

TOWN OF NATICK

Meeting Notice

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

Natick Finance Committee

School Committee Room, Town Hall

March 21, 2017 7:00 PM

Agenda

1. Public Concerns/ Comments
2. Meeting Minutes
3. Old Business
 - a. Article 29 - Appropriation of Funds in Support of the Natick Affordable Housing Trust
4. New Business
 - b. Article 30 - Amend By-Laws Regarding the Established Dates for Town Election, Spring Annual Town Meeting, and Submission of Fiscal Documents
 - c. Article 36 - Assisted Living Option Overlay District (ALOOD) (2)
 - d. Article 4 - Personnel Classification and Pay Plan
 - e. Article 41 - Amend Zoning By-Law to Create an Independent Senior Living Overlay Option Plan/Elderly Family Residence Living Option Plan
 - f. Article 5 - Collective Bargaining
 - g. Article #2 - Committee Article: Natick Affordable Housing Trust
5. Adjourn

The Finance Committee will make every reasonable effort to update this agenda if additional information is provided subsequent to the initial posting. The Finance Committee reserves the right to consider items on the agenda out of order. Any times that may be listed on the agenda are estimates provided for informational purposes only. Agenda items may occur earlier or later than the stated time.

ITEM TITLE: Article 29 - Appropriation of Funds in Support of the Natick Affordable Housing Trust

ITEM SUMMARY:

ATTACHMENTS:

| Description | Upload Date | Type |
|---|--------------------|-------------|
| Town Administrator Memo to BoS re: Article 29 | 3/20/2017 | Exhibit |
| Article 29 Questionnaire from Sponsor | 3/20/2017 | Exhibit |



Town of Natick

Town Administrator's Office

TO: BOARD OF SELECTMEN

FROM: MARTHA WHITE, TOWN ADMINISTRATOR

SUBJECT: ARTICLE 29 - APPROPRIATE FUNDS IN SUPPORT OF THE NATICK AFFORDABLE HOUSING TRUST

DATE: 3/8/2017

CC: RANDY JOHNSON, CHAIR, NATICK AFFORDABLE HOUSING TRUST
PATRICK HAYES, CHAIR, FINANCE COMMITTEE

At this upcoming Spring Annual Town Meeting, under Article 29, the Affordable Housing Trust is requesting an appropriation in support of affordable housing. The funds are not necessarily requested in support of a particular project, but by having funds on hand the Trust would be able to conduct due diligence as future project opportunities arise. At last night's Finance Committee meeting they specified the requested amount of \$100,000 and indicated that their hope is that such an amount would be a regular annual appropriation by Town Meeting.

I have indicated that, reluctantly, I am unable to support this request given the compelling needs of the General Government and School Departments. However, a compromise or alternative may exist.

Specifically, at the 2015 Fall Annual Town Meeting, under Article 19, the following motion was passed by majority vote:

Moved by Mr. Hughes, seconded by Mr. Gath that the Town vote to amend the vote taken under Article 23 of the 2013 Spring Annual Town Meeting, which vote appropriated MathWorks mitigation funding in the amount of \$240,000 for the creation of affordable housing at 165 North Main Street, such that the remaining balance of said funds i.e. \$237,125 shall instead be used for creation of affordable housing in the Town of Natick, further that said funds shall be administered under the direction of the Board of Selectmen.

I would ask that the Board of Selectmen release all or a portion of these funds to the Affordable Housing Trust such that they may explore and pursue affordable housing projects. Note that their use of these funds would have to be consistent with the terms of the Town Meeting vote, i.e. "for creation of affordable housing." However, it is my interpretation that such language would not restrict the funds to actual development of affordable housing, but would also allow the funds to be expended for due diligence associated with investigating a potential affordable housing project, for example, title work or a 21E evaluation in advance of purchasing a property. But the funds could not, for example, be used in support of a down-payment assistance program. Town Counsel has confirmed my interpretation in this regard.

If the Selectmen do release all or a portion of these funds to the Trust, I would ask that the vote specifically state that expenditure of the funds by the Affordable Housing Trust must be consistent with the terms of the vote taken by the 2015 Fall Annual Town Meeting under Article 19.

It is my expectation that, if the Selectmen release all or a portion of these funds (in the amount of \$100,000 or greater), the Affordable Housing Trust would seek a vote of "No Action" under Article 29.

