

FIRST DRAFT



Natick Finance Committee

Pursuant to Chapter 40, Section 3 of the Town of Natick By-Laws, I attest that the attached copy is the approved copy of the minutes for the following Meeting:

Town of Natick Finance Committee

Meeting Date: September 28, 2021

The minutes were approved through the following action:

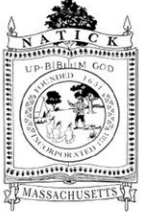
Motion:	xxx
Made by:	xxx
Seconded by:	xxx
Vote:	0 – 0 – 0
Date:	, 2021

Respectfully submitted,

Bruce Evans

Secretary

Natick Finance Committee



TOWN OF NATICK

Meeting Notice

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

Natick Finance Committee

<u>DAY, DATE AND TIME</u>
September 28, 2021 at 7:00 PM
<u>PLACE OF MEETING</u>
Virtual Meeting accessed via Zoom: https://us02web.zoom.us/j/84585053038 Meeting ID: 845 8505 3038 Passcode: 906920 One tap mobile +19292056099,,84585053038# US (New York)) Dial by your location +1 929 205 6099 US (New York)

Notice to the Public: 1) Finance Committee meetings may be broadcast/recorded by Natick Pegasus. 2) The meeting is an open public meeting and interested parties can attend the meeting. 3) Those seeking to make public comments (for topics not on the agenda or for specific agenda items) are requested to submit their comments in advance, by 2:00 PM on the day of the meeting, to fincom@natickma.org. Comments will be posted on NovusAgenda and read aloud for the proper agenda item. Please keep comments to 350-400 words. 4) The Chat function on Zoom Conferencing will be disabled.

MEETING AGENDA

Posted: September 23, 2021 11:00 AM
Revised and Posted: September 29, 2021 10:53 AM

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
2. Announcements
3. Public Comments
 - a. [Committee policy & procedures available via this link and also at the meeting location](#)
4. 2021 Fall Town Meeting Warrant Articles - Public Hearing
 - a. [Article 25: Appropriate Funds for New Zoning and Capital Improvement Planning for the Golden Triangle Area](#)
 - b. [Article 28: Amend Zoning By-Laws: Cluster Bylaw Amendments](#)
 - c. [Article 29: Amend Zoning By-Laws: Limited Salesroom for Motor Vehicles](#)
 - d. [Article 31: Hoop I District Near West Natick Commuter Rail](#)
 - e. [Article 32: Re-Zoning of Portions of East Central Street, Wilson Street, Grant Street and Union Street](#)
 - f. [Article 33: Rezone the Natick Highway Overlay District](#)
5. Meeting Minutes
 - a. Review & Approve Meeting Minutes for August 24, 2021 and September 23, 2021
6. Committee and Sub-Committee Scheduling
 - a. Update on upcoming Committee and Subcommittee meetings
7. Committee Discussion (for items not on the agenda)
8. Adjourn

Meeting may be televised live and recorded by Natick Pegasus. Any times listed for specific agenda items are approximate and not binding. Please note the committee may take the items on this agenda out of order.

MEMBERS PRESENT:

Hossam Behery, Member
Dirk Coburn, Member (arr. 7:09 PM)
David Coffey, Member
Cathy Coughlin, Member
Jeff DeLuca, Member
Bruce Evans, Secretary
Todd Gillenwater, Vice-Chairman
Bill Grome, Member
Kat Monahan, Member
Richard Pope, Member
Chris Resmini, Member (arr. 7:12 PM)
Phil Rooney, Member
Patti Sciarra, Member
Linda Wollschlager, Chairperson

MEMBERS ABSENT:

Julien LaFleur, Member

Town Administration Attendees

Mr. Jamie Errickson. Town Administrator

Mr. Matt Benoit, Community and Economic Development

Call to Order: Meeting called to order at 7:01 p.m. by Linda Wollschlager, Chairperson.

Announcements - None

Public Comments: None

Mr. Evans moved to open the public hearing on the Fall 2021 Annual Town Meeting Warrant Article review, seconded by Mr. Gillenwater, voted 12 – 0 – 0.

Roll-call vote:

Mr. Behery = yes	Mr. Grome = yes
Mr. Coffey = yes	Ms. Monahan = yes
Ms. Coughlin = yes	Mr. Pope = yes
Mr. DeLuca = yes	Mr. Rooney = yes
Mr. Evans = yes	Ms. Sciarra = yes
Mr. Gillenwater = yes	Ms. Wollschlager = yes

Article 25

Ms. Karen Adelman-Foster, Chair, Select Board

Ms. Adelman-Foster requested that the Finance Committee recommend No Action on Article 25. Ms. Adelman-Foster said the Select Board is requesting ‘No Action’ not because the Select Board think this is unimportant, but because the town is able to fund this via American Rescue Plan Act (ARPA) funding. ARPA is the federal COVID recovery funding program through which Natick stands to receive approximately \$10 million to be expended under this the authority of the Select Board. Mr. Errickson led staff in a long process to develop recommendations that align with the many funding restrictions for ARPA, and also ensuring that Natick’s needs were met. The result is that there are a number of activities that do not have to be paid for by local taxpayers. Details are in the information that Mr. Errickson sent out last week and she said she would provide this to the Finance Committee. Funding includes projects such as the school education response which will provide \$2.5 million of funding under the direction of the School Committee. Thus, the town is in a position to fund these Golden Triangle planning funds, a Select Board priority that will be studied led by the Planning Board.

Mr. Munnich. Chair, Planning Board said this will be on the Planning Board agenda on October 13. As Ms. Adelman-Foster mentioned, it's moved off of Town Meeting’s agenda and into a separate silo. The Planning Board has supported this process of getting more granular with zoning and capital improvement planning for the Golden Triangle area. Looking forward, we have a master plan for the town that, in broad strokes, deals with the Golden Triangle. It’s an area that the master plan recognizes as needing specific concentration and represents tremendous opportunities. The Planning Board was in favor of it when it was first conceptualized as a grant process, then was conceptualized as something that would go through Town Meeting appropriation. It would be speaking out of turn to say that the Planning Board will support this on the 13th, but he believes the entire board is behind this.

Questions from the Committee

Mr. DeLuca said that in reading the information on ARPA on the US Treasury website, this seems to fall directly in line with the spirit of ARPA funding. He noted that this is \$300,000 and asked whether there are additional funds, either associated with this project, or outside funds associated with the Golden Triangle Area. That our funding is going to be dedicated to?

Ms. Adelman Foster said no additional funds are allocated beyond the first year of ARPA funding.

Mr. DeLuca asked whether the Finance Committee will review what ARPA funding is being used for in any capacity. Ms. Wollschlager said the Committee has the information on the ARPA funding, it is not under the Committee's purview; the expenditure of funds is solely under the direction of the Select Board. That said, she believes we talk about next year's budget, we will likely receive information on items are projects that will be funded through ARPA.

Mr. DeLuca asked whether the \$300,000 is sufficient to do the work or is additional funding beyond that required. Ms. Adelman Foster said, at the present time, there is no need for additional funding.

Mr. Coburn asked how much of the allocation that's the Select Board has designated to support Article are non-recurring expenses. Mr. Munnich said that is a difficult question to answer, pending the results of the Golden Triangle study. There are some exciting potentials here for approaching zoning and use regulations differently in the Golden Triangle area due to the nature of its configuration, its infrastructure, its transport, where the type of traditional municipal zoning would constrain the ability to maximize the flexibility. As far as follow-on items, one might anticipate there would be work with the consultants in writing a specific section of zoning that would be applicable to the Golden Triangle to capture those opportunities. Zoning bylaws typically have zones and use tables that define where things are allowed in those zones. By contrast, in a district such as the Golden Triangle, an alternative zoning approach called "form-based zoning" will likely be utilized. Form-based codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. This is precisely why this first planning step is necessary to point us in the right direction in the Golden Triangle area.

Mr. DeLuca said he was looking at the expenditures in the ARPA plan that has \$50,000 expended from July 2021 to June 2022 \$150,000 expended between July 2022 to June 2023. And the last \$100,000 expended from July 2023 to June 2024. He asked why this has such a long period of time for full expenditure and when you could we expect measurable results that are going to impact the Golden Triangle Area in terms of economic recovery from COVID.

Ms. Adelman Foster said this is a large multiyear study that will start this year, do the bulk of it next year, and there may be some left over the year after.

Mr. DeLuca asked, during the phases of the study, would we expect to see measurable results that would impact the Golden Triangle area. Mr. Munnich said the first step on a truly comprehensive study is to inventory and capture the status quo of the area you're studying. To do that, we need to get down to the basics taking inventory of what the physical plant is there as a starting point and then build upon that. One of the vexing questions that arise when you do these types of studies is not so much what's there but the mystery question of what's missing. And, sometimes "foreign" eyes can take a fresh look at this area and noticed something that we may not, which is why hiring an outside consultant to do this work to not only see what exists but the better see what isn't there.

