



## ***TOWN OF NATICK***

### **Meeting Notice**

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A, Sections 18-25

**Natick Finance Committee**

#### **PLACE OF MEETING**

School Committee Meeting Room, 3rd Floor,  
Natick Town Hall 13 East Central St.

#### **DAY, DATE AND TIME**

September 19, 2019 at 7:00 PM

#### **MEMBERS PRESENT:**

Patrick Hayes, Chairperson  
Linda Wollschlager, Vice-Chairperson  
Bruce Evans, Clerk  
Bill Grome, Member  
Daniel Sullivan, Member  
Jerry Pierce, Member  
Kristine Van Amsterdam, Member  
Robert McCauley, Member  
Tony Lista, Member  
Dirk Coburn, Member  
Jeff DeLuca, Member

#### **MEMBERS ABSENT:**

Dave Coffey, Member  
Philip Rooney, Member  
Bob Linehan, Member  
Jim A. Scurlock, Member  
Robert McCauley, Member

#### **AGENDA:**

1. Call to Order
  - a. Pledge of Allegiance & Moment of Silence
  - b. Advisement of Pegasus Live Broadcast and Recording for On-Demand Viewing
  - c. Review of Meeting Agenda and Ordering of Items
  - d. Swearing in of New and Newly Appointed Member
2. Announcements
3. Public Comments
  - a. Committee policy & procedures available via this link and also at the meeting location
4. 2019 Fall Town Meeting Warrant Articles - Public Hearing
  - a. [Article 30: Amend Zoning By-laws: Creative Production Use Zoning Amendment](#)

- b. [Article 31: Amend Zoning Bylaws: Specialty Craft Fabrication Zoning Amendment](#)
  - c. [Article 32: Amend Zoning By-Laws: Downtown Business \(DB\) District Zoning Amendment](#)
  - d. [Article 33: Amend Zoning By-Laws: Non-Conforming Uses, Large Residential Additions Zoning Amendment](#)
  - e. [Article 34: Amend Zoning By-Laws: Alternate Uses In Residential Districts Zoning Amendment](#)
  - f. [Article 35: Amend Zoning Bylaw – Retail Marijuana Overlay Districts](#)
- 5. Meeting Minutes
  - 6. Committee and Sub-Committee Scheduling
  - 7. Committee Discussion (including items not on the meeting agenda)
  - 8. Adjourn

### **CALL TO ORDER**

Meeting called to order at 7:00 p.m. by Chairman, Patrick Hayes. The agenda will be heard in order as listed – Article 30, Article 31, Article 32, Article 33, Article 34 and Article 35.

### **ANNOUNCEMENTS/CITIZENS CONCERNS:**

Mr. Evans announced The Friends of the Morse Institute Library is having a book and bake sale September 21<sup>st</sup> from 8:30- 5:00 and the 22<sup>nd</sup> from 12:00-3:00. There will be many books, DVDs and music available for purchase.

### **PUBLIC COMMENTS**

None

*Mr. Evans moved to open the 2019 Fall Annual Town Meeting Warrant Article hearing, seconded by Ms. Wollschlager Voted 10 – 0 – 0.*

### **Article 30: Amend Zoning By-laws: Creative Production Use Zoning Amendment**

Presenters:

Mr. Fields, Senior Planner – Community and Economic Development Dept. (CED)

Ms. Evans, Member – Planning Board

Mr. Fields: This article will create a new definition in the zoning By-Laws for creative production and is similar to the Arlington Zoning By-Law that combine office, research, development and creative uses. With updates to the zoning regulations schedule this would be allowed in the Downtown Mixed Use (DMU) and business zones and would permit use in the HM-II, LC and HM-III zoning districts and create a standard for off-street parking. The genesis for this article is recommendations of the 2030 Master Plan and recent permitting experiences in the community from the Community and Economic Development Department where similar types of modern uses have sought permission to locate in Natick. Our current zoning code does not cover those elements and this article fills that gap.

### **Questions from the Committee:**

Mr. Hayes asked why we are going with n when the insert HM-II for users under the site plan has a small n for creative production when it currently ends in l. Mr. Fields said he will change the l to an n and provide an updated copy from March 2019 of the site plan.

