

## **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: September 28, 2023

**Town of Natick Finance Committee**  
**Meeting Date: September 28, 2023**

The minutes were approved through the following action:

Motion:

Made by:

Seconded by:

Vote: 0 – 0 – 0

Date: X, 2023

Respectfully submitted,

Cody Jacobs

Secretary

Natick Finance Committee

## **Call to Order**

The meeting was called to order at 6:36 p.m.

### **Roll Call**

Members present; R-denotes members attending remotely

Leona Bessonova - R  
Hossam Behery - R (joined at approximately 6:45 p.m.)  
Dirk Coburn  
Lawrence Forshner - R  
Garth Gayle  
Todd Gillenwater  
Cody Jacobs  
Grace Keeney - R  
Toby Metcalf  
Richard Pope  
Patti Sciarra  
Betty Yobaccio  
Linda Wollschlager

## **Call to Order**

### **Announcements**

### **Public Comments**

### **2023 Fall Town Meeting Warrant Articles - Public Hearing**

Motion to open the public hearing on the 2023 Fall Town Meeting Warrant by Mr. Gillenwater, seconded by Mr. Coburn. The motion was approved unanimously (12-0-0).

### **Article 22: Zoning - Body Art Establishments in DM Zoning District**

Paul Joseph, sponsor of Article 22, spoke to the Article. Mr. Joseph explained that this was unanimously supported by the Planning Board and the Select Board.

Mr. Joseph explained that he was bringing this forward because there is a new business owner who signed a lease and was told that we do allow permanent make-up and similar body art techniques in the area where her business would be located. However, after signing, she found out later that the part of town where this was allowed was not where the lease was located. Mr. Joseph noted he has heard anecdotally that we have lost businesses because of this being restricted to a narrow location.

Mr. Joseph said that part of this motion would expand the definition of body art to include other techniques besides tattooing. The other parts of this motion would amend the use regulation schedule to include body art as an allowed (but permit required) use in the downtown mixed use district.

Mr. Joseph noted that the Planning Board asked a lot of questions about why this wasn't being expanded townwide but he felt that was daunting and preferred to focus on an area where we already have a cultural district to ensure that this business owner is able to operate her business in the short term.

#### *Questions from the Committee*

Mr. Gillenwater asked whether Mr. Joseph got any negative feedback about this idea. Mr. Joseph said no but that he did have some conversations with the head of the health department and he indicated he would look at it the same way as other kinds of body art.

Mr. Coburn asked whether the idea was to allow this in commercial districts generally if this was to go broader. Mr. Joseph said yes.

Mr. Jacobs asked why the motion retains this as a permitted use as opposed to just an allowed use. Mr. Joseph said the idea was to just make this a narrow motion and deal with the broader issues as part of a bigger conversation, but right now he just wanted to help this business owner.

#### *Motions and Debate*

Mr. Gillenwater, seconded by Ms. Sciarra, moved to recommend favorable action on Article 22. Mr. Gillenwater explained that this is a great way to support a business who needs help now. Ms. Sciarra agreed.

Mr. Jacobs said he supported this but would also support broader action such as removing the special permit requirement.

Mr. Coburn said he was more skeptical of removing the special permit requirement because it helps ensure that the appropriate health inspections happen.

The committee voted unanimously to approve the motion (13-0-0).

#### **Article 21: Re-Zoning of 24/26/30 North Main St.**

Ms. Wollschlager noted that the sponsor had not shown up yet despite being notified so the committee would go forward with this Article without them.

Mr. Coburn moved, seconded by Mr. Metcalf for referral to the sponsor and the Planning Board. The committee unanimously approved the motion (13-0-0).

Ms. Wollschlager noted that if she does get ahold of the sponsor she would put this on the agenda for possible reconsideration.