Mr. Evans asked for clarification as to whether 'no action' on Article 25 because we are using ARPA funds means that town meeting need not take any action to authorize the use of these funds. Ms. Wollschlager confirmed that was correct.

Mr. Munnich said Mr. Benoit has been driving this study in the CED office. Mr. Benoit said the approach is very much like typical scientific method research, This study is going to take some time, it's going to be a data collection process before we start analyzing results, and then come to a conclusion and it typically takes a period of multiple years to do such a large and comprehensive study.

Mr. Evans moved to recommend No Action on Article 25, seconded by Mr. Gillenwater, voted 14– 0 – 0.

Roll-call vote:

Mr. Behery = yes	Mr. Grome = yes
Mr. Coffey = yes	Ms. Monahan = yes
Ms. Coughlin = yes	Mr. Pope = yes
Mr. DeLuca = yes	Mr. Rooney = yes
Mr. Evans = yes	Ms. Sciarra = yes
Mr. Gillenwater = yes	Ms. Wollschlager = yes

Debate

Mr. Evans said that this multiyear study will provide great information to guide the CED, Planning Board and Select Board to figure out the best usage of the Golden Triangle area, so I urge support.

Mr. Coburn said this seems like a great use of ARPA funds since there covering the nonrecurring expense of this study. We, obviously, don't know what recommendations might come out of this process, but even the range of possible options sounds like it might be weighing toward the one-time expense rather than the recurring budgetary expenses.

Mr. DeLuca said it makes sense to use the ARPA funding, noting that his only concern is that he wants COVID recovery to be as short as possible. This appropriation will be fully expended by 2024.

Article 28: Amend Zoning By-Laws: Cluster Bylaw Amendments

Mr. Munnich stated that the Planning Board worked to consolidate a whole series of cluster options in the bylaws into a unified cluster component. Instead of having four separate approaches to clusters, we now have one cluster section that scales across different eight acreages and we are working to eliminate contradictions and inconsistencies. We now have a consolidated cluster component of our zoning bylaws that was approved by town meeting and we've had our first test the work under that. However, we noticed a couple of things which would benefit from clarification and when the initial cluster bylaw went to the Attorney General for review, it came back with a couple of comments. This amendment is designed to address that work. Mr. Munnich noted that the Planning Board voted to unanimously support Article 28.

Mr. Benoit said these revisions were a product of feedback from the Attorney General's Office and from recent Town Meeting action.

Mr. Ted Fields, the primary author of the cluster bylaws presented Article 28.

Motion A responds to a comment from the attorney general's office and makes section 4B of the cluster bylaw wholly consistent with MGL c. 40A § 9 of the zoning act. Motions B and C clean up some very minor technical issues that have been revealed since the deployment of this new consolidated cluster Zoning Bylaw.

Motion A

MOVE to amend Section III-F.1 "Single Family Residential Cluster Development, sub-section 4(b) of the Natick Zoning Bylaws by removing the text "SPGA" after "filing is made with the" and replacing it with the text "Town Clerk" as follows:

*The date of application shall be the date when filing is made with the **Town Clerk**.*

So that sub-section 4(b) now reads:

b. Formal Application: The applicant for a SRC shall submit to the SPGA a formal application for a Special Permit which includes a preliminary cluster subdivision plan and the Residential Conservation Analysis Map. The application shall be filed in the name of the record owner(s) of the parcel(s) to be developed. The date of application shall be the date when filing is made with the Town Clerk.

Questions from the Committee – None

Mr. Coburn recommended Favorable Action on Article 28 Motion A, seconded by Mr. Evans, voted 14 – 0 – 0
Roll-call vote:

Mr. Behery = yes	Mr. Grome = yes
Mr. Coffey = yes	Ms. Monahan = yes
Ms. Coughlin = yes	Mr. Pope = yes
Mr. DeLuca = yes	Mr. Rooney = yes
Mr. Evans = yes	Ms. Sciarra = yes
Mr. Gillenwater = yes	Ms. Wollschlager = yes

Debate – None

Mr. Fields said Motion B adjusts Section 7 of the cluster bylaw, which stipulates the maximum number of dwelling units that can be constructed in a cluster subdivision upon special permit from the Planning Board. It was revealed when it was tested in the field with initial applications that the calculation, as originally written, allowed, rounding up to the nearest whole number twice and that was not the intent. The Planning Board's intent was to have one round of rounding up, so that's what the adjusted language does. And I just noticed a typographical error in the example so where it says so that subsection seven now reads. It includes a text that is supposed to be taken out, but it puts the rounded up so there's hold number at the end where it's supposed to be so I will make that modification.

MOVE to amend Section III-F.1 "Single Family Residential Cluster Development, sub-section 7 of the Natick Zoning Bylaws by removing the text "then rounded to the nearest rounded up to the nearest whole number" after "these By-Laws," and inserting it after "as shown in the schedule below:" as follows:

*...Single Residential zone, as determined by Section IV-B of these By-Laws. This number of dwelling units is multiplied by an Adjustment Factor determined by the average size of homes to be developed, as shown in the schedule below, **then rounded up to the nearest whole number:***

So that sub-section 7 now reads:

The maximum number of dwelling units (in full-size single-family homes or town houses) allowed in a SRC shall equal the "Net Usable Land Area" within the parcel divided by the Minimum Lot Area requirements for single-family homes in the host Single Residential zone, as determined by Section IV- B of these By-Laws. This number of dwelling units is multiplied by an Adjustment Factor determined by the average size of homes to be developed, as shown in the schedule below, then rounded up to the nearest whole number:

And, in Example #1:

- in line 2 remove the text "or 15" after "14.52",
- in line 3 replace the text "15 homes x 1.10 = 16.50, or 17 single-family homes" after "by 10%:" with the text "14.52 homes x 1.10 = 15.97, or 16 single family homes.",
- replace line 4 in its entirety and replace it with "30% of these 16 single-family homes must be smaller than 2,000 sf: 16 units x 30% = 4.8 or 5 homes must be sized less than 2,000 sf.",
- in line 5 replace the text "17 single family homes x 2 = 34" after "maximum of:" with the text "16 single family homes x 2 = 32" as follows:
 - *With a minimum lot size in RSA zones is 15,000 sf, per Section IV-A, this site can accommodate a maximum number of single-family homes in an SRC of: 5 acres (217,800 sf) Site Area / 15,000 sf Min. Lot Size = **14.52** single-family homes.*
 - *The 1,900 sf average dwelling size allows the total number of dwellings to be increased by 10%:*

14.52 homes x 1.10 = 15.97, or 16 single-family homes.

*4. 30% of these **16** single-family homes must be smaller than 2,000 sf: **16 units x 30% = 4.8** or 5 homes must be sized less than 2,000 sf.*

*5. Alternatively, the applicant could develop two (2) small single-family cottages (SFC) for each single-family home allowed on the site, up to a maximum of: **16 single family homes x 2 = 32** single-family cottages.*

So that sub-section 7 now reads:

Example #1: An applicant proposes to develop a subdivision of single-family homes (averaging 1,900 square feet in Gross Floor Area) on a five-acre (217,800 square feet) lot in an RSA zone with no wetlands or 100-year floodplains. In this case:

1. The development site has a Gross Land Area of 5 acres (217,800 sf); with no wetlands or 100-Year Flood Plains. The Net Development Area of the site = Gross Land Area (5 acres) – Wetland/Flood Plain Area (0 sf) = 5 acres (217,800 sf).
2. With a minimum lot size in RSA zones is 15,000 sf, per Section IV-A, this site can accommodate a maximum number of single-family homes in an SRC of: 5 acres (217,800 sf) Site Area / 15,000 sf Min. Lot Size = **14.52** single-family homes.
3. The 1,900 sf average dwelling size allows the total number of dwellings to be increased by

10%: 14.52 homes x 1.10 = 15.97, or 16 single-family homes.

- 4. 30% of these 16 single-family homes must be smaller than 2,000 sf: 16 units x 30% = 4.8 or 5 homes must be sized less than 2,000 sf.**
- 5. Alternatively, the applicant could develop two (2) small single-family cottages (SFC) for each single-family home allowed on the site, up to a maximum of: 16 single family homes x 2 = 32 single-family cottages.**

Questions from the Committee

Mr. DeLuca asked whether SRC is defined previously in the bylaw. Mr. Fields said it is included in the definitions section of the zoning bylaw and stands for single family residential cluster. It's also defined in the body of the cluster Zoning Bylaw section.

Mr. DeLuca noted asked for clarification on the rounding up issue. Mr. Fields said, the way it was originally written,, depending on the size of the homes to be built, you could benefit from two cycles of rounding up instead of just one and this change reverts to the one cycle of rounding up that was originally intended.

