply.

1. Number of Dwelling Units. The maximum number of dwelling units allowed shall equal the net useable land area of the parcel divided by 6,000 square feet, rounded to the nearest whole number.
2. New construction shall be of design and materials contemporaneous with the structure being preserved, or replicate documented previous structures that had existed on the site.
3. New construction shall not exceed the greater of:
 - a. For design and materials contemporaneous with the structure being preserved; 100 percent of the interior habitable floor area or above grade gross volume of the historic building. This shall exclude aspects of construction that pertain to components required for code compliance, of the existing historic building, for access and egress, such as stairs and elevators, or
 - b. For replication of documented previous structures, 200 percent of the interior habitable floor area or above grade gross volume of the historic building.
4. The FAR of the interior habitable floor area shall not exceed 0.50.
5. All parking, areas of active use, play areas, communal gathering areas, and storage; whether in buildings, accessory structures, or outdoor; shall be subject to the district’s setbacks as shown in Table IV – B.

6. The SPGA shall seek input and review of the proposal from the Natick Historical Commission.
7. Unless specifically modified in this subsection 10, all the preceding criteria and standards of Section III-J shall apply.
8. Notwithstanding the foregoing and in order to encourage the preservation of structures on larger historic estates, in the event a project consists of more land than 100% of the minimum lot size of the underlying zoning and the remaining land would otherwise qualify for a cluster project or conventional subdivision elsewhere under the Bylaw, the total of the land owned (including the parcel created to qualify under this Section 10) shall be counted and included in the calculation of the amount of land needed to qualify under the cluster or subdivision regulations of the Bylaw.

Ms. Evans, Planning Board member spoke to this article. *The main motion under Article 24 passed by a two-thirds vote (96-4-3).*

ARTICLE 25: Amend Zoning By-Laws: Wireless Communications Facility (Planning Board)

To see if the Town will vote to amend the Town of Natick Zoning Bylaws by modifying Section III-A.2 (Use Regulations Schedule) use 46B Wireless Communications Facility currently prohibited in all districts listed to be allowed by Special Permit in all districts listed;

Or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 25	DATE VOTED	MOTION	QUANTUM OF
	March 7, 2019	Favorable Action	11-0-0

MOTION: (Requires a two-thirds vote)

Moved by Mr. Evans, seconded by Mr. Hayes Move that the Town vote to amend the Town of Natick Zoning Bylaws by modifying Section III-A.2 (Use Regulations Schedule) use 46B Wireless Communications Facility currently prohibited in all districts listed to be allowed by Special Permit in all districts listed, so that it reads

INSTITUTIONAL USES RG RM RS PCD SH AP DM CII INI INII H


46B. Wireless Communications Facility,
including only a free standing
monopole. ◊

A A A A A A A A A A A A

The main motion under Article 25 passed by a two-thirds vote (93-7-0).

Moved by Mr. Coburn, seconded by Mr. Gath to adjourn. *The motion to adjourn passed by majority vote. The meeting adjourned at 10:00 PM until Tuesday, April 30, 2019 at 7:30 PM.*

A record of the Fourth Session of
2019 Spring Annual Town Meeting
April 25, 2019



Diane Packer, Town Clerk