Mr. Pierce inquired where in Natick this would be used. Mr. Fields replied they are envisioning the DMU and business district as well as the East Natick Industrial Park and the Natick Business Park in West Natick. Those are two current industrial zones although I could see them in other commercial corridors as well.

Mr. Lista asked if Arlington's modification created the type of zoning they were looking for. Mr. Fields replied the modification has permitted some of these types of businesses there which made permitting those uses easier for them.

Mr. Lista inquired if these types of creative production businesses are precluded now in the Natick downtown area. Mr. Fields replied they do not fit into current use categories easily so it creates a challenge for the Community and Economic Development staff to say whether they are allowed by right or special permit in the given zoning district.

Mr. Lista asked what this zone would look like at five to 10 years from now. Mr. Fields opined that, depending on which zone you are referring to, it would help ease the vacancy situations we see. It would make permitting modern types of businesses that are attracted to certain areas easier and make those more vibrant and healthy.

Mr. Lista asked if this particular creative production area included combined living and working arrangements. Mr. Fields replied it does not at present; it might be better to include residential arrangements later based upon our initial experience with these types of uses.

Mr. Coburn noted that we have had businesses in town under the definition of creative production and asked whether the town knows of businesses that have gone elsewhere or been turned away. Mr. Fields responded that he has not seen businesses turned away in the three years he has been in CED. I have been told the Economic Development Committee has had trouble finding areas in Zoning By-Law to efficiently permit these types of use. Many of them do not fit in the current categories we have now. Ms. Evans added that the use table is what allows the Building Commissioner to determine what is permitted.

Mr. Coburn asked if we start putting this use on specific districts and not others whether these businesses may be excluded from areas where they might have previously located. Mr. Fields replied that this type of use is allowed or permitted on most commercial types of districts in town and if there are districts not included there will be opportunities to add them at a later date. The Building Commissioner has used his best judgment to place these uses into different types of zoning definitions; however it makes more sense to have a clear use category. Ms. Evans opined this is exciting because it is an indicator of the sorts of businesses that are interested in locating in Natick and we see a startup culture that is increasingly attracted here. When these uses are integrated in a process like this it is difficult to pick out which is the dominant and which is incidental this backs off from that and responds to the nature of the creative process increasing that we see at heart of the businesses.

Mr. Grome noted that the first definition of "creative production" in Section 200 talks about the actual performance of technologies available in these districts. The use table talks about the same definitions of "creative production" but instead it is about environmental and similar issues that are confined to premises. Sections 2C and 2D add the qualification which says features generated are minimized and confined to the premises. Those words are left out of the other definition in the table.

Ms. Evans said. in most instances, there is a difference between the definition in Section 200 and which is the overall definition of the term and the language in the use table that will have some sort of constraint. If you look at other definitions in the use table, there is often a reference to noise, vibration and sound management. When creative production, as defined in Section 200, these specified things will apply. In a

creative production site, these are the applicable environmental circumstances that apply in that zone. If someone meets the definition in Section 200 this is the charging instruction about what they may or may not do in these districts which is reiterated in the individual sections below. It is not uncommon for that language to be more regulatory for the use table as opposed to descriptive in the definitions.

Mr. Grome asked whether the omission of the words “generated minimized” could cause confusion in 38C, since the overall definition of the use table is not included.

Ms. Evans suggested changing the wording in the 38C in the Use Table to “minimized and confined”. Mr. Fields agreed to do so.

Mr. DeLuca asked within applicability section is any mitigation is in place since the term “creative” can be stretched in many ways. if some of these areas are not industrial because it is created?

Mr. Fields replied that the definitions in 38C, 2B, 2C and 2D where all the objectionable environmental elements are minimized and contained within the structure there is one limiting factor when impacting other abutting uses. Since this is a less intensive use than industrial uses allowing this in industrial zones allows current industrial zones to be modernized and less industrialized. It lessens the impacts on other industrial zones and does not increase impacts created by other commercial zones where these are permitted. .