Mr. DeLuca asked for clarification on the rounding up process in setting the minimum amount of square footage for a structure. Mr. Fields said the new cluster bylaw continues a practice from the older cluster bylaws where there first is a calculation of the maximum number of homes that can be developed on a site. After that is determined, the dimensional standards are applied to the number of dwellings allowed. So it's not quite the same as a conventional subdivision where you simply look at the square footage of a lot and then divide it strictly by the dimensional standards outlined in it. In the cluster bylaw, you have to first calculate the maximum number of units you can fit on a cluster site and the development area and then you apply the dimensional standards for lot size frontage and whatnot to that number of dwelling units. In crafting this revision to the original cluster zoning bylaws. The Planning Board opted to use rounding up language for the maximum number of units to incent developers to build a cluster development option instead of a conventional subdivision for larger tracts of land.

Mr. DeLuca asked why the town would prefer clustered developments over typical subdivisions. Mr. Fields said the Planning Board prefers cluster development, because it's more land-efficient and provides more publicly accessible open space on tracts of land two acres or larger. With cluster development, you get more efficient land use patterns on the 50% of land that can be developed in a cluster development and is managed through a special permit review process, so you get greater quality control in terms of the type of subdivisions that can be developed the type of development that can be permitted in a cluster development. Conventional subdivisions provide no publicly accessible open space.

Mr. Evans recommended Favorable Action on Article 28 Motion B, seconded by Mr. Coburn, voted 14 – 0 – 0
Roll-call vote:

Mr. Behery = yes	Mr. Grome = yes
Mr. Coffey = yes	Ms. Monahan = yes
Ms. Coughlin = yes	Mr. Pope = yes
Mr. DeLuca = yes	Mr. Rooney = yes
Mr. Evans = yes	Ms. Sciarra = yes
Mr. Gillenwater = yes	Ms. Wollschlager = yes

Debate

Mr. Evans stated that the cluster bylaw is an example really good zoning to preserve open spaces and have a more affordable housing than a typical single-family home in a subdivision.

Mr. Coburn said he is seconding this motion largely as a housekeeping kind of motion. He noted that he is somewhat sympathetic to the previous questioner who asked about rounding down in his recollection was that the Planning Board opted for rounding up. He noted that the Planning Board is the policy board and the removal of the duplication cleans bylaw.

Mr. DeLuca stated that this is a great catch I eliminating the double rounding issue. He said he understands the arguments for rounding up versus rounding down and has no objection to the thought process behind it. Although this is out of scope of the article, he emphasized that he would like to see cluster developments paired with 40 B housing, noting that this is done in the western parts the state where they we structure cluster developments with 40B housing and hopes that the town uses some consideration.

Motion C

MOVE to amend Section III-F.1 "Single Family Residential Cluster Development, sub-section 9(b) of the Natick Zoning Bylaws by inserting new text "unit in RG" after "dwelling unit in RS" as follows:

Minimum Lot Area* 2,500 sf per town house dwelling unit in RS and unit in RG

And by inserting a new line after "Minimum Lot Area* 2,500 sf per town house dwelling unit in RS zones" as follows:

Minimum Frontage* RSA: 66% of base zone RSB: 60% of base zone RSC: 60% of base zone

So that sub-section 9(b) now reads:

Minimum Lot Area* 2,500 sf per town house dwelling unit in RS and unit in RG

Minimum Frontage* RSA: 66% of base zone RSB: 60% of base zone RSC: 60% of base zone

Mr. Fields said Motion C adds the words "unit in RG" to Section 9(b) of the cluster bylaw section. It applies the dimensional standard of 25,000 square feet of lot area per townhouse dwelling unit in both RS and RGB zones and it also adds a new line to the table in Section 9(b) for minimum frontage that was omitted in the original cluster bylaw section and that carried through to this consolidated new bylaw section. We noticed it when we were reviewing a pre-application for a cluster development with a developer and had to rely on a determination from the Building Commissioner to determine the minimum frontage for a lot that contained a number of condominium townhomes. At the recommendation of the Building Commissioner, we inserted the Minimum frontage into standard language that you see before you into the table and subsection ((b)).

Questions from the Committee - None

Mr. Evans recommended Favorable Action on Article 28 Motion B, seconded by Mr. Coburn, voted 14 – 0 – 0
Roll-call vote:

Roll-call vote:

Mr. Behery = yes	Mr. Grome = yes
Mr. Coffey = yes	Ms. Monahan = yes
Ms. Coughlin = yes	Mr. Pope = yes
Mr. DeLuca = yes	Mr. Rooney = yes
Mr. Evans = yes	Ms. Sciarra = yes
Mr. Gillenwater = yes	Ms. Wollschlager = yes

Debate

Mr. Evans noted that this corrects an omission that led to ambiguity in the bylaw and, based on the building Commissioner's recommendation, this motion corrects that omission.

Mr. Coburn said he supports this because supporting this because it fits the intent of the original bylaw. It makes no sense not to allow in RG something that you're allowing in RG.

Article 29: Amend Zoning By-Laws: Limited Salesroom for Motor Vehicles

Mr. Benoit stated that the Finance Committee questionnaire was completed on September 21 prior to the Planning Board's second public hearing on this matter, which was held on September 23. The questionnaire shows two different options for the motion language. On September 23, the Planning Board unanimously chose option one.

Mr. Benoit said this article adds a repair component to an existing motor vehicle use that's located within the Commercial II (C-II) zoning district. Currently, sales rooms and showrooms are allowed, but the repair component is absent. This change is designed to make sure that the town is able to control the size of these repair facilities because, in an area like the Golden Triangle in the C-II zoning district, large motor vehicle repair facilities take up tons of space and limit the ability to collect tax revenue on smaller parcels, so the Planning Board develop this language to add to the bylaw. Mr. Benoit said they believe that this particular change will provide an extra diversity option to the Natick Mall for some of the large anchor vacancies that currently exist, including like the first floor of the Sears building. This gives an opportunity for potential tenants to have this additional use. Mr. Munnich said he wanted to add context of the timeline on this - the Planning Board used to allow auto dealerships in the Golden Triangle. In addition, there was a Sony Lowe's theater and when they decided they weren't going to show movies there, the property went on the market and the town found out that this property was becoming the subject of a potential bidding war between major East Coast auto sales enterprises. So, the planning Board very quickly zoned auto uses out of the C-II district entirely. But, as far as a municipality with limited land area, it's not a very good creator of either tax revenue or jobs. An interest in what he would refer to as "boutique" uses had developed that lends itself to diversifying the activity in the district, with Tesla the prime example. Allowing that boutique can help the town be more viable and competitive as more players are entering that market segment. In addition, we need to allow for a certain degree of service as people expect for their high technology vehicles to be serviced and supported by the primary sellers.

Article 29 Motion

MOVE to amend SECTION III-A.2 Use Regulations Schedule, Use Item 23A (inserting footnote/textual changes shown in *bold italics*):

“Limited salesroom for motor vehicles¹

¹ In order to grant a special permit for this use, the Special Permit Granting Authority must determine that it does not substantially diminish the diversity of commercial uses in this district and provided the enclosed service facility has a Gross Floor Area of 20% or less of the building in which it is located.

Questions from the Committee

Mr. Gillenwater asked what the basis of the gross floor area of 20% or less of the building in which it was located is. Mr. Munnich said, as far as the Mall goes, this was where the Planning Board determined it should be. That doesn't diminish the diversity if 20% of the mall was suddenly to go to this thing, the Planning Board would be in a position to say a new business fundamentally transforming the mall. The Planning Board, as SPGA, can tell the proponent that what they're proposing is too large. It's important to note that special permits, are ennoblements, not entitlements. So the Planning Board has to make a series of findings. In a larger facility such as the mall, there's a certain amount of subjectivity that the Planning Board made in determining the control that the municipality has for the mall area. And again, we have to remember although we focus a lot of attention on the mall, there are other abutting properties such as where The Container Store is or across the street where the Firestone dealer is. Imagine if that were to be transformed into an auto dealership "boutique", then objective measure of 20% would probably be the measure that would be the scope that the Planning Board would be considering. Again, not as an entitlement but as the ceiling of enablement.

Mr. DeLuca asked if there's a facility in that location that sells vehicles, could the shop repairing vehicles be a completely separate entity as long as it's in the same building. Mr. Munnich said the answer is no – it has to be tied to the sales operation and cannot be a standalone repair facility.

Mr. DeLuca asked for confirmation that, during the special permit process, a review of noise and impact to other businesses in the area when you add a repair facility, and hazardous waste removal would be reviewed. Mr. Munnich said, a few years ago, the town amended the special permit component of our bylaws where we have an extensive list of criteria that the Planning Board, as SPGA, has the authority to enforce, including this information.