Warrant Article Questionnaire
Non Standard Town Agency Articles

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

| | |
|---|--|
| Article # 29 | Date Form Completed: 3/7/2017 |
| Article Title: Appropriation of Funds in Support of the Natick Affordable Housing Trust | |
| Sponsor Name: Natick Community Development Advisory Committee (CDAC) and Affordable Housing Trust Fund (AHTF) | Email: hjstepone@gmail.com (Randy Johnson, Chair, NAHTF) |

| Question | Question |
|----------|---|
| 1 | Provide the article motion exactly as it will appear in the Finance Committee Recommendation Book and presented to Town Meeting for action. |
| Response | Move that the Town vote to approve the appropriation of the sum of \$ 100,000 from Free Cash for the support of the statutory responsibilities and mission of the Natick Affordable Housing Trust Fund. |
| 2 | At a summary level and very clearly, what is the proposed purpose and objective of this Warrant Article and the accompanying Motion? |
| Response | <p>Funding for the NAHTF historically has come from four primary sources:</p> <ol style="list-style-type: none"> 1. Natick Planning Board , via mitigation money or property that is part of a Planning Board decision where developer resources are allocated toward the production of affordable housing. This source is limited and unpredictable; there has been no such action since the transfer of the 299-301 Bacon Street property to the trust in 2008. 2. Deeding of property to the NAHTF by the selectman. This source is also limited and unpredictable. The last such transfer was the 56 Everett Street parcel, transferred prior to 2009. 3. HOME funds from the West Metro HOME Consortium. This is a yearly allocation, but has been decreasing every year. FY2014 was \$80,000. FY2015 was \$40,000, FY2016 was \$_____ and FY2017 is \$_____. Given uncertainty with HUD under the present administration, further reduction is anticipated. Additionally, use of these funds is at risk in that they must be attributed to a specific, funded project, or are subject to recapture. 4. Appropriation via Town Meeting. Article 33 from the 2015 FTM is an example, where funds were allocated for the sewer work. In a similar manner, 2015 FTM Article 19 allocated mitigation money to the BOS for the purpose of the creation of affordable housing. <p>The purpose of this Article and Motion is to establish a mechanism for funding the activities of the Trust in a concrete and predictable manner. In an a Non-CPA municipality, this is seen as crucial, and will assist in the ability of the Trust to enact future programs and pursue new development opportunities.</p> |

Warrant Article Questionnaire
Non Standard Town Agency Articles

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| | |
| 3 | Has this article or one of a very similar scope and substance been on a previous Warrant Article and what has been the actions taken by Finance Committee, other Boards or Committees and Town Meeting? |
| Response | The Trust has not previously requested general budget funding. The 2015 FTM Article 33 (sewer) was project and scope specific, and was supported by FinCom and TM. |
| 4 | Why is it required for the Town of Natick and for the Town Agency sponsor(s)? |
| Response | The NAHTF is a very active volunteer committee, and has participated in four construction projects over the past five years. Additionally, we have created a winter homeless voucher program, and have created a down payment assistance program. Without secure and reliable funding, these efforts will be unsupported. |
| 5 | Does this article require funding, how much, from what source of funds and under whose authority will the appropriation be managed and spent? |
| Response | Funding is required – funding is the essence of the request. The funding will be managed and spent under the guidelines of the NAHTF charter. The composition of the Trust includes members from the Planning Board and the BOS that participate in the management and decision making. |
| 6 | Does this article act in any way in concert with, in support of, or to extend any prior action of Natick Town Meeting, Massachusetts General Laws or CMR's or other such legislation or actions? Does this article seek to amend, rescind or otherwise change any prior action of Natick Town Meeting? |
| Response | Article is in concert and support of the Charter of the NAHTF. No amendment is needed of other prior TM action. |
| 7 | How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive Master Plan, and community values as well as relevant state laws and regulations? |
| Response | The motion supports the creation of housing opportunities for the diverse range of Natick citizens, which has been a consistent goal of Natick Community planning. Be it veterans housing, workforce housing, elder housing, special needs housing, or housing for the previously homeless – the NAHTF works to create housing opportunities all Natick citizens. |