Ms. Wollschlager asked if a landlord owns a building with multiple spaces and rents out part of it, how enforcement of this bylaw would be affected. and what is the review process. Mr. Fields replied where these uses are allowed by right and a business locates in a space, this is a change of use. As a new change of use, it is reviewed by the Planning Board under the site plan review procedure and the Zoning By-Law. If this kind of use is allowed by special permit, a special permit is required for that use in that type of zone and that special permit is granted at the discretion of the Planning Board.

Ms. Wollschlager asked how the process happens and how a business would be aware of it if no town permits are needed. Mr. Fields said when there is a change of use and there no town permits are needed, businesses must meet with the Community Economic Development for other various permits that triggers the Building Commissioner’s review for zoning bylaw compliance. Ms. Evans added that if no building permit or other licensing element is required and they do not come in contact with the town. Occasionally, a business may move into a space and use that space for a different use and we may learn about it belatedly. However, this rarely happens because landlords and business owners are aware that towns have a community set permitting process in place.

Mr. Wollschlager asked if “adult-content”-related uses would be prohibited Mr. Fields said his perception is that the existence of the current adult regulations would cover that type of content but he will research this.

Mr. Coburn said he thought adult content regulations referred to live entertainment. Mr. Fields said the definition of adult use covers more than live entertainment The first definition of **Adult Use:** An establishment: (1) having at least fifteen (15%) percent of its business inventory, stock in trade or other materials for sale, rental or display at any point in time, or deriving at least fifteen (15%) percent of its revenues from; or presenting for at least fifteen (15%) percent of the time the establishment is open for business, materials which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual conduct as defined in M.G.L. c. 272, § 31, such as but not limited to an adult bookstore, adult motion picture theater, adult paraphernalia store or adult video store.

Mr. Coburn asked if they could sharpen the definition of adult use in a way it could not be legally overturned and it was agreed they would do so. Ms. Evans said that they could increase the clarity at a future Town Meeting. Mr. Hayes asked for clarification of what they would be modifying and revising. Ms. Evans said there was nothing unique in the “creative production” use that would allow this and cited that if someone were in the film production business, but suggested that the Planning Board could look at tightening the language for any use that might be used by a film production business.

Mr. Hayes determined why the lettering was off in the proposed motion because Article 31 takes the letter that was missing, so my suggestion when you go before Town Meeting, you request that Article 31 be heard prior to Article 30. However, Ms. Evans noted that a better solution would be to reverse the letters between “m” and “n” and leave Article 30 as “m” and Article 31 a “n”. Mr. Fields explained the required changes as follows:

- 1) Article 30 motion 2B would read “*m . Creative Production*”. Article 31 motion 2B it will read “*n. Specialty Craft Fabrication*”.
- 2) Article 30 motion 2C would read “*r. Creative Production*”. Article 31 motion 2C it will read “*s. Specialty Craft Fabrication*”.
- 3) Article 30 motion 2C it would read “*u, Creative Production*” . Article 31 motion 2C will read “*v. Specialty Craft Fabrication without accessory space...*” and “*w. Specialty Craft Fabrication with accessory space...*”.

Questions/Comments from the Public:

Mr. Julian Munnich, Member, Planning Board. Regarding the last enumeration on the letters is certainly helpful for Town Meeting debate> However if one motion passes and one does not, then everything re-scrambles itself. When the Attorney General’s (AG) Office reviews zoning by-Laws, they accept enumeration changes created by the Town Clerk. Town Clerk is empowered to make it work when they submit the paperwork to the AG.

### **Article 30 – Motion**

*Mr. Coburn moved Favorable action on Article 30 as amended, seconded by Mr. Evans, **voted 10-0-0.***

Mr. Coburn said this is an area of economic activity that Natick wants to keep its economy going and keep its commercial tax base valuable and this article aligns many processes and resources in the town for that purpose. These outweigh any of the concerns that the Finance Committee has raised which have largely been addressed.

Mr. Evans added it makes the Building Commissioner’s job much easier as they do not have to invent a new use each time something comes up before them and makes it more uniform and defensible. Businesses have started up in town have grown larger and remained in town. For example, eXponent is a business that has expanded to another location in Natick. It’s worth providing businesses a good experience here so hopefully they will remain in Natick through their expansion and increase tax revenues.