Mr. DeLuca noted that there is not much difference between a software upgrade and a vehicle repair at this stage and asked whether a facility doing software updates to vehicles that consider repairs under these guidelines are under the town's purview or would that be considered a technology computer usage even though it's for a vehicle. Mr. Munnich said his initial answer to that is everything is controlled by zoning. But at some point, if I'm honest with myself, some of these things will have to be defined. He also said that he suspects the Department of Revenue will need to make a decision regarding dealerships as to when something is a repair or whether it is something else. The bottom line is some of these things will have to be defined by people other than zoning and land use personnel. Continuing with the example of a vehicle, you will walk in and order one, vehicle and it gets shipped to your house. But, you're going to have to have it repaired, at that location, that would be an example where it would be 10% sales and maybe 90% repair.

Mr. Coburn recommended Favorable Action on Article 28 Motion B, seconded by Mr. Evans, voted 14 – 0 – 0
Roll-call vote:

Roll-call vote:

Mr. Behery = yes	Mr. Grome = yes
Mr. Coffey = yes	Ms. Monahan = yes
Ms. Coughlin = yes	Mr. Pope = yes
Mr. DeLuca = yes	Mr. Rooney = yes
Mr. Evans = yes	Ms. Sciarra = yes
Mr. Gillenwater = yes	Ms. Wollschlager = yes

Debate

Mr. Coburn said he supports the idea that there is a range of possible business models and the SPGA should be allowed to evaluate business models as they are and not to have to shoehorn them into zoning, but to make a judgement as to whether it fits in the zone or not and the deftness to handle rapidly changing business models and technology advancement. Further, he appreciates the nimbleness with which the Planning Board is protecting this zone opening it up to business models that seem appropriate to the vision for the space. He agreed with the discussion regarding software upgrades versus repairs; at some point software upgrades to the extent that they're considered repairs will be done in one's own garage by a remote technician.

Mr. Evans said he agreed with many of the points that Mr. Coburn made. He added that he was driving by a large AutoMax facility and wondered what's going to happen to these facilities when this business model changes, when you have on-demand delivery of a new vehicle. He stated that the benefit to having those big lots of cars available for much better uses is an absolute win for communities.

Mr. DeLuca, noted that post-COVID, we need to ensure that we have every tool imaginable to ensure that businesses and real estate thrive in specific areas in our town and this adds another one of those tools.

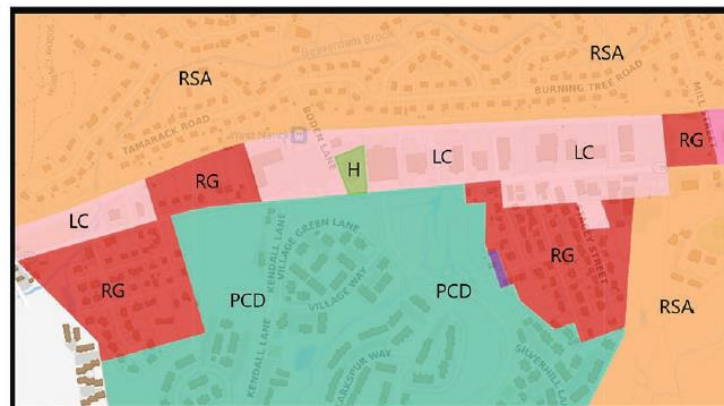
Mr. Behery thanked the Planning Board for being flexible to the different businesses at the same time balancing the need to collect tax revenue. The idea of software delivery or software upgrade, I don't think this is, you know, not happening is actually happening online. He also agreed with the idea that, increasingly, many car service activities will occur in your own garage by our remote technician.

Article 31: Hoop I District Near West Natick Commuter Rail

Presenters:

Mr. George Richards, lawyer

Mr. Peter Lewandowski, architect



H	- PROPOSED HOOP 1 OVERLAY
LC	- LIMITED COMMERCIAL
RG	- RESIDENTIAL GENERAL
PCD	- PLANNED COMMUNITY DISTRICT
RSA	- RESIDENTIAL-SINGLE A

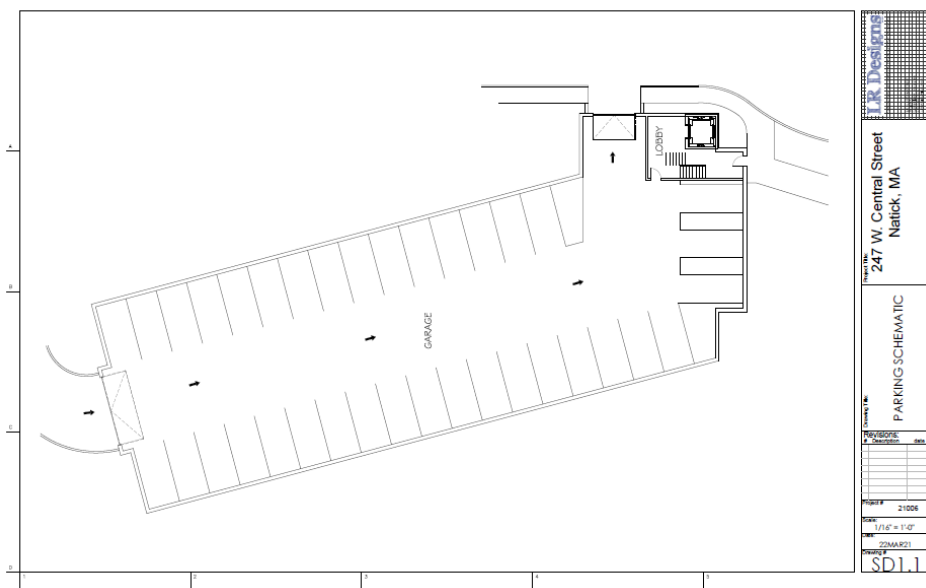
247 West Central
Zoning Map
2021-09-21

LR Designs

This is a zoning overlay proposal for a parcel at 247 West Central Street. It's currently Mass Diving site, abuts Boden Lane and is close to the West Natick train station on the other side of Boden Lane. With me tonight is Peter Lewandowski, the architect who met with the Community Development Director to review this proposal and Mr. Richards said that CED opined that this was a great site for a dense housing development that will

provide affordable housing and encouraged us to pursue it. Unfortunately, once we put the pencil to the paper, we saw that, in the inclusionary zoning bylaw, there's a 35% max of what would be allowed as-of-right. The parcels are located in the Limited Commercial (LC) district. As-of-right, it could be developed into seven units and adding inclusionary zoning we could get up to nine units, two or three of which would be affordable housing units. When we originally spoke with the town, we're talking more like 25 to 35 units and it became clear in working with CED and the Building Commissioner that the current inclusionary zoning bylaw would not support the number of units being thought. As a result, on behalf of the owner of that parcel, Mr. Richards has filed I have filed this HOOP-I overlay on this parcel. The HOOP-I overlay, in conjunction with bonus provisions that require a number of things including 20%, affordable housing and special features such as a publicly accessible pocket park on the corner of Boden Lane and West Central Street If this were a HOOP-I overlay, it would allow for 33 (1100 -1200 sq. ft.) units – 26 at fair market value and 7 affordable units. Mr. Richards already read that, assuming we qualified for the bonus and one, it would allow 33 units, seven of which would be affordable 26 would be fair market value. So we did get a sense from the planning department. They thought this site was perfect for this type of development. That it was obviously as both laid out in the Natick360 Master Plan and the recent amendment to MGL Chapter 40A to encourage housing near public transit and this addition of the HOOP-I overlay would provide housing within walking distance of the train, with a significant number of affordable units. Mr. Richards indicated that he believed the town is near the threshold of 10% affordable housing unit, so he is hopeful that this type of development will help the town maintain the 10% affordability and avoid future 40B projects. The tax revenue is significant – the property is currently valued at \$1.184 million. At 26 units at \$700,000 (anticipated market rate), this equals \$18.2 million in taxable property value.

Mr. Peter Lewandowski is a principal and partner at LR Design, the architectural firm for this project. We met with the town departments in April and, based on the original calculations of what we were allowed to have, we had about 24 units and had had positive response to the location of this project. If you know the site, there was a green space and the rest of the site is covered by building or asphalt, so our plan was to raise the grade and create more landscape area on the entire site. The site has the capacity to have this kind of density and we are allowed multifamily use. However, without the HOOP-I overlay, there would be no zoning relief to add the density requested. We meet the requirements for lot coverage, setbacks, will create more landscaping and a better connection to Boden Lane with a little pocket park in the corner. We could create a crosswalk to provide a more commuter friendly path to the train station. In informal conversations with the Planning Board, one of the concerns raised was the impact on traffic and access in that area. The LC zoning creates some traffic flow and by putting in residential units in proximity to the train station, you're going to minimize the traffic access in that intersection. Mr. Lewandowski admitted that it's difficult getting in-and-out of that area during the afternoon commute hours. In addition, Mr. Richards said one of the other reasons to raise the grade of the parcel is to provide parking underneath the proposed building. Mr. Lewandowski noted that while there is limited parking on-grade, increasing the grade would provide more parking for residents and guests underneath the building and that gives us the ability to create a lot landscaped area around the entire site.