Warrant Article Questionnaire
Non Standard Town Agency Articles

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| 8 | Who are the critical participants in executing the effort envisioned by the article motion? |
| Response | The funding will be under the management of the Natick Affordable Housing Trust. Administrative support is supplied by the Department of Economic and Community Development. |
| 9 | What steps and communication has the sponsor attempted to assure that: <ul style="list-style-type: none"> Interested parties were notified in a timely way and had a chance to participate in the process Appropriate Town Boards & Committees were consulted Required public hearings were held |
| Response | Article and Motion approved at NAHTF public meeting, with attendance of Planning Board and BOS members. |
| 10 | Since submitting the article have you identified issues that weren't initially considered in the development of the proposal? |
| Response | NO |
| 11 | If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences? |
| Response | NAHTF funding of future pipeline of projects or programs will be in jeopardy. Ability to fund pre-development activities (surveys, other due-diligence activities) or property acquisitions will be hampered. Funding of day-to-day expenses will be problematic. The Funding made available via 2015 FTM Article 19 will be potentially available for specific projects, but the NAHTF's access to that funding is not immediate or certain, and would not be applicable to programs like the homeless voucher program or a rental assistance program. |

ITEM TITLE: Article 30 - Amend By-Laws Regarding the Established Dates for Town Election, Spring Annual Town Meeting, and Submission of Fiscal Documents

ITEM SUMMARY:

ATTACHMENTS:

| Description | Upload Date | Type |
|--|--------------------|-------------|
| Town Administrator memo to FinCom re: Articles 4, 5 and 30 | 3/20/2017 | Exhibit |



Town of Natick

Town Administrator's Office

TO: FINANCE COMMITTEE

FROM: MARTHA WHITE, TOWN ADMINISTRATOR

SUBJECT: 2017 SPRING ANNUAL TOWN MEETING
ARTICLE 4 - PERSONNEL BOARD CLASSIFICATION AND PAY PLAN
ARTICLE 5 - COLLECTIVE BARGAINING
ARTICLE 30 - AMEND BY-LAWS REGARDING THE ESTABLISHED DATES FOR TOWN
ELECTION, SPRING ANNUAL TOWN MEETING, AND SUBMISSION OF FISCAL
DOCUMENTS

DATE: 3/20/2017

CC: HR DIRECTOR
PERSONNEL BOARD
DEPUTY TA FOR OPERATIONS
TOWN MODERATOR
TOWN CLERK
TOWN COUNSEL

Article 4 - Personnel Board Classification and Pay Plan

The Personnel Board is not recommending any changes to the Classification and Pay Plans for full and part time non-union personnel. Nonetheless, given that the Plan last approved by Town Meeting was specifically for the fiscal year 2017, the Plans for fiscal year 2018 must be presented and voted. That proposal, identical to the Plans approved by the 2016 Fall Annual Town Meeting, is attached. The motion would be as follows:

"Move that the Town vote to amend the By-Laws by changing in its entirety the table entitled Classification and Pay Plan that is incorporated by reference into Article 24, Section 3, Paragraph 3.10. The new Classification and Pay Plan is as follows:" (Full and Part Time Plans are attached to this memo)

Article 5 - Collective Bargaining

Under this Article, Town Meeting is asked to appropriate funds for the current fiscal year (and prior fiscal year, if applicable) for collective bargaining agreements (CBAs) that

have been ratified by the respective union as well as management; such appropriation requirement applies only to General Government unions, of which there are ten. Contracts with the Clerical Union, DPW Laborers' Union and Library Union for FY 2016-2018 have been ratified by both parties and funded by prior Town Meetings. As of this date, the Facilities Management employees have ratified the terms of an agreement for FY 2016-2018; this agreement has also been ratified by the School Committee and is scheduled for vote of the Board of Selectmen on March 27. Negotiations with five additional General Government unions are being actively pursued by the parties with the goal of achieving ratification in time to request appropriation of funds at the upcoming Town Meeting. As to negotiations with the Patrol Officers' union, this matter has been referred to the Commonwealth's Joint Labor Management Committee for arbitration.

The Administration requests that the Finance Committee postpone action on this Article. The Administration and union representatives are working diligently and in good faith to reach agreement and ratification. As has been the case in past years, we ask for the Finance Committee's patience and indulgence as efforts by union representatives and the Administration are advanced.

Article 30 - Amend By-Laws Regarding the Established Dates for Town Election, Spring Annual Town Meeting, and Submission of Fiscal Documents

We are asking that the subject matter of this Article be referred to the Town Administrator.