#### **Article 20: Zoning - Highway Mixed Use-I (HM-I) Zoning District**

Amanda Loomis, Director of Community and Economic Development presented Article 20. She noted that this was a follow-up to an Article from last Town Meeting that helped to create a

“campus” for the lakeside Mathworks property. In doing that work, they found that this was an opportunity to fix other issues in that area. The proposal in this motion is to move certain parcels next to Lake Cochituate and the Rail Trail from Industrial to Highway Mixed Use. This would allow a small corporate campus to be built on those parcels.

#### *Questions from the Committee*

Mr. Coburn confirmed that the entire parcel with Lake Cochituate itself is a state park. Ms. Loomis confirmed that it is.

Mr. Coburn asked whether it was contemplated to go in another direction with these parcels that would be more conducive to open space and recreational use? Ms. Loomis explained that there can't be any type of development on Lake Cochituate and the area immediately adjacent to the lake because it is owned by the state. She said that something to think about in the future is to have open space kind of zoning districts but for this motion the goal was just to move all the parcels surrounding the lake into the same classification of highway mixed use 1 (HM1)

Mr. Forshner asked what the difference is between industrial and HM-I. Ms. Loomis answered that there isn't a huge difference except that HM-I does allow smaller setbacks but the uses are actually the same so it is “staying status quo” with that. She said there is not an open space requirement but the maximum building coverage can be 50% in either zoning district.

Mr. Forshner asked if Ms. Loomis anticipated that the footprint would increase. Ms. Loomis said that would be up to the developer but she wasn't sure there were any plans right now.

Mr. Gayle asked whether there has been any expressed interest in turning those parcels into a campus. Ms. Loomis said there weren't immediate plans to do that but that they had some preliminary conversations with the owners of these parcels about that idea.

Ms. Wollschlager added for additional information that her own office is on one of these properties. The building is mostly vacant right now although Exponent occasionally uses parts of the first floor but it seems ripe for redevelopment at some point in the future.

#### *Motions and Debate*

Mr. Gillenwater moved to recommend favorable action on the subject matter of Article 20, seconded by Mr. Coburn.

Ms. Wollschlager noted that the previous owner of the property was concerned by how it was zoned and how it restricted what they were able to do with the property.

The committee voted unanimously to approve the motion (13-0-0).

#### **Article 14: Zoning - Use Regulation (Footnotes and References)**

Ms. Wollschlager asked whether the Planning Board supported no action on Articles 14, 18, and 19. Ms. Loomis said that was correct. Given the complexity of the issues, the thought was that it may not be ready until the Spring.

Mr. Coburn noted that, all else being equal, he would like to support our policy boards. For that reason, he moved to recommend no action with respect to Article 14, seconded by Mr. Behery.

The committee passed the motion unanimously (13-0-0).

#### **Article 18: Zoning - Site Plan Review Procedures**

Mr. Coburn moved to recommend no action on the subject matter of Article 18, seconded by Ms. Sciarra.

The committee passed the motion unanimously (13-0-0).

#### **Article 19: Zoning - Special Permit Procedures**

Mr. Coburn moved to recommend no action on the subject matter of Article 19, seconded by Ms. Sciarra.

The committee passed the motion unanimously (13-0-0).

#### **Article 15: Zoning - Use Regulation (Use Section and Category Organization)**

Ms. Loomis presented Article 15. She explained that this Article is a reorganization of the use regulations schedule. The idea of this Article was to create organization so people can use this such as members of the public, attorneys, or people seeking to locate a business in Natick. They deleted the existing use headers and created new ones that were a little more logical.

She noted that this does not change any of the actual permitting requirements or make any other substantive changes.

#### *Questions from the Committee*

Ms. Wollschlager asked if this was “really just a cut and paste” and have we double checked to make sure that nothing got messed up in the process. Ms. Loomis said they had gone through it “quite a few times” and that it was cutting and pasting.

Ms. Keeney asked about the first line of the motion’s reference to “recreational” use and whether it should read “residential.” Ms. Loomis confirmed that it should.

Mr. Pope asked whether the use of recreational use should be consistently plural or singular between the motion text and the actual table. Ms. Loomis said they would change that to make them consistent.