Mr. Sullivan was gratified that all the expense, effort and time put into the Natick 2030+ master plan process that we are beginning to make some changes based on those plans.to help the town be competitive as a community in 2030 and beyond.

Mr. Lista said he fully endorses this but wonders if may be an article in the hopes those creative businesses will come in and fix an economic development problem we have. He’d prefer that the market fix those things rather than zoning changes and asked how we would measure the success of these

changes.

Mr. Wollschlager asked if modifications discussed tonight as well as the changes Mr. Grome had indicated can get updated and copied with full revision for the recommendation book. Ms. Evans said the Planning Board will have to re-vote because of the changes to the motion. You will see our recommendation, the amended motion after our meeting October 2<sup>nd</sup>. However you will be able to receive it before it has been voted on by the Planning Board.

[Article 31: Amend Zoning Bylaws: Specialty Craft Fabrication Zoning Amendment](#)

Presenters:

Mr. Fields, Senior Planner – Community and Economic Development Dept. (CED)

Ms. Evans, Member – Planning Board

Mr Fields: This article establishes another definition for a new type of business use in Natick for Specialty Craft Fabrication that determines which zoning districts this is allowed by right and special permit as well as other regulations that govern such use. This article is meant to define small artisanal enterprises where an artisan will produce goods that are sold on-site and, ideally, in an open environment where watching production is part of the entertainment value. This includes food and beverage processing uses including the distillation of alcohol and may contain a retail component not to exceed thirty-three percent of the gross square footage permitted as an accessory use. Goods and products produced on the premises may be displayed, sold or consumed. It may include a seasonal outdoor area that is permissible as part of the accessory retail use, but that optional outdoor area shall not be included in the square footage for zoning compliance. That type of accessory use may include other uses such as a restaurant if otherwise permitted in the underlying zoning district. There are changes in the motion to Section 3A.2 the Use Regulation Table indicating where these types of specialty craft fabrication uses may be located. They are now permitted in the Commercial II (C-II) zone, industrial zones, the HMII and the Limited Commercial (LC) and other areas such as number of spaces per square footage for accessory uses. and permitted by special permit in the DMU zoning district. The last part of the motion establishes the requirements for off-street parking for these types of uses – one for specialty craft fabrication without an accessory and one for specialty craft fabrication with an accessory use.

Ms. Evans advised the words minimized and be added to the Use Table as was done in Motion 30

Questions from the Committee:

Mr. Grome asked if any type of shop is permitted to sell food and alcohol under this definition and/or would require a special permit. Ms. Evans said that this bylaw would not cover this if the alcohol or food was not produced on premises.

Mr. DeLuca noted that the East Natick Industrial Park has a lot of child-centered businesses and asked if there were any mitigations in place prohibiting businesses where alcohol is served from being located next to child-centered businesses and schools Ms. Evans provided an example where residents at Town Meeting voted to modify the Zoning bylaws to allow a retail accessory use for a business currently allowed in the East Industrial Park under regulations that do not constrain its adjacency to childcare or educational premises. Mr. Fields added we continued that trend in developing these regulations.

Ms. Wollschlager asked whether a restaurant is considered a retail component and would it have the same space limitations. Mr. Fields said it would be included under the retail accessory component. The intent is to have 2/3 of said space be for Specialty Craft Fabrication and up to a 1/3 for accessory uses. Ms. Wollschlager opined that was not clear in the definition. Ms. Evans suggested a clarification by changing *retail or dining component* where it says “*Specialty Fabrication Sites may include retail or dining*



*component not to exceed 33%.*

Mr. Sullivan requested an example of a business that is unable to go into the zone today but would allowed to do so in the future if this article passes.

Mr. Fields gave an example of a small-scale glass blowing business in Providence where patrons are able to watch the process and are able to make purchases in the retail area and would add some examples in the definition.

Mr. Hayes asked how the maximum of 7500 sq. ft. was calculated. Mr. Fields said they looked at similar types of businesses in other communities and 7500 sq. ft. seemed to be the upper limit for the size of these businesses and seemed appropriate for our current commercial lots.

Mr. Hayes asked if these types of businesses could be located in places that were not retail stores where Mr. Fields replied yes.