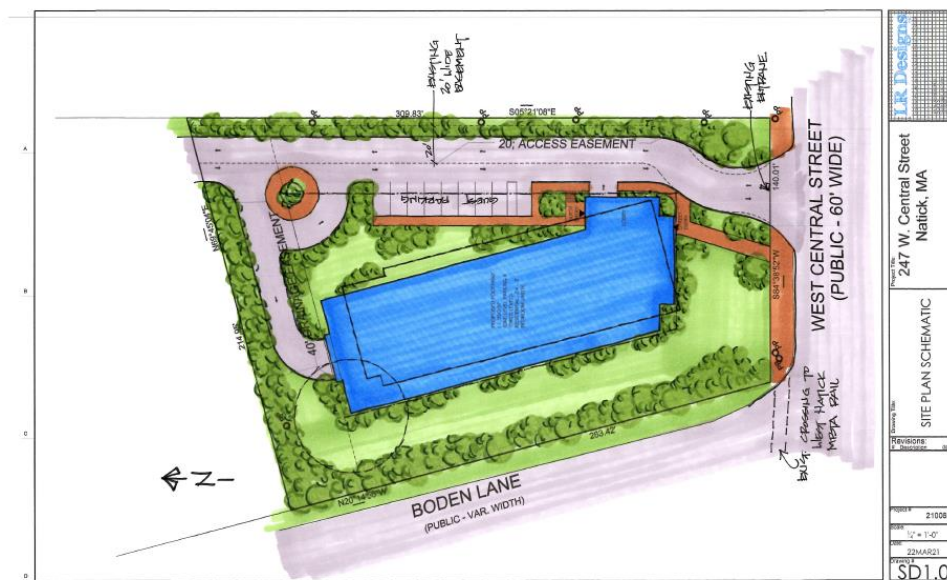
Mr. Richards said this area is primarily zoned LC with some Residential General (RG) zoning. Mr. Richards said he believes the town may be re-visiting the zoning of this entire corridor because of the West Natick train station and the desire to create more housing in proximity to the train station. In this area, which the Natick360 Master plan identified and the town Planning Department flagged as an objective, so we're hoping to create denser residential development near the station. He said this project is consistent with the Smart Growth principles and with the governor's incentive to provide more housing. Mr. Richards said he will check with the Moderator to determine whether this would require a majority vote or two-thirds majority vote.

Questions from the Committee

Mr. Rooney noted that there would be roughly 30 units in the building and the parking requirements would be at least one parking space per unit and asked for confirmation. Mr. Lewandowski said, based on 2 bedroom units, they meet the parking requirements for that type of unit, which is 1.5 spaces for every two bedrooms.

Mr. Behery asked what happens to the access to the building behind that site because there's another building on that site. Mr. Lewandowski confirmed that this is the existing Comcast building that is before the ZBA in discussions on rebuilding that's building and site. He noted that there is an easement that goes along the existing driveway opening on West Central Street that goes to the back of that driveway that will be continued. The initial concept was that you pull in exactly the same entranceway drive along the same path. And, in the northeast corner, before you get to the Comcast building, there is a proposed roundabout that would allow you to continue on to the Comcast site, go underneath the building or turn around and come back out again. Mr. Lewandowski reviewed the underground parking plan diagram that shows 36 parking spaces – one way in and one way out. Mr. Lewandowski said after you come off that roundabout, you would be driving underneath the site through the parking area coming back out again towards the front part of the entranceway. Again, these are preliminary concepts. This site also has the capacity to do significant above-ground parking

Mr. Behery said he is concerned about the impact on the infrastructure (water and sewer) given the large number of units within that space. Mr. Lewandowski said that in discussions with the town, officials stated that we would have to increase the water line to an 8 inch main coming into the building based on sprinkler and water use, so there some utilities that have to be upgraded. The existing driveway is already there and there is an easement on the map and we have proposed a lobby in the front corner of the building and we will increase the green space on this parcel by 60 to 70% compared with what's there right now.



Mr. DeLuca asked who Mr. Richards represents. Mr. Richards represents Mark Potter, a Trustee of the realty trust that owns the Mass Diving site and they are interested in redeveloping the site for residential units. This led to Mr. Lewandowski's initial conversations with community development and he learned that the LC and inclusionary didn't support the density desired.

Mr. DeLuca asked if there are tenants on this location at present. Mr. Richards said that this is an active location.

Mr. DeLuca noted that the present zoning allows a maximum of 9 units with 3 of them affordable units. Mr. Richards confirmed that and said that re-development for only nine units is not viable.

Mr. DeLuca asked if going to 33 units would yield seven affordable units. Mr. Richards confirmed that it would provide 7 affordable units and three stories on top of the underground garage.

Mr. DeLuca asked how this would compare to the abutters. Mr. Lewandowski said the abutter to the right is down-grade about 3 to 4 feet and is a one story building that was the old Toolmex building. On the other side of Boden Lane is the West Natick train station and beyond that you have the little plaza to the west which is 2.5 stories.

Mr. DeLuca questioned whether the anticipated \$700,000 price was excessive. Mr. Richards noted that he is not a real estate appraiser but he has not seen any condominiums sold for less than \$500,000 in Natick recently. So using \$500,000 for 26 market rate units would yield \$12 million in assessed value plus the assessed value of the affordable units.

Mr. Richards noted that the current proposal is for 24 units. Unfortunately, the HOOP-II overlay would only produce 20 units, so we chose HOOP-I because it allows for greater density. He said that they don't necessarily want or need 33 units and that 24 units may be viable for the developer.

Mr. Coffey asked whether there have been any discussions with the Safety Committee regarding issues of traffic at that intersection (W. Central St. and Boden Lane). Mr. Lewandowski said Lieutenant Lauzon was at that meeting but didn't raise any questions about it. In our discussions, based on the way out we estimate that there will be less traffic in this area due to the proximity to the train station.

Mr. Coffey asked whether the proponents had reached out for discussions with the West Natick Neighborhood Association or any of the other people in the area to see how they feel about this project. Mr. Lewandowski said they have not done so yet as their project is not yet before the Planning Board. Mr. Richards asked Mr. Coffey for contact with the West Natick neighborhood Association.

Mr. Pope asked whether the Planning Board has voted on this Article. Ms. Wollschlager said they are discussing it at their next meeting on October 13.

Ms. Coughlin asked whether this would be considered spot zoning because it's only for one piece of property, Mr. Richards welcomed the Committee to ask Town Counsel. However, he noted that he has been through this a few times and the law specifies that if the only benefit is to the landowner, it is spot zoning. However if there is a benefit to the town as there is in this case because it provides significant tax revenue, some affordable housing units near public transportation and public access to pocket park, it would not be considered spot zoning Ms. Coughlin requested that Ms. Wollschlager reach out to Town Counsel for an opinion.

Ms. Coughlin asked whether this would be rental units or would they be sold as individual units. Mr. Lewandowski said the intention to sell the units based on the market conditions. If the market changes, then that's something the developers would have to consider have to consider and see where the value is there. However, we've had retail developers look at the site may have noted that it's a tough site for retail to be viable. As far as retail wise goes and being able to make it function. Mr. Richards added that whether individually purchased or rentals, it would still provide a significant increase in tax contributions to the town.

Mr. Coburn asked what is available as of right and what reviews or approvals are required in a HOOP-I overlay district. Mr. Munnich said he is somewhat constrained here as the Planning Board hasn't had a hearing on this and hasn't received any materials on this. He said HOOP-I establishes a baseline and then there are a series of criteria for establishing what would be considered a project worthy of attaining a greater density and public amenities and certain design criteria. one has to remember that HOOP-I was designed not as an omnibus overlay,

Mr. DeLuca asked whether the affordable units are going to those be sold as 40B units or would those be maintained as apartments or what would be the plan if you went the sale route for the affordable units. Mr. Lewandowski said that would be up to the Planning Board. If they're sold, they would use the calculations the town outlines as far as selling. If the town feels it's something that could be a rental, we would engage an attorney who specializes in affordable housing to kind of work those pieces out and see what the best avenue is for the town. Mr. Richards noted that, if they were sold, they have to be sold at a price that a person making 80% of the median income for the area can afford and then there are restrictions on the sale of the units in the where they can only go up a certain percentage per year from that base affordable price, so it protects all future owners and is deed-restricted, so a purchaser cannot just buy the unit at a lower price and flip it. They also have to meet the income qualifications to be able to purchase.

Mr. DeLuca asked whether there are other legal avenues the sponsors could take to get additional units such as obtaining a variance. Mr. Richards said that, in 2013, Town Counsel wrote in an opinion that the Natick zoning bylaws did not allow for use variances. Prior to that, variances could have been a regulatory avenue that one could have sought a use variance from the ZBA. Mr. Richards said he agrees that variances shouldn't be used in that way because zoning by variance is not a good policy and leads to inconsistency, since it's applied project by project, and one applicant may be treated differently as compared with another applicant. Mr. Lewandowski added that they are looking for a change of use from LC to multi-family housing with greater density and the best regulatory path is through rezoning.