#### *Motions and Debate*

Mr. Jacobs moved that we recommend favorable action on the subject matter of Article 15, with the clerical corrections discussed tonight, seconded by Mr. Behery. The motion was approved unanimously (13-0-0).

## **Article 16: Zoning - Use Regulation (Zoning Districts)**

*The committee took a brief recess at 7:45 p.m.*

*The committee resumed at 7:50 p.m.*

Ms. Wollschlager said that the motions are not formatted correctly for Articles 16 and 17 so they are not ready to be voted on. However, we will still be talking about the substance of the articles tonight.

Ms. Loomis presented this article. She explained that Article 16 is a further effort to make things user friendly. Various zoning districts have been created where the uses are in by-laws but not in the use regulation schedule. The idea here is to move everything into the use regulation schedule.

Ms. Loomis said that they went through each zoning district column one by one to make sure that the use regulation schedule matches what is in the by-laws. By doing this, they were able to reduce the number of footnotes, and those that remained were changed to endnotes.

Ms. Loomis said this was really a “cut and paste” from the various by-laws into the use regulations schedule.

### *Questions from the Committee*

Mr. Jacobs confirmed that this would make no substantive changes. Ms. Loomis said that was correct.

Ms. Wollschlager asked to make sure this was also double checked. Ms. Loomis said that it had been checked multiple times though additional checks and clean eyes are always helpful.

Mr. Gillenwater asked if we could vote a motion to refer in case things don't align for this to come back. Ms. Wollschlager said that would be allowed.

Mr. Coburn said he was skeptical of voting referral because it would take more time at a subsequent meeting to potentially reconsider though he was sympathetic to the position that we should have already had this motion ready to go tonight.

Ms. Wollschlager noted that we really do need these motions earlier and that the committee would be communicating more about that after Town Meeting.

## **Article 17: Zoning - Use Regulation (Update Use Categories and Definitions)**

Ms. Loomis presented Article 17. The idea here was to make substantive changes to various sections of the use schedule. What this motion does is make two small changes:

### Motion A

The first motion deals with deleting the column for subsidized housing. The district was never

created on the zoning map. This would also delete the section of the by-law about this and other references to it in the by-laws since, again, it was never used.

#### *Questions from the Committee on Motion A*

Mr. Coburn asked if he was correct that the idea of a subsidized housing district is outdated thinking because it is “ghettoizing” subsidized housing. Ms. Loomis said yes, that you’d want to spread subsidized housing across the community but also that this has been superseded by a lot of state law since then and she is unaware of any communities that have dedicated districts for this.

#### Motion B

Ms. Loomis explained that this was just pulling the use regulation schedule into compliance with Massachusetts general law that states we cannot require special permits for uses for churches, private schools, and childcare facilities (Dover Amendment).

#### *Questions from the Committee*

Mr. Jacobs asked whether the term “religious institutions” was defined anywhere in the by-laws. Ms. Loomis answered that it was not, but this is actually something they are actively working on refining definitions for and that this is part of what could come back in the spring.

Mr. Jacobs asked what would happen if a building was being used for a mixed purpose such as a church with a bookstore in it. Ms. Loomis said that the building inspector would make a determination about what the primary use of the building was and whether the other use was part of the religious mission.

Mr. Jacobs asked whether Town Counsel thought this change was required by state and federal law. Ms. Loomis confirmed that it was consistent with the advice they had received from Town Counsel on this.

Mr. Gillenwater moved to close the public hearing on the Fall 2023 Town Meeting Warrant, seconded by Ms. Sciarra. The committee voted unanimously to approve the motion (13-0-0)

#### **Meeting Minutes**

None.

#### **Committee and Sub-Committee Scheduling**

Scheduling discussion was held among the committee.

#### **Committee Discussion (for items not on the agenda)**

None.

#### **Adjourn**

Motion by Mr. Coburn to adjourn, seconded by Mr. Behery. The motion was approved unanimously (13-0-0). The meeting was adjourned at 8:30 p.m.