ITEM TITLE: Article 36 - Assisted Living Option Overlay District (ALOOD) (2)

ITEM SUMMARY:

ATTACHMENTS:

| Description | Upload Date | Type |
|--|--------------------|-------------|
| Article 36 Sponsor's Analysis of ALOOD articles 34 & 36 | 3/17/2017 | Exhibit |
| Article 36 -FinCom Questionnaire | 3/17/2017 | Exhibit |
| Article 36 - Sponsor's Analysis on Assisted Living and Affordable Units | 3/17/2017 | Exhibit |
| Article 36 ALOOD (2) Locus of District Map | 3/17/2017 | Exhibit |
| Article 36 Sponsor Research: Reading, MA Property Tax Card for an Assisted Living Facility | 3/17/2017 | Exhibit |

Submission from Gary Sutherland – Citizen Petitioner/Sponsor for 2017 SATM Article 36

Contact: garys@naplia.com

Sponsors Independent Analysis of Differences Between Article 34 (ALOOD 1) & Article 36 (ALOOD 2)

| ALOOD Article Analysis Item | Article #34 | Article #36 |
|--|---|--|
| Setbacks | | |
| Frontage | 150 | 200 |
| Side | 40 | 100 |
| Rear | 40 | 100 |
| Minimum frontage | 200 | 200 |
| Minimum Acreage | 5 Acres | 5 Acres |
| Units per acre/total units | 8/? | 64 total units |
| Open Space | 33% | 33% |
| Maximum Building Coverage | 20% | 20% |
| Affordable | One-time payment of \$5.00 per foot of living area | 15% Minimum up to 25% Maximum Permanent affordable units |
| Limited to one square mile of the Downtown Common | All of Natick | Yes |
| Development should be in harmony with existing housing structures without significantly changing the character of existing neighborhoods | No Restrictions | Yes |

Note: See pictures inserted on next page

Reading Artis Building of 64 units (front view)



Side setback of a residential property (approximately 104 feet)



Warrant Article Questionnaire Citizen Petitions Articles

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

| | |
|--|--------------------------------|
| Article # 36 | Date Form Completed: 2/23/2017 |
| Article Title: Assisted Living Option Overlay District ALOOD (2) | |
| Sponsor Name: Gary Sutherland | Email: Garys@naplia.com |

| Question | Question |
|----------|--|
| 1 | Provide the article motion exactly as it is intended to be voted on by the Finance Committee. |
| Response | Please see the attached warrant article |
| 2 | At a summary level and very clearly, what is proposed purpose and objective of this Warrant Article and the required Motion? |
| Response | To allow for assisted living developments in residential zoned districts, while limiting the impact of size and density and creating better guidelines for developments |
| 3 | What does the sponsor gain from a positive action by Town Meeting on the motion? |
| Response | Creates new bylaw for Assisted Living in residential zoned districts. Creates affordable units to benefit the town. 63% of towns studied have this requirements. |
| 4 | Describe with some specificity how the sponsor envisions how: the benefits will be realized; the problem will be solved; the community at large will gain value in the outcome through the accompanied motion? |
| Response | This bylaw stipulates what type of Assisted Living density would be allowed in residential zoned districts with limitation on the size and scope of a development |
| 5 | How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive plan, and community values as well as relevant state laws and regulations |
| Response | This new bylaw would augment existing Assisted Living bylaws |
| 6 | Have you considered and assessed, qualified and quantified the various impacts to the community such as: |