Mr. Hayes said 7500 square feet may not be enough to accommodate the machinery and storage that craft breweries would require and may keep them out. Ms. Evans cited paying a visit to Dogfish Head craft brewery in Delaware in 1995 where their entire brewery would fit on this table. The hope is if they start out small and outgrow the space they will relocate to a larger location in town.

Mr. Hayes opined that based on the number of craft breweries currently operating in Massachusetts, it's likely that square footage would be needed quickly. Ms. Evans said if this works well, the town may consider a separate square footage for downtown so but see what comes with a 7500 square foot space. The industrial parks have the capacity because of the accessory use clause to accommodate a larger facility.

Mr. Hayes asked if the 7500 square feet is part of the accessory clause.

Ms. Evans said in the bylaw where we allowed the ancillary use allows it on a greater scale than 7500 square feet in the two industrial parks. If a business wanted to relocate to a larger space, Town Meeting did not necessarily want it located in Natick Center. We are erring on the side of caution because there is a tool that can be used for the industrial zones.

Questions/Comments from the Public:

NONE

**Article 31 - Motion**

*Mr. Evans moved Favorable action on subject matter Article 31 as amended for the numbering changes and adding the words for dining, seconded by Mr. Coburn, **voted 9-1-0.***

Mr. Evans said this was a good opportunity to expand our economic base. Mr. Coburn agreed.

Ms. Wollschlager recommended eliminating square feet from the definition and adding it elsewhere.

Mr. Hayes said some of the places that are becoming an allowed use are not exactly in downtown. A larger building to separate the breweries accessory use from the heavy production area would be an ideal space. In the craft brewery business you need to have the space to scale quickly in order to make a profit. I would ask if you could return in the spring and bring some modified language around the industrial

zones.

[Article 32: Amend Zoning By-Laws: Downtown Business \(DB\) District Zoning Amendment](#)

Presenters:

Mr. Fields, Senior Planner – Community and Economic Development Dept. (CED)

Ms. Evans, Member – Planning Board

Mr. Fields: This article creates a new downtown business district within the DMU district, a = roughly a four block area centered from Middlesex Avenue and South Middlesex Avenue in the north to Central Street in the south along Main Street and part of Washington Street. This would be a commercial district only. The residential uses allowed in the DMU zone would not be allowed in this downtown business zone. The purpose is to establish a compact center that is centrally located and designed primarily for shoppers, diners, business proprietors and mercantile uses. It preserves the core of the downtown business district in Natick Center for commercial and mercantile uses. This was recommended by the town's planning consultant based on testimony from several property owners in the affected area. It was the general opinion of the consultants that if the residential conversion of properties within this proposed zone were to take place, there is a good possibility that commercial businesses would never come back to that area and it was important to maintain the commercial and mercantile nature of this small section of Natick's Center and the value it gives to the history and character of the town.

Questions from the Committee:

Ms. Wollschlager asked why this was limited to north of Route 135 and not extended further south down by Route 27 where there is existing retail business in the downtown district. Mr. Fields said they focused on the unique historic commercial buildings between north Middlesex Avenue, South Middlesex Avenue and Central Street. There was debate on whether to extend further south but felt the area, as demarcated, was the most logical and defensible from a historic commercial point of view. MS. Evans added that the neighborhood to the south of the downtown mixed district transitions more rapidly to residential than the area that is defined to the north. It was the recommendation of the consultants that limiting it to this core area would then allow a ring of mixed use to the surrounding businesses which is what is proposed as the downtown business district but still preserve this small heart that was purely business zone.

Mr. Lista asked whether there was overlap between the Article 30 zone and this zone. Mr. Fields replied creative production uses and our specialty craft fabrication are allowed in this zone by special permit.

Mr. Lista asked if the work/live arrangements in Article 30 could be addressed later and Mr. Field replied yes.

Mr. Lista asked if there are any residences in this zone currently. Mr. Fields said there are not and that the upper floors of these buildings within the zone are zoned for commercial uses.

Mr. Lista asked if analysis of the tax revenue impact of these zoning changes would be Mr. Fields replied that this analysis wasn't done.

Ms. Evans added that a mixed use project being proposed on Washington Street which is not within this zone.

