

Warrant Article Questionnaire Non Standard Town Agency Articles

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

Article #25	Date Form Completed: March 7, 2019
Article Title: Amend Zoning Bylaws: Wireless Communication Facility	
Sponsor Name: Planning Board (Evans)	Email: tevens.pb@natickma.org

Question	Question																								
1	Provide the article motion exactly as it will appear in the Finance Committee Recommendation Book and presented to Town Meeting for action.																								
Response	Move that the Town vote to amend the Town of Natick Zoning Bylaws by modifyin Section III.A-2 (Use Regulation Schedule) Use 46B (Wireless Communication Facility, including only a Freestanding Monopole) to replace “O” with “A” for Zoning Districts RG, RM, RS, PCD, SH, AP, DM, CII, INI, INII and H (See attachment)																								
2	At a summary level and very clearly, what is the proposed purpose and objective of this Warrant Article and the accompanying Motion?																								
Response	To establish a review process for the construction of freestanding monopole Wireless Communication Facilities (WCF) (Use 46B in Use Regulation Schedule). Monopoles are one of two types of freestanding WCF listed in the ZBL; lattice towers and other mounted WCF are governed by Special Permit as Use 46A.																								
3	Has this article or one of a very similar scope and substance been on a previous Warrant Article and what has been the actions taken by Finance Committee, other Boards or Committees and Town Meeting?																								
Response	<table border="1" style="width: 100%;"> <thead> <tr> <th>Warrant Period</th><th>Other Committees</th><th>FinCom Action</th><th>Town Meeting</th></tr> </thead> <tbody> <tr> <td>FTM 2016</td><td></td><td></td><td></td></tr> <tr> <td>SATM 2016</td><td></td><td></td><td></td></tr> <tr> <td>FTM 2015</td><td></td><td></td><td></td></tr> <tr> <td>SATM 2015</td><td></td><td></td><td></td></tr> <tr> <td>Prior</td><td></td><td></td><td>FTM 1998 Art 30</td></tr> </tbody> </table> Regulation of WCF facilities was added to the ZBL in 1998	Warrant Period	Other Committees	FinCom Action	Town Meeting	FTM 2016				SATM 2016				FTM 2015				SATM 2015				Prior			FTM 1998 Art 30
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4	Why is it required for the Town of Natick and for the Town Agency sponsor(s)?																								
Response	The Planning Board is the Special Permit Granting Authority (SPGA) for all categories of WCF but, as Use 46B is prohibited in the current Bylaw, any such application can only be considered by variance. FCC regulations have been increasingly supportive of improvements to wireless communication networks, allowing in some cases a demonstrated need for a new tower or improvements to an existing tower to override local jurisdictions’ prohibitions against their placement. Making this change gives the Planning Board and the Town a clear instrument to adjudicate such cases, though we may be required to bow to Federal authority in some matters.																								

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5	Does this article require funding, how much, from what source of funds and under whose authority will the appropriation be managed and spent?
Response	No funding requirement
6	Does this article act in any way in concert with, in support of, or to extend any prior action of Natick Town Meeting, Massachusetts General Laws or CMR's or other such legislation or actions? Does this article seek to amend, rescind or otherwise change any prior action of Natick Town Meeting?
Response	This article updates the Use Regulation Schedule in the Natick ZBL regarding WCF. Both the Use Regulation Schedule and Section III-H of the ZBL (which establishes WCF regulation and permitting) were added by vote of Town Meeting in 1998.
7	How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive Master Plan, and community values as well as relevant state laws and regulations?
Response	Aligns with existing Town bylaws and other related documents
8	Who are the critical participants in executing the effort envisioned by the article motion?
Response	Planning Board and Building Commissioner
9	What steps and communication has the sponsor attempted to assure that: Interested parties were notified in a timely way and had a chance to participate in the process Appropriate Town Boards & Committees were consulted Required public hearings were held
Response	Building Commissioner is aware of the proposed change and concurs. Planning Board held a public hearing (advertised as required) on March 6, 2019. The Planning Board voted unanimous (5-0) support for Favorable Action on this Article.
10	Since submitting the article have you identified issues that weren't initially considered in the development of the proposal?
Response	Yes. There are 5 additional zoning districts where WCF use regulation is governed outside of the Use Regulation Schedule. We realized this omission shortly after the warrant closed, but the wording of the article did not allow language for these sections to be added within the four corners. This omission will be addressed in a future Town Meeting. The affected districts are LC (Ltd Comm); HM-1, HM-2, and HM-3 (Hwy Mixed Use); AND HPU (Hwy Planned Use).
11	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 Planning Board will remain the SPGA for this use, but without any authority to hear applications for it.

2019 SPRING ANNUAL TOWN MEETING

Article 25

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

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

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