Warrant Article Questionnaire Citizen Petitions Articles

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|----------|---|
| | <ul style="list-style-type: none"> • Town infrastructure (traffic, parking, etc.) • Neighbors (noise, traffic, etc.); • Environment and green issues (energy conservation, pollution, trash, encouraging walking and biking, etc.); |
| Response | <p>Yes in drafting our bylaw we made a number of restriction to protect the quality of life issues. Our setbacks allow for better use on the site location of any development to help protect any negative impact to residential abutters. We also limited the number of total units allowed regardless of the acreage in residential zoned districts as larger assisted living developments can be built in other nonresidential zoning districts.</p> |
| 7 | <p>Who are the critical participants in executing the effort envisioned by the article motion?</p> <p>To this point what efforts have been made to involve those participants who may be accountable, responsible, consulted or just advised/informed on the impacts of executing the motion?</p> |
| Response | <p>We have been attending town board meeting since the summer of 2016. Our neighborhood group has met 20 plus times to capture significant impute.</p> <p>We have done a detailed study of other towns that have created Assisted Living Aloods, and tried to infuse those limitations into our bylaw.</p> |
| 8 | <p>What steps and communication has the sponsor attempted to assure that:</p> <ul style="list-style-type: none"> • Interested parties were notified in a timely way and had a chance to participate in the process, that • Appropriate town Boards & Committees were consulted • Required public hearings were held |
| Response | <p>We have been sharing our data and warrant article proposal with town boards and our group have been active in speaking at various town boards since the summer of 2016.</p> |
| 9 | <p>Why is it required for the Town of Natick AND for the sponsor(s)?</p> |

Warrant Article Questionnaire Citizen Petitions Articles

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|----------|---|
| Response | This is not required, however in lieu of private outside developers creating zoning bylaws that favor them and changing the character of our town. We felt we could accomplish a better written ALOOD for Assisted Living projects within residential zoned districts. |
| 10 | Since submitting the article petition have you identified issues that weren't initially considered in the development of the proposal? |
| Response | Yes we continue to look at setbacks that are in balance with the building footprint. For example the larger the structure the larger required setbacks could be required. Our bylaw allows the Planning Board wiggle room with a 10% waiver of restrictions |
| 11 | What are other towns and communities in the Metro West area, or the Commonwealth of MA doing similar to what your motion seeks to accomplish |
| Response | To the north of Natick, in Wayland they recently added a bylaw prohibiting Assisted Living in residential zoned districts. Our findings to date 47% of communities exclude Assisted Living in residential zoned districts while another 22% allow only in select small ALOOD areas generally close to downtown areas. |
| 12 | If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences. |
| Response | If the warrant article is not passed at the 2017 Spring Town Meeting we would hope it could be referred back to the Planning Board for further study and represented at a fall town meeting. |

Proposed Bylaw for spring 2017 Town
Meeting

1. Amend Article I by adding:

Section 110 – PURPOSE OF ASSISTED LIVING OPTION OVERLAY DISTRICT (ALOOD)

Within the purposes expressed in Section 100 of this Bylaw and in General Laws Chapter 40A the particular intent of these Bylaws with respect to establishing an Assisted Living Option Overlay District (ALOOD) is to provide a residential environment within residentially zoned districts that offers supportive services to individuals 55 years of age or older who are unable to live independently in the community, including individuals with specialized needs due to cognitive or other impairments, by offering supervision and/or assistance with basic activities of daily life.

2. Create New section 111-K to be added to Zoning Bylaw after the existing Highway Overlay District Sections:

Section 111-K ASSISTED LIVING OPTION OVERLAY DISTRICT ("ALOOD")

1. **APPLICABILITY:** The ALOOD shall overlay any parcel or combination of contiguous parcels in common ownership ("ALOOD PARCEL") , approved by Town Meeting to be included in the ALOOD, subject to the following requirements:
 - a. Such ALOOD PARCEL shall be located in a residentially zoned district and consist of at least five (5) contiguous acres.
 - b. Such ALOOD PARCEL shall have a minimum of 200 feet of frontage within 5280 feet of the Downtown Common area
 - c.
2. **USE AND OTHER ZONING REGULATIONS**
 - a. **Allowed Uses:** In addition to any uses allowed in the underlying residential zoning district, which shall continue to be allowed uses, Assisted Living Residences and Special Care Residences, either as a single use or as combined uses in one or more buildings, shall be allowed uses within the ALOOD subject to the following requirements:
 1. An Assisted Living Residence located in the ALOOD shall provide assisted living units consisting of one or more rooms within an Assisted Living Residence providing living facilities for no more than two occupants, including room or rooms for living, sleeping and eating ("ALR Unit").