Mr. Hayes asked if the specialty craft fabrication uses in Motion C and A, page 4 is based on the fact we might pass the prior motions and Mr. Field answered yes. Mr. Hayes asked if those motions do not pass this would be removed by default and Mr. Fields replied that in that scenario they would be removed



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**Article 32 – Motion A**

*Mr. Evans moved Favorable action on Article 32 Motion A, seconded by Mr. DeLuca, voted 10-0-0.*

Mr. Evans thanked everyone for all the questions and to looking at the correct version and reconciling the issues. The objective of this article is sound.

Mr DeLuca added that the cyclical nature of businesses and the boom/bust of both real estate and commercial. When either real estate or commercial business is developed in an area in a boom time and then it goes through a bust. This helps alleviate the bust cycle and helps the town keep these historical sites vital to keep the character of a town.

**Article 32 – Motion B**

*Mr. Evans moved Favorable action on Article 32 Motion B, seconded by Ms. Amsterdam, voted 10-0-0.*

Mr. Evans said that this follows through on the initial idea.

**Article 32 – Motion C**

*Mr. Evans moved Favorable action on Article 32 Motion C, seconded by Ms. Amsterdam, voted 10-0-0.*

**Article 32 – Motion D**

*Mr. Evans moved Favorable action on Article 32 Motion D, seconded by Ms. Amsterdam, voted 10-0-0.*

Mr. Evans expressed his thanks for the map for illustrative purposes.

Ms. Wollschlager expressed a desire to include a disclaimer on the map.

[Article 33: Amend Zoning By-Laws: Non-Conforming Uses, Large Residential Additions Zoning Amendment](#)

Presenters:

Mr. Fields, Senior Planner – Community and Economic Development Dept. (CED)

Ms. Evans, Member – Planning Board

Mr. Fields: Residents have communicated to the Economic Development Department their view that the demolition and reconstruction of small residential properties in old residential neighborhoods and replacement with larger dwellings that are out of character with established construction is not desirable. This formalizes an existing policy of the Building Commissioner in regards to residential properties and also follows the practice in Arlington to regulate large additions. In this case, defined as the alteration or demolition or addition reconstruction that increases the gross floor area (FAR) of a single- or two-family dwelling greater than 1000 square feet or more than 50% of the dwelling whichever is less. Such large additions requires going before the Zoning Board of Appeals for a special permit process with specified criteria for determination are stipulated in Motion B. Ms. Evans said almost 70% of residential lots in Natick are nonconforming lots and we are looking at other means to address that. If someone wants to do a major demolition, the current practice is to apply to the Zoning Board of Appeals for a Section 6 Finding. This article establishes a more formal review process with site plan review that will provide an important tool to manage the increasing number of

demolitions and mega rebuilds. Mr. Fields added that when the addition is constructed entirely within the foundation and not outside of the foundation it is exempted from this motion.

Questions from the Committee:

Mr. Lista asked if this is directed at developers, current owners or both. Mr. Fields said it is directed at any property that is purchased and then reconstructed with a large addition. It would include owners who want to expand it beyond 50% of the gross FAR or a new buyer who wants to demolish and rebuild into a larger format. Ms. Evans added that this tends to occur most often when a property is sold whether to an individual or to a developer.

Mr. DeLuca asked how the footprint of the structure is defined in the 50% of square footage such as a detached garage or any separate outbuildings not attached to the livable structure. Mr. Fields said if an existing garage is attached to the primary dwelling it would be included, however if it is separate it would not count because it is not the primary married dwelling. Generally, out-buildings are not considered not habitable structures.

Mr. Coburn asked if a homeowner wanted to add a second floor addition that included a roof overhang that extended beyond the foundation, would that be considered part of this definition. Mr. Fields replied that extension over the vertical plane of the foundation would trigger this definition, depending on the additional space involved.

Ms. Wollschlager opined that the phrase *nonconforming single- family or two-family dwelling* is unclear and could be interpreted as nonconforming single- or two-family dwelling which may be conforming or nonconforming. Ms. Evans said by striking the word two-family after single- clarifies that and will be modified throughout the document.

