

# Warrant Article Questionnaire Citizen Petitions Articles

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

Article # 39	Date Form Completed: 09-08-2018
Article Title: Appointment and constitution of zoning board of appeals, and assignment of counsel.	
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>Moved:</p> <p>The subject matter of Article 39 be referred to the Board of Selectmen for their review of the following matters:</p> <ul style="list-style-type: none"> <li>-Whether the Zoning Board of Appeals should be elected or appointed.</li> <li>-If by appointment; whether by the Board of Selectmen, or by other appointing authority.</li> <li>-Whether the number of Members and Associate Members should remain the same, or if some other number should serve.</li> <li>-To review the current ZBA practice of not considering aspects of the Zoning Bylaw, and statute, beyond specific relief required that has been identified by the building commissioner.</li> <li>-To review, and consider changes to, Town Bylaws Article 22, "TOWN COUNSEL"</li> <li>-For the Board of Selectmen to draft a set policy, and or criteria, for intervening in the statutory functions of town bodies and their requisite access to Town Counsel.</li> </ul>
2	At a summary level and very clearly, what is proposed purpose and objective of this Warrant Article and the required Motion?
Response	<p>The ZBA is not to be a "dry" application of abstract and distant statute. The ZBA is charged with applying and defending local standards as described in the Natick Zoning Bylaws' sections on Purpose and Authorization. The intent of this article is:</p> <ul style="list-style-type: none"> <li>-To align (re-align) the ZBA with the expectations of the town's citizens.</li> </ul> <p>Additionally:</p> <ul style="list-style-type: none"> <li>-To assure that the town's statutory bodies have appropriate access to the full services of Town Counsel to fulfill their statutory responsibilities.</li> </ul>
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?

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Response	-For the ZBA to be configured and established in a manner to be most responsive in protecting the interests of residents, as well as the interests of neighbors to projects and development.
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	The means to address the issues may require amendments to the Town's Charter, the Town's Bylaws, and the Zoning Bylaws. The complexity of the issue, as well as multiple solutions need to be further considered. State statute supports such changes.
6	Have you considered and assessed, qualified and quantified the various impacts to the community such as: <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	Generally; the proposal is a matter of policy and implementation, and is not a matter of administrative operation. A properly functioning administration would, however, be more responsive to the listed community issues of: <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>
7	Who are the critical participants in executing the effort envisioned by the article motion?  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?
Response	The Board of Selectmen are, at present, the nexus of the issues surrounding matters surrounding the Zoning Board of Appeals, and matters limiting access to the services of Town Counsel.
8	What steps and communication has the sponsor attempted to assure that: <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>

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Response	The matter is now being considered by the stakeholders. Future public review is anticipated.
9	Why is it required for the Town of Natick AND for the sponsor(s)?
Response	To assure that the functions of local government are responsive to the residents of the Town.
10	Since submitting the article petition have you identified issues that weren't initially considered in the development of the proposal?
Response	There are still several outstanding questions not yet responded to by Town Counsel.
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	Our neighbor to the west has apparently given-up on the concept of participatory and responsive town governance. The hope is to avoid that fate.
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	An important opportunity for review of pressing and current issues would be forestalled.