11. Both Assisted Living Residences and Special Care Residences may include common areas and community dining facilities, and may provide personal care services, activities of assistance with daily living, and other related programs and services. This may include, but is not strictly limited to, meal care services, beauty salon, sundry shop, and banking and recreational facilities.
- iii. The SPGA, in order to approve the Special Permit/Site Plan Approval for an Assisted Living Residence or a Special Care Residence, must find that the overall impact of the facility will not substantially derogate from the cumulative impact associated with other uses allowed as a matter of right or by special permit within the zoning district.
- b. All regulations of the underlying residential zoning district shall apply within the ALOOD except for projects approved pursuant to this Section, which shall be governed by the regulations set forth in this Section, provided however that the requirements set forth in Section 111-A.3 Flood Plain District and 111-A.5 Aquifer Protection District shall apply to projects within the ALOOD District..
- c. Intensity, Dimensional and Open Space Regulations
 - i. Number of Living Units: Any development permitted under the ALOOD Bylaw shall be limited to 6 (6) ALOOD units per acre (43,560 S.F.). An ALOOD unit is a patient bed with respect to a Special Care Residence and an ALR Unit with respect to an Assisted Living Residence. The maximum density is 64 units regardless of the property size.
 - ii. Floor Area Ratio: For any development permitted under the ALOOD Bylaw the floor area ratio (FAR) shall not exceed 0.25.
 - iii. Open Space: Any development approved under the ALOOD shall provide that a minimum of thirty-three (33%) per cent of the ALOOD PARCEL is retained as permanent Open Space or an Open Space Public Benefit Amenity. At least fifty (50%) percent of the Open Space shall not be wetlands or land subject to seasonal or periodic flooding. The Open Space disposition shall be at the discretion of the SPGA and either retained by the Applicant, deeded to the Town of Natick, or deeded to a non-profit corporation designated by the SPGA. The SPGA may, in its discretion, also require public access to such Open Space. The Open Space shall be permanently restricted as Open Space by way of a deed restriction, conservation restriction or easement. Open Space acreage, whether retained by the Applicant or deeded to a third party in compliance with this Section, shall be considered part of the ALOOD PARCEL for determining zoning compliance of the ALOOD PARCEL under all provisions of the Zoning Bylaw.

Iv: Affordable units: The minimum requirement is 15% with a maximum of 25% of units affordable

V. Parking Spaces required: 0.5 spaces per ALR Unit for Assisted Living Residences; (1) spaces per patient bed for Special Care Residences.

V1: No Assisted Living development approved under the Alood bylaw can be within 2,640 feet of another approved Alood Assisted Living development covered under this bylaw.

v. Intensity Regulations:

| | |
|-----------------------------|---------|
| Minimum ALOOD Project Areas | 5 Acres |
| Continuous Frontage | 200' |
| Minimum Front-yard setback | 200' |
| Minimum Side-yard setbacks | 100' |
| Minimum Rear-yard setback | 100' |
| Maximum Building Height | 35' |
| Maximum Building Coverage | 20% |
| Minimum Open Space | 33% |

d. Design criteria:

- i. Preservation and enhancement of landscaping. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.
- ii. Relation of buildings to environment. Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed building. The development should be in harmony with existing housing structures without significantly changing the character of existing residential areas
- iii. Open space. All open space (landscaped and usable) shall be designed to add to the visual amenities of the area by maximizing its visibility for persons passing the site or overlooking it from nearby properties.

- lv. Signs and advertising devices. The size, location, design, color, texture, lighting, and materials of signs and advertising devices shall be in harmony with significant architectural features of existing and proposed buildings and structures and with surrounding properties.
- v. Heritage. Removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.
- vi. The SPGA may, in its discretion, determine and apply additional Design Criteria that further the purposes of this Bylaw.

e. MODIFICATIONS AND WAIVERS

The SPGA may modify and/or waive strict compliance however the total amount of waiver shall not exceed 10% with one or more of the regulations in any ALOOD District provided that it makes a specific finding, in writing, that such waiver and/or modification will not create conditions which are substantially more detrimental to the existing site and the neighborhood in which the site is located, than if the waiver and/or modification were not granted.



Patrick Hayes <phayes.fincom@natickma.org>

Fw: Assisted Living and Affordable Units

1 message

Gary Sutherland <garys@naplia.com>

Sat, Mar 11, 2017 at 9:03 AM

To: "phayes.fincom@natickma.org" <phayes.fincom@natickma.org>

Gary B. Sutherland, CIC | CEO | NAPLIA

161 Worcester Road, Suite 504, Framingham, MA 01701 | **direct: 1.508.656.1350**

www.naplia.com

Connect with me on [LinkedIn](#)

From: Gary Sutherland

Sent: Saturday, March 11, 2017 8:49 AM

To: phayes.fincom@natickma.org

Subject: Fw: Assisted Living and Affordable Units

This is the information on affordability that I supplied to the planning boards working group.