Public Comments

Mr. Munnich noted that he is constrained here because the Planning Board public hearing on this topic is scheduled for October 13. He said he has many questions, but the appropriate venue is to ask those questions at that meeting. With the broader strokes here, he said that zoning changes have component separate from our Town Meeting procedures and that is MGL c 40A §5. It's also important to note the under that that the window for reviewing proposals for zoning changes is open all year doesn't open or close with the Town Meeting warrant. It's open all the time when the Planning Board can have a hearing on a potential zoning article outside of Town Meeting season. That's important to note because the Planning Board had no hint of this zoning bylaw change request until the Planning Board saw it on the warrant, so this article is coming from outside any notice to the PB. With respect, planning staff wasn't in a position to answer much more than there was interest expressed with redevelopment of the site and that some ideas had been kicked around. It's important to note that the Natick is service-oriented and very responsive to questions and are available to give pointers or to bounce ideas off of them, but they don't set municipal policy. There is no process by which they pre-screen a project prior to the Planning Board hearing. So there may have been discussions but I would caution anyone to not over-characterize what may have been discussed or the import of that discussion. Also, there's been a lot of discussion here that is specific to a single proposal shown with a with site plan and the moderator has often cautioned that we're dealing the wording of a zoning article, not an actual development proposal. Much of what has been discussed here at this meeting wouldn't have been allowed as part of debate on Town Meeting floor because it's specific to a development proposal. For instance, any talk of a pocket park. If this Article were to pass, there could be a proposal by some other party that buys this land, which just goes to the baseline and never proposes to do anything other than the bare minimum, so it is premature to discuss any of the amenity components in the context of the article because that's not what's being enabled when one changes the zoning. The town has discussed the HOOP on West Central Street away from Natick Center in the past. These were with properties immediately to the west of the West Natick train station, Town Meeting turned those down and part of the debate was that HOOP was designed as a Natick Center, industrial property redevelopment tool and wasn't necessarily fine-tuned for the community as a whole. The extent to which that will become the part of the debate here is quite open. And that's not to say that Town Meeting in its wisdom says that it applies all around town. The sponsor also mentioned the Governor's proposal and the Mass. Legislature passed legislation on changes to the zoning around transit areas. Although the statutes have passed, it should be noted that that is very heavily contingent upon regulations. The statute is stunningly quiet on many on many details where they just basically kicked the ball down the road and said the Secretary will promulgate regulations that will address these issues but that hasn't occurred yet. As a result, it is unknown whether the Planning Board can determine whether or not

this project would meet the guidelines that might come out the other side of that process. Immediately after passage of the statute in the Legislature, the Planning discussed whether or not they should create a working group on what it meant for Natick. On the basis of looking at what the statute said, there just wasn't enough information yet for us to react to it since the standards have yet to be promulgated, Mr. Munnich said he has still not received materials for the October 13 meeting, so he hasn't been able to distribute information to the Planning Board. He said regarding the timeline, if the Planning Board were to open and close its hearing on this Article on that date, the earliest it could provide a report to Town Meeting would be October 20. If the Planning Board continues the hearing and, consequently, is unable to provide a report, Town Meeting wouldn't be able to act on it until November at the earliest. One doesn't want to forecast the duration of town meeting, but it's possible that Article would not even be an actionable item by Town Meeting if Town Meeting wraps up its business before a certain date. Mr. Munnich reiterated that he doesn't want to be negative here, which is why he started off by saying that the Planning Board hearing schedule for zoning changes is open all year round, noting that the Planning Board is well equipped to do a good deep dive review of zoning changes and benefits from a lot of lead time to review it.

Mr. DeLuca recommended Referral; to Sponsor on Article 31, seconded by Mr. Behery, voted 14 – 0 – 0
Roll-call vote:

Mr. Behery = yes	Mr. Grome = yes
Mr. Coffey = yes	Ms. Monahan = yes
Ms. Coughlin = yes	Mr. Pope = yes
Mr. DeLuca = yes	Mr. Rooney = yes
Mr. Evans = yes	Ms. Sciarra = yes
Mr. Gillenwater = yes	Ms. Wollschlager = yes

Debate

Mr. DeLuca said a lot of good points were brought up in this discussion and stated that more work needs to be done he feel comfortable voting on such as a zoning change. I also want to hear Town Counsel's opinion on the possible spot zoning aspects of this article.

Mr. Behery said he believes there's a benefit for the project but thinks that, without the Planning Board thoroughly reviewing this and taking action on this, the Committee is in a position to vote in support of this Article.

Mr. Coffey said he believes that the community needs to be involved in this discussion, stating that there needs to be more detail on many aspects of the project. Quite frankly, as a resident of West Natick, he has problems with this project that will add this driveway on Rte. 135 to Boden Lane reopens to the driveway of the West Natick Train station, all within about 100 yards of each other. I know we've talked about cluster development, but the traffic on 135 is bad enough without adding 30 units of housing and with their guests into the mix.

Mr. Coburn agreed that the spot zoning issue needs to be resolved. Further he said agreed that the Planning Board is the right venue to review the community planning aspects of this zoning change and, as a committee, we should not prematurely vote on this article, so he supports referral.

Ms. Monahan said she will vote referral, citing spot zoning issue she also noted that she is a West Natick resident and this project reminded her of the Fall 2020 article about the Henry Wilson Park area and the proposal for 48 units potentially there. She hopes the Planning Board does a comprehensive review of the zoning because I don't want West Natick to keep saying no to housing, but is not supportive of this particular change.

Mr. Evans said there are a couple of points that he wants to underscore. One is that zoning changes set precedent and we need the Planning Board's careful assessment of whether or not this makes sense. Also, as Mr. Munnich mentioned this is a proposed project and an actual project could bear little resemblance to what's allowed in the zoning bylaws. In some respects, this is probably a good use of that parcel land and I definitely want to hear the Planning Board's report. He appreciates what the West Natick residents are saying, but noted that there is a shortage of affordable housing in this town, in particular a shortage of housing close to public transportation. So

while he believes this might be appropriate, it's dangerous to do so because there can be unintended consequences, so he supports referral.

Mr. Pope said he will also vote for referral, He noted that he thinks this is a good idea and is inclined to support the type of new development, but he doesn't know if HOOP is the right way to do it or if a new overlay is needed, designed for West Natick, He would like to hear from the residents and listen to the inputs of the residents and go through all the necessary review processes before he can support this Article.

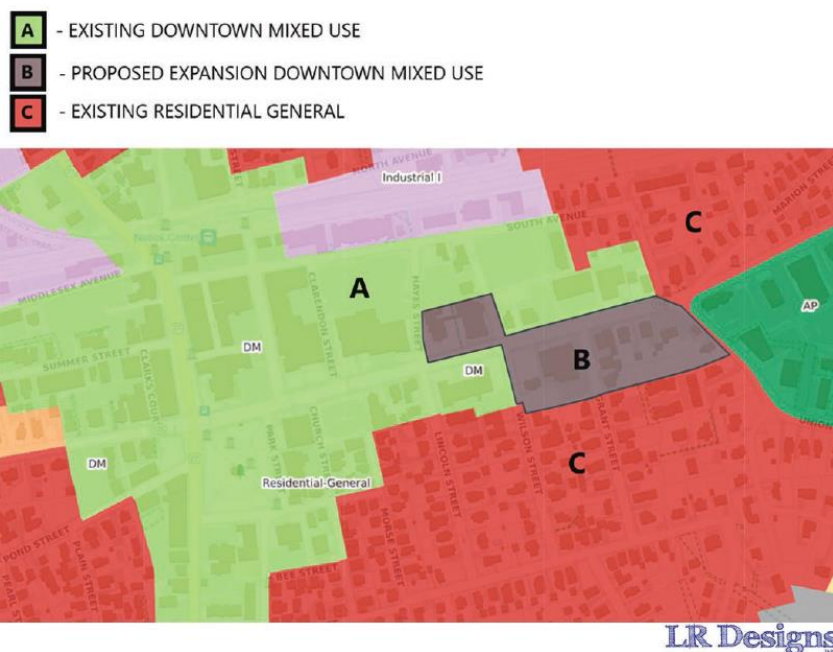
Ms. Wollschlager said, while she enjoyed the presentation from the sponsors and seeing what's possible at the site., this is a zoning change, and the developer may or may decide not to do this or the building could get sold. We're talking about rezoning for a specific project that may or may not ever happen and it's really important to understand this. Mr. Richards said the site could support up to 33 units, but I'd want to hear more information on what could happen were this to have a HOOP-I overlay in case this proposed project falls through.