Mr. Pierce asked how the town aware that this was a problem throughout Natick. Mr. Fields replied the testimony of several residents during the compilation of the 2030 Master Plan and has been a recurring subject of discussion and consternation with the Affordable Housing Trust (AHT). Several members of the AHT sought the assistance of CED) and the Planning Board to find ways to combat this problem.

Mr. Hayes asked if there was a maximum house size for any given lot size in residential zoning districts and Mr. Fields replied there is. Mr. Hayes asked if this motion worked in conjunction with that lot restriction or whether this motion allows more. Mr. Fields said this governs expansion for properties that are already nonconforming with a stricter set of characteristics than the Section 6 process.

Mr. Hayes asked how the Building Commissioner defined “attached”. Mr. Fields replied it is not defined in existing By-Laws, but would ask the Building Commissioner and get back to the Finance Committee with an answer. Mr. Hayes asked that CED and the Planning Board think about the ways people creatively figure out how to add additions to their house and return in the spring with tighter language on this topic.

### **Article 33 – Motion A**

*Mr. Evans moved Favorable action on subject Article 33 Motion A, seconded by Mr. Sullivan, **voted 8-1-1.***

Mr. Evans thanked both the Planning Board and the CED for bringing this forward in order to establish clear ground rules so when construction projects are taking place they do not damage the character of the surrounding neighborhood. Driving around Natick, you see ample evidence of tear-downs and replacement with out-sized homes that change the character of neighborhoods. Mr. Evans expressed happiness that this bylaw takes it out of the realm of a judgment call where the ZBA might rule one way for one project and differently for another project. This establishes clear ground rules to guide the ZBA,

Mr. Sullivan added the value of homes could adversely be affected and has a negative financial impact on homeowners directly adjacent to those types of environments without clear guidelines in place.

Mr. DeLuca said there was a lot of hard work that went into this although he would like to see more clarification of attached focus on the garage element so loopholes are not exploited.

Mr. Lista said he is in support of this and it is important for preserving the character of the town. I hope there will be considerations for existing homeowners who would like to expand the footprint of their home they purchased not knowing their lot was nonconforming outside those exceptions that are in place. Mr. Lista also expressed concerns about the effect this might the passage of houses from one generation in a family to the next generation of a family.

Mr. Grome agreed and preferred to see two separate articles to make a specific differentiation between the existing homeowner and a demolition rebuild project. He stated, for that reason, he will not support this article because it does not make this differentiation.

### **Article 33 – Motion B**

*Mr. Evans moved Favorable action on subject Article 33 Motion B, seconded by Mr. DeLuca, **voted 8-1-1.***

Mr. Evans said this establishes the processes that the ZBA will use to handle large additions and tear-downs.

Mr. DeLuca said we have a mix of housing stock covered under the regulations. We have a lot of high-end housing and some affordable housing, but everything in between is vulnerable to be purchased by developers and turned into top-end housing stock. This article helps sustain the middle-tier housing stock within the town.

Mr. Pierce said agreed. but is concerned about the goals of the 2030 Master Plan because the out-of-town developers are already shaping what Natick is going to look like in the future He expressed appreciation for this work to protect Natick residents.

### **Article 33 – Motion C**

*Mr. Evans moved Favorable action on Article 33 Motion C, seconded by Mr. DeLuca, **voted 8-1-1.***

Mr. Evans echoed what Mr. DeLuca said on Motion B. Developers are not building affordable housing. The best way the town can preserve affordability and this is the best vehicle that we have to keep the character of existing neighborhoods is to support this. Mr. DeLuca agreed.

[Article 34: Amend Zoning By-Laws: Alternate Uses In Residential Districts Zoning Amendment](#)

Presenter:

Mr. Julian Munnich, Town Meeting member, Precinct 5?

