

# Warrant Article Questionnaire

## Citizen Petitions Articles

### Section III – Questions with Response Boxes – To Be Completed By Petition Sponsor

Article # 33	Date Form Completed: 2018.09.06
Article Title: Establish Study Committee: 1.5% Test of Land Use	
Sponsor Name: Julian Munnich, et al	Email: julian.munnich@rcn.com

Question	Question
1	Provide the article motion exactly as it is intended to be voted on by the Finance Committee.
Response	<p>“To establish a study committee of Town Meeting, appointed by the Moderator, to address, research, study, analyze and recommend regarding the issue and question of where the Town stands relative to and whether the Town has met and/or can meet its obligation under the so-called “1.5% test” of land use as defined and more specifically described in MGL c.40B §§ 20-23, 760 CMR 56 and/or related guidelines issued by DHCD or any office of the Commonwealth or established in any legal proceeding; and, without limitation:</p> <p>To establish the number of committee members as five (5);</p> <p>To establish the charge of said committee including, but not limited to:</p> <ul style="list-style-type: none"> <li>o Identify any and all components of the calculation and all individual parcels or acreage owned by the United States; the Commonwealth; or any political subdivision thereof; the Department of Conservation and Recreation or any state public authority; or where all residential, commercial, and industrial development has been prohibited by deed, decree, zoning or restrictive order of the Department of Environmental Protection pursuant to M.G.L. c. 131, § 40A; or is dedicated to conservation or open space whether under control or ownership by trusts, corporations, partnerships, private parties, or otherwise; or is contained in the Subsidized Housing Inventory; and the size of all bodies of water located within Natick;</li> <li>o Gather any other information necessary to analyze, evaluate, and calculate the Town’s position relative to the 1.5% test;</li> <li>o Identify and recommend any zoning changes or other actions that might strengthen or improve the Town’s position relative to meeting or exceeding this test;</li> <li>o Report its findings and recommendations to 2019 Fall Annual Town Meeting or such other date as Town Meeting shall establish provided, however, that this shall not preclude any preliminary or earlier report(s) to Town boards, committees, commissions, or to Town Meeting;</li> </ul> <p>To authorize said committee to develop a database of properties to be included in and/or excluded from either the numerator or the denominator of the calculation;</p> <p>To provide that said committee shall have access to Town Counsel and to Town staff, including but not limited to the Community and Economic Development, DPW (GIS), and Finance (Assessors) divisions and may utilize the services of outside consultants;</p>

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	<p>To provide that, in order to engage any such outside consultant, a reserve fund transfer not to exceed \$4,000 may be authorized by the Finance Committee;</p> <p>To set the term of said study committee to expire upon the dissolution of 2019 Fall Annual Town Meeting, unless otherwise extended by Town Meeting;</p> <p>Said committee, being a multiple member body under the Town Charter, is authorized to sponsor warrant articles for any Annual or Special Town Meeting Warrant.”</p>
2	At a summary level and very clearly, what is proposed purpose and objective of this Warrant Article and the required Motion?
Response	<p>At present The Town of Natick does not definitively know what its size by land area is. (15.99 sq.-mi. – 16.03 sq. mi.) Importantly, the component parts, by zoned use, are even less accurately known due to the vagaries of lakes, river, and wetlands. The actual area of land available for any zoned use is further reduced by conservation restrictions as well as ownership by federal, state, and municipal entities.</p> <p>-Broadly; knowledge of the size of these component parts is fundamental to being able to concretely consider Land-Use, zoning, and economic development.</p> <p>-The specific current need for this knowledge is to understand whether (and by how much) Natick may exceed the 1.5% land area test for Chapter 40B safe-harbor status.</p>
3	What does the sponsor gain from a positive action by Town Meeting on the motion?
Response	The sponsors have no personal gain.
4	Describe with some specificity how the sponsor envisions how: the benefits will be realized; the problem will be solved; the community at large will gain value in the outcome through the accompanied motion?
Response	<p>If it is determined that Natick is in Chapter 40B safe harbor status, then the Town can concentrate its housing efforts to address the needs of workforce-affordable housing instead of the “donut hole” housing created by the 40B mechanism.</p> <p>Even if the study concludes that Safe harbor status is not assured. Having actual (real) available acreage numbers for the zoned uses and for conservation lands will inform future land use decisions by the Town.</p>
5	How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive plan, and community values as well as relevant state laws and regulations
Response	It augments the data sets required to make informed decisions in all of these areas. Additionally, Natick may well be in a position to utilize innovative approaches to address issues of full-spectrum housing options without the detrimental skewing effects of c. 40B

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6	<p>Have you considered and assessed, qualified and quantified the various impacts to the community such as:</p> <ul style="list-style-type: none"> <li>• Town infrastructure (traffic, parking, etc.)</li> <li>• Neighbors (noise, traffic, etc.);</li> <li>• Environment and green issues (energy conservation, pollution, trash, encouraging walking and biking, etc.);</li> </ul>
Response	There are no detrimental impacts with this Article. All of these topics would be informed by the data that is collected and confirmed.
7	<p>Who are the critical participants in executing the effort envisioned by the article motion?</p> <p>To this point what efforts have been made to involve those participants who may be accountable, responsible, consulted or just advised/informed on the impacts of executing the motion?</p>
Response	<p>This initiative would rely on the work of a study committee specifically created for this purpose. The assistance of town staff in accessing and providing existing Town data is anticipated.</p> <p>The primary “default” town administrative entities have communicated that they do not have the time available to pursue this study topic.</p>
8	<p>What steps and communication has the sponsor attempted to assure that:</p> <ul style="list-style-type: none"> <li>• Interested parties were notified in a timely way and had a chance to participate in the process, that</li> <li>• Appropriate town Boards &amp; Committees were consulted</li> <li>• Required public hearings were held</li> </ul>
Response	As with studies to collect information not yet elsewhere gathered; the most important outreach will occur at (or near) the conclusion of the project when those entities that would most benefit from confirmed data can seek to implement it in their areas of interest. (Open Space, Conservation Commission, Assessors, Economic Development, Planning Board, etc. would all be able to utilize this information in meaningful ways.)
9	<p>Why is it required for the Town of Natick AND for the sponsor(s)?</p>
Response	The Town is at a crucial time in having to make key decisions in the context of the upcoming 2020 census and its effect on Natick’s 40B status.

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10	Since submitting the article petition have you identified issues that weren't initially considered in the development of the proposal?
Response	The number of potential beneficiaries of the information has increased.
11	What are other towns and communities in the Metro West area, or the Commonwealth of MA doing similar to what your motion seeks to accomplish
Response	<p>The State has only recently (January 2018) released long awaited regulations on important aspects of methodology in the counting and attributing of land area. Some municipalities have attempted to conduct such studies in an abbreviated and hurried fashion resulting in flawed work-product. This article anticipates that Natick, with a dedicated and focused project, would produce a thorough and accurate data set.</p> <p>Frankly, on this topic, it is difficult to find a peer-set or comparable-list of municipalities to match against Natick. It is rare for any municipality to create as much affordable housing, protect as much open space, establish bespoke zoning for an aging population; all while hosting major Federal and State land assets; all in a compact area of some plus/minus 16 square miles.</p> <p>A preliminary "Proof of Concept" was completed using on-line numbers from the Assessors' data base. These are shown on attached Appendix 2 which, without benefit of proper numbers for land areas of roads, waterways, and permanently conservation restricted land, shows that Natick is essentially at the 1.5% has essentially is does</p>
12	If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences.
Response	The Town will lose an opportunity to gain important information in time to be able to explore all of its options prior to the 2020 census.