Article 32: Re-Zoning of Portions of East Central Street, Wilson Street, Grant Street and Union Street

Presenters:

Mr. George Richards, lawyer

Mr. Peter Lewandowski, architect



Mr. Richards said that he represents the owner of the 67 East Central Street property (the corner of Union Street and East Central Street). The owner also owns a property at 5 Union Street. Mr. Richards presented a map of the E. Central St. area (shown above). The objective of this article is to extend the DM zoning district to Union Street. Given both the downtown development that's taken place over the years and the fairly clear message from Natick360 to maintain or expand our downtown to keep it thriving, re-zoning this to DM seems appropriate. There seems to be a gap, on the south side of East Central Street, which is zoned RG (supports two family houses) when the rest of the district is DM. The rectory on the north side of East Central Street is not zoned DM, but he doesn't know the history of when DM was originally enacted and why that parcel was not also zoned as DM. Natick360 emphasizes creation of mixed use developments, particularly downtown. If you look east of this site, you have a bank, a tavern, the Community Senior Center and a proposed independent senior living housing around the corner on Union Street. On the south side of East Central Street, it continues down to the town line.

with Hogan Tire, a Mexican restaurant and a number of commercial businesses. This is an area that is prime for DM use to have retail or offices on the first floor and housing above.

Mr. Lewandowski said he met informally with the Planning Board a few months ago to introduce the idea of extending the DM zoning to Union Street and this was an informational with the Planning Board.

There's actually a few months ago, again, good evening, it was an informal meeting with the Planning Board to exchange ideas on how this area might be rezoned and redeveloped. Without a project in hand, the Planning Board neither spoke positively or negatively about this idea. Mr. Richards said, in informal discussions with Mr. Freas, the former CED Director, it seemed like the town was supportive of the concept.

Ms. Wollschlager said the Finance Committee received a number of letters from the public on this article, they are posted on NovusAgenda and said some of those residents are on the call tonight.

Questions from the Committee

Mr. Behery asked for confirmation that this was not presented officially to the planning committee. Mr. Richards said that the Planning Board is hearing this and October 13.

Mr. Pope asked whether the sponsor had consulted with the community on their opinions on the effect of this change. Mr. Richards said that they did not have a community meeting, but sent certified letters to every property owner and received only one response which was very supportive. Between now and Town Meeting, we were going to try to have a community meeting, perhaps in the library later this month to engage with the abutters.

Public Comments

Don Friswell stated that he and his wife Sheila live at 59 /61 East Central Street (a two family house) and has lived there since 1980 & raised his family there. He noted he has listened to the comments made about this article and read through the questionnaire that was submitted. Mr. Friswell said, re-zoning this area into DM would allow a very large building on the corner and noted that he has no idea what the sponsors are going to propose for that location. In the questionnaire, the sponsor indicates that the area is underutilized and the town can increase tax revenues by re-zoning this as DM. In my opinion, this shows a lack of respect for residents given that this is a residential area with families. Mr. Friswell notes that there are only two owners in this area who actually live in these houses, with the others rental properties owned by absentee landlords. Without knowing what's going to happen at the corner, it is hard for him to say this is a good idea. There are also many safety and traffic concerns. I don't know what size building is going to be here and how many units or residences would be here. He stated that none of the people who own homes along East Central Street will support tearing down and building something else. Mr. Friswell said un DM zoning, the property owner of 67 East central Street and 5 Union Street could build those buildings, right up to the side line of the property and they could be 50 feet tall. By contrast, Mr. Friswell said the ridgeline of his house is about 38 feet high. He opined that changing the zoning benefits one parcel which is the definition of spot zoning. There's too much vagueness here and too many unknowns. Traffic is already bad and it is quite difficult for us to get in and out of our driveways. He noted that he wrote the rationale for not rezoning to DM that was provided to the Committee. These are big older homes that will never be able to be replaced, so he respectfully asks that this be referred back so it can be studied further and other boards can weigh in on this as well.

Mr. Munnich said his comments on Article 31 as far as process and timeline are equally applicable to Article 32.

William Siskowitz and Kathleen Russell, 14 /16 Morse. Mr. Siskowitz said he also owns 2 Union Street, on which is Pizza by Rocco is located. He said that he is not interested in changing the neighborhood too much, but sees how much money is being spent on re-doing Route 27 and changing downtown and stated that, for the last twenty years, they've put so much money into really building up Natick, I would love to see some opportunity for us to see the corner of East Central Street and Union St. improved and possibly provide more housing options without causing more traffic problems, and to a standard that's acceptable to the neighbors.

Ms. Linda McMahon, 4 Wilson Street said she expressed her concerns in her letter, but wanted to understand who Mr. Richards represents as sponsor of this Article. Mr. Richards said there are about 10 or 12 different

owners of the land that he is seeking to be rezoned and represents the owner of 5 Union Street and he also has the property at 67 East Central Street under agreement.

Ms. McMahon asked about how the sponsors had reached out to neighbors. Mr. Lewandowski said they sent the registered letters, but no one responded or contacted us regarding the project. Ms. McMahon said she had received the letter but did not understand what they were supposed to do in response to the letter.

Ms. McMahon requested that the Committee referred this article because there's a lot of unknowns and this is a long-standing residential neighborhood. The houses were built in the 1880s along with the church and these houses were built to last and these old houses in old neighborhoods are part of the attractiveness of the neighborhood. I'm concerned about safety, traffic, and larger and denser buildings changing the character of the neighborhood.

Mr. DeLuca moved to refer Article 32 to the sponsor, seconded by Mr. Behery, voted 12 – 0 – 0

Roll-call vote:

Mr. Behery = yes	Mr. Grome = yes
Mr. Coburn = yes	Ms. Monahan = yes
Ms. Coughlin = yes	Mr. Pope = yes
Mr. DeLuca = yes	Mr. Resmini = yes
Mr. Evans = yes	Ms. Sciarra = yes
Mr. Gillenwater = yes	Ms. Wollschlager = yes

Debate

Mr. DeLuca said there is a lot of work that remains to be done here and encouraged the sponsor to thoroughly read the letters submitted to the Committee because there are many concerns about the effect of this zoning change on the character of the neighborhood. It's also important to hear what the Planning Board has to say about this proposed zoning change.

Mr. Behery said he also wants to hear what the Planning Board believes is the impact of this change. In my view, the committee does not have enough information to make a recommendation to Town Meeting. Further, the overall plan for developing any area has to go through the appropriate process before it comes to us.

Mr. Evans stated that a few good points have been raised, but he wanted to raise the rationale for having a DM district. Ms. Cathi Collins quoted this from her letter to the Finance Committee, as follows: "is: "To establish a compact business center which does not include noxious or land-expansive uses, is centrally located, and is designed primarily for pedestrian shoppers. Some multi-family dwellings may be included to prove economic viability to such center while adding to the housing stock of the community. The DM District is intended to apply only to the central business area in the vicinity of the intersection of Routes 135 and 27" (ZBL III-E (1) There is a lot of review that needs to occur at the Planning Board meeting before this zoning change should go before Town Meeting. The Planning Board needs to weigh the impact of the zoning change and assess the issues that abutters have raised – traffic, size, density, etc. He also wants the Planning Board to weigh in on the potential unintended consequences, if this were to be done somewhere else in town. Finally, he contrasted the outreach efforts on this project with the outreach that was done for the St. Patrick's school project where all the abutters were contacted at a number of stages along the way, their concerns were addressed, and there was a favorable outcome.

Ms. Wollschlager thanked Mr. Evans for bringing up the St. Patrick's School project because, while it ultimately had a good outcome, there were years of frustration. The first few times that came before the Finance Committee, the neighbors were not happy so we've had a good example of what not to do and then a good example of how to do it better. If the sponsor is interested in pursuing this, she highly recommends that you engage with the neighbors because you will hear from them one way or the other. It's their neighbor and they don't want large scale buildings right in their backyard. This is certainly not ready for the Committee to make a decision.

Article 33: Rezone the Natick Highway Overlay District

Presenter: Peter Golden, 5 Vermont Rd.

Mr. Golden has resided at 5 Vermont Ave. for 26 years is directly off Route 9 and noted that the velocity of change has not been extraordinary but has been observable and substantial. The Highway Corridor overlay district (HC) is the product of zoning changes that were made many years ago in combination with the creation of the Golden Triangle and he opined that it's become a refuge for businesses that might not work so well elsewhere in town. For instance, a marijuana retail dispensary was recently approved on the site of the former Papa Gino's restaurant. Other businesses include an erotic materials and clothing and a number of other businesses that fit well within the domain of strip malls such as liquor stores, a retail piano store, oil change business, gas stations and other food businesses. Mr. Golden said he knows the district has value and recognizes the enterprise and hard work of those businesses located in the district. On one of the maps he pulled down from the town's GIS Resource Center, he discovered the district itself is characterized in general terms as commercial industrial development clusters.