Article 34 is a component of Article 27 of 2019 Spring Annual Town Meeting where I assisted in combining two divergent articles on home dog kennels into a single motion that both parties would agree on. However, one component was beyond the scope of the article. The people that wanted to protect the neighbors from onerous uses saw in other parts of the By-Laws where we already had established that if it is a use that is not normal to a residential neighborhood you did not have to put that activity into the setbacks as opposed to just buildings being set back. There needed to be a separate section as defined through the By-Laws. The problem with that was it technically may have encompassed other uses besides the kennel and the Moderator decided that was beyond the scope. There was a promise made to the proponents of the kennel that we would return with an article that would be allowed. We discovered three other for-profit uses that would be affected by this and four items would now have this exclusion. If any other of these uses came along, neighbors would expect that any activity that goes with them would also be excluded from the setbacks. The wording is the same as what was excised in the spring. The Planning Board and the Finance Committee had approved the wording in Spring 2019.

Questions from the Committee:

NONE

Mr. Hayes advised the committee that the proponent of Article 27, Mr. Beaumont has indicated he is in strong support of this article's motion and sent this email.

September 18, 2019

Re: Article 34

Dear Members of the Finance Committee,

My apologies for not attending in person. I am writing in support of Article 34. As a sponsor in the spring town meeting of article 26 and a principal of article 27, I would like to say that the setback requirements noted in Article 34 are in the spirit of Article 27 which was passed in the spring. These requirements should have been in article 27 and this new article 34 corrects the situation. I am in full support of article 34.

Thank you,  
Signed,

Saul Beaumont  
3 Fieldstone Lane  
Natick, MA  
.

**Article 34 – Motion**

*Mr. Coburn moved Favorable action on Article 34, seconded by Ms. Amsterdam, **voted 10-0-0.***

Mr. Coburn said this was very straight forward and stymied procedurally but otherwise supported.

Ms. Van Amsterdam said she appreciates the follow through on this article.

**Article 35: Amend Zoning Bylaw – Retail Marijuana Overlay Districts**

Presenters:

Mr. Fields, Senior Planner – Community and Economic Development Dept. (CED)

Ms. Evans, Member – Planning Board

Ms. Evans: The Planning Board has updated the map that incorporates the creation of three marijuana retail districts voted by Town Meeting. The lots marked in red in the Golden Triangle District were inadvertently omitted. Several maps marked in purple are the lots in the district being removed and designated by a tiny purple mark in the east near the Wellesley line is a small finger of lots located in the residential zone which should never have been included and will be removed.

**Questions from the Committee:**

Ms. Wollschlager asked if the parcel that was removed is the one located closest to the Wellesley line.

Ms. Evans confirmed it was a piece of a lot near Jennings Pond that when voted was the entire lot when it should have been that portion that is in the C-II Commercial District so the map shows you the physical interpretation of the definition change. Ms. Wollschlager asked if it could be made more visible. Ms. Evans said they could zoom in on the one in the east side and make sure their color choices shows a pattern to make it easier to pick out and will include it in the book.

**Article 35 – Motion**

*Mr. Evans moved favorable action on subject Article 35, seconded by Ms. Wollschlager, **voted 9 – 0 - 1.***

Mr. Evans noted that this article corrects errors in the previous zoning map.

Ms. Wollschlager thanked Ms. Evans for following up on this and finding the errors and when this comes before us in the future if we can have this checked beforehand to identify parcels that have been added or deleted erroneously. Ms. Evans agreed to do so.

**Meeting Minutes:**

Mr. Evans brought forth meeting minutes for approval.

*Mr. Hayes moved favorable action on Meeting Minutes March 19, 2019, seconded by Ms. Wollschlager, **voted 9 – 0 - 1.***

*Mr. Hayes moved favorable action as amended on Meeting Minutes September 3, 2019, seconded by Ms. Wollschlager, **voted 9 – 0 - 1.***

*Mr. Hayes moved favorable action as amended on Meeting Minutes September 5, 2019, seconded by Ms. Wollschlager, **voted 9 – 0 - 1.***

Mr. Evans will bring forth meeting minutes for September 10, 2019 at next Tuesday's meeting and possibly September 17, 2019 and tonight's at next Thursday's meeting.

*Mr. Evans moved to close the public hearing on 2019 Fall Annual Town Meeting Warrant article review,*



*seconded by, Ms. Wollschlager, voted 10 – 0 – 0.*

**ADJOURN**

*Mr. Pierce moved to adjourn, seconded by Ms. Van Amsterdam, voted 10 – 0 – 0. Meeting adjourned at 9:17 pm.*