Mr. Golden said this article is not a zoning question per se, but speaks to the reason he hopes to see a committee created by Town Meeting. There are a multiplicity of issues here, not the least of which is the volume of traffic along Route 9 which has increased exponentially over the years. Mr. Golden claims that the proximity of the commercial businesses to residential neighborhoods negatively impacts those neighborhoods, including parking on side streets. He also wants to understand the what the benefit of the HC zoning is to this area of town. The creation of multifamily housing units to replace commercial properties might be beneficial to single family and abutters in the sense that there would be a barrier between Route 9 and the residential neighborhoods. Mr. Golden opined that redevelopment has focused on other areas of town and this Route 9 has been overlooked. Mr. Golden said he is not trying to advance a particular development agenda or a planning agenda, but is looking for a Committee to study what might be done from a zoning perspective for this district. He noted that there are two magnificent open space areas (the Sunkaway and Town Forest) that are inaccessible from Route 9 itself. Mr. Golden said the makeup of this Committee is intentionally eclectic to solicit points of views (should include Town Meeting Members, designees of the Select Board, Zoning Board of Appeals, Planning Board, Equity Task Force, Open Space Committee and a representative of the real estate industry) to report back in a very nuanced and thoughtful way to Town Meeting.

Questions from the Committee

Mr. Coburn asked why a representative from the Economic Development Committee was not specified as nominating a member of this proposed study committee. Mr. Golden said this question is a constructive one and said he would be open to amendments on Town Meeting floor on the composition of the Committee.

Mr. DeLuca noted that looking at the construction of this committee and the questionnaire that you submitted that focused a lot on multifamily housing, he asked Mr. Golden didn't create a specific warrant article around incorporating multifamily housing on Route 9 within this zoning area. Mr. Golden said he spent twenty-five years as a consultant to the real estate industry and the mechanism that his clients used to develop enormous sections of Boston was in the form of multifamily mixed use and he believes there is no zoning that meets that immediate definition within the town.

Mr. DeLuca noted that, in reviewing his answers to the questionnaire, it seems that the answers are very prescriptive and a lot of it describes incorporating multifamily housing on Route 9 between Wellesley and Speen Street. Mr. DeLuca asked what the focus of the Committee is beyond multifamily housing. Mr. Golden said that if Route 9 in the HC overlay district becomes a highly developed commercial area, it would exacerbate traffic flows.

Public Comments

Ms Linda McMahon thanked Mr. Golden for his inspiration and creativeness in working to protect the Natick community along Route 9 and to help it become a more family-friendly environment for families.

Ms. Coughlin moved to recommend Favorable Action on Article 33, seconded by Mr. Grome, NOT VOTED

Mr. Coburn moved to refer Article 33 to the sponsor, the Select Board, and the Planning Board, seconded by Mr. DeLuca, voted 9- 3 - 0

Roll-call vote:

Mr. Behery = yes	Mr. Grome = no
Mr. Coburn = yes	Ms. Monahan = yes
Ms. Coughlin = no	Mr. Pope = yes
Mr. DeLuca = yes	Mr. Resmini = yes
Mr. Evans = yes	Ms. Sciarra = no
Mr. Gillenwater = yes	Ms. Wollschlager = yes

Debate

Ms. Coughlin commended Mr. Golden for his forward thinking on this Article and sees nothing wrong with a committee established by the moderator. She noted that she thought it's appropriate that it was on tonight's agenda when we were talking about the Golden Triangle because the section that Mr. Golden is referring to leads to the Golden Triangle and it's the entrance to Natick from Wellesley and it is worthy of study.

Mr. Grome said he agrees with everything that was previously and said it makes a tremendous amount of sense, noting that the sponsor was very well prepared.

Mr. Coburn said that he agreed that the HC district should be studied and subject to a review of the intent of the district. The creation of the HC district was done some years ago and it's timely to ask how well it's working. He opined that few people would say that the sum total of what's gone in the HC district would say that it looks like a fully realized and coherent plan. That said, the Golden Triangle initiative that we spoke of earlier this evening is being done by professionals. This is a big and prominent and high pretty high stakes area of town and, I would like to see it lead to the vision for a long term future that I'm not sure is best done by appointed volunteers, He said it's important that input from the community needs to be broader than that and this is that planning professionals should do. If this Article is approved, he would like to see a member from the Economic Development Committee added to the Committee because that's a very important perspective for this area of town. He also would like to see some more attention to sharpening the committee's charge. I looked at the response to question #4 which seems like wishful thinking to him and he would like to harness community input to develop a coherent, vibrant plan for that corridor. Mr. Coburn said he feels this is best done through professional visioning and planning. He said that the sponsors should stay involved and applauded them for bringing this Article forward. And so I want them to be involved and work with the appropriate authorities in our town to take the next step.

Mr. DeLuca stated that this charge is too tied to the idea of incorporating multi family. Given where is located along the stretch between Wellesley and Speen Street on Route 9 which is currently zoned for commercial use, it would potentially add a large apartment complex. Route 9 is a through-way area and everything associated with it is not destination traffic. These commercial businesses are not destination businesses, they're more convenience businesses. As a resident who lives near this area, some people might prefer large, dense multifamily housing to serve as a buffer from those commercial structures on Route 9; others don't want to see large residential structures in their place. For various reasons, I think that if we were to look at rezoning this area and determine what makes sense for future development. This will require more professional opinion than what is scoped in this article. And also the scope of what the Committee should look at should be a lot more broad and visionary, not just incorporating housing uses. In order to do that wholeheartedly, there most likely needs to be a funding component in various aspects of redeveloping the area, through zoning and through what businesses work best not only for the immediate community, but also the community as a whole.

Mr. Evans said the sponsor definitely has laudable objectives and there's no questioning his love of this neighborhood and the town. However, zoning bylaws are living documents and that's why we review zoning articles at nearly every Town Meeting. The reason for that is things change and modifications need to be made and an honest appraisal of what's working or not working should be undertaken. The people who need to be at the table to discuss this are the Economic Development Committee if you're talking about business development; if you're talking about town planning, the Community and Economic Development staff and Director should be involved as well as a Planning Board. And my sense is the Planning Board is quite amenable to reviewing zoning

bylaws, especially when they get resident feedback that that the bylaws are lacking in certain areas. He said the opportunity exists to have this public conversation with the Planning Board to make your requests known and that's the right avenue to do it. These people have the expertise, interest, and know the intricacies of zoning and the law of unintended consequences that result from bad zoning practices,

Mr. Pope said he is on the fence on this issue, but will support referral. He noted that lives just off Jennings Pond, so this is his neighborhood. Mr. Pope said he agrees with the goals and the vision of this plan, but agrees with the earlier speakers that there needs to be funding to have this done and more people brought to the table to generate good potential outcomes and would like to see this idea move forward at the town level.

Ms. Wollschlager thanked Mr. Golden for bringing this Article forward and sharing your vision - the concept of the gateway district is compelling. Given that we've spent a lot of time talking about DM, the Golden Triangle, this Route 9 area has been overlooked. No matter how we vote, we thank you bringing this to the town's attention and catching the imagination of many people

Mr. Evans moved to close the public hearing, seconded by Ms. Sciarra, voted 11 – 0 – 0.

Roll-call vote:

Mr. Behery = yes	Ms. Monahan = yes
Mr. Coburn = yes	Mr. Pope = yes
Ms. Coughlin = yes	Mr. Resmini = yes
Mr. DeLuca = yes	Ms. Sciarra = yes
Mr. Evans = yes	Ms. Wollschlager = yes
Mr. Gillenwater = yes	

Meeting Minutes

Mr. Gillenwater moved to approve the September 21 meeting minutes, as amended, seconded by Ms.

Wollschlager voted 10 – 0 – 0.

Roll-call vote:

Mr. Behery = yes	Ms. Monahan = yes
Mr. Coburn = yes	Mr. Pope = yes
Mr. DeLuca = yes	Mr. Resmini = yes
Mr. Evans = yes	Ms. Sciarra = yes
Mr. Gillenwater = yes	Ms. Wollschlager = yes

Committee and Subcommittee updates

Mr. Coburn said the Charles River Dam subcommittee has a field trip to Andover end over to review two sites where dams have been removed.

Ms. Wollschlager said the Town Administrator is getting a number of parties to discuss the implications of Article 14, the Article where the budget submission is February 1 and Town Meeting is delayed one month. This group is meeting tomorrow to discuss this and the group includes the Moderator, Town Clerk, the Finance team, the NPS Superintendent, etc. just trying to understand everyone's perspective in order to get ready for Town Meeting.

Mr. Evans moved to adjourn, seconded by Ms. Sciarra, voted 10 – 0 – 0.

Roll-call vote:

Mr. Behery = yes	Ms. Monahan = yes
Mr. Coburn = yes	Mr. Pope = yes
Mr. DeLuca = yes	Mr. Resmini = yes
Mr. Evans = yes	Ms. Sciarra = yes
Mr. Gillenwater = yes	Ms. Wollschlager = yes

MEETING ADJOURNED 10:51 PM