Attorney James Hanrahan explained to the working group that he was not aware of towns that had affordable units in assisted living. This was in direct opposition to my research,

this e-mail was sent the next day see string below.

Gary B. Sutherland, CIC | CEO | NAPLIA

161 Worcester Road, Suite 504, Framingham, MA 01701 | **direct: 1.508.656.1350**

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From: Gary Sutherland

Sent: Thursday, January 19, 2017 9:47 AM

To: Glen Glater

Cc: James D. Hanrahan; James Errickson

Subject: RE: Assisted Living and Affordable Units

Glen, here are the URL's I will include these in future e-mails

<http://www.watertown-ma.gov/DocumentCenter/Home/View/3364>

http://www.townofsharon.net/sites/sharonma/files/file/file/zoning_by-laws_2014_.pdf

Hopefully by weeks end I will have 25 more

Thanks,
Gary

Gary B. Sutherland, CIC MLIS | CEO | NAPLIA

161 Worcester Road, Suite 504, Framingham, MA 01701 | **direct: 1.508.656.1350**

www.naplia.com

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From: Glen Glater [mailto:glen@oldmoose.com]

Sent: Thursday, January 19, 2017 9:44 AM

To: Gary Sutherland <garys@naplia.com>

Cc: James D. Hanrahan <jhanrahan@bowditch.com>; James Errickson <jerrickson@natickma.org>

Subject: Re: Assisted Living and Affordable Units

Can you offer a pointer to the entire text of the bylaws please? A URL would be great.

Thanks.

--glen

On Jan 19, 2017 9:09 AM, "Gary Sutherland" <garys@naplia.com> wrote:

Gentlemen per our discussion of last night here are two towns that seem to have affordable housing requirements within the Assisted Living Districts.

In my research to date most towns have similar type language.

About 70% of the towns reviewed limit assisted living in residential areas or only allow in Assisted Living Overlay Districts.

The great majority of ALOD are within downtown areas, we are in the process of printing off all of the zoning maps per town to illustrate this point.

The minimum acreage appears to be 5 acres in most towns

As mentioned last night most communities restrict the number of beds per acre, with average of 6 per acre

Thanks

Sharon

(4). The SCSGOD shall not include the imposition of restrictions on age upon the entire District, but the development of specific Projects within the SCSGOD may be exclusively for the elderly, persons with disabilities, or for **assisted living**, provided that any such Project shall be in compliance with all applicable federal, state and local fair housing laws **and regulations and not less than twenty-five percent (25%) of the housing units in such a restricted Project shall be restricted as Affordable Housing.**

(5). At least ten percent (10%) of the Affordable Housing Units shall be handicapped accessible.

Watertown

SECTION 5.11 ASSISTED LIVING OVERLAY DISTRICT (ALOD)

(a) Intent and Purpose: To encourage and guide the redevelopment of land for residential purposes and to promote its revitalization and value to the community.

(b) Permitted Uses: Any use permitted in the underlying zone and Assisted Living as defined in §2.05, subject to special permit provisions under §9.04, 9.05, and 9.09.

(c) Dimensional Criteria:

Min.Lot Size: 10,000 sf Max.Building Coverage: 35%

Min.Frontage: 80 ft Max.Height: 3 stories or the height allowed in the underlying district, whichever is greater, provided however that more than 3 stories may be allowed within existing structure.

Front Setback: 25 ft Min.Lot/unit: 1,200 sf

Side Setback: 20 ft Max.FAR: 1.0

Rear Setback: 20 ft Min.Open Space: 20%

(d) Parking Requirement: For Assisted Living, one space per every 4 units plus one per employee on largest shift. All other uses must follow the provisions of §6 of this Zoning Ordinance.

(e) Signage: The provisions of §7.05 of this Zoning Ordinance shall apply.

(f) Affordable Housing Requirements: A total of 10% of the units must be set aside as affordable pursuant to the provisions of §5.07 of this Zoning Ordinance.

SECTION 5.12 ARSENAL OVERLAY DEVELOPMENT DISTRICT (AODD)

(a) Name: Arsenal Overlay Development District (AODD)

(b) Intent and Purpose: To create a zoning overlay district to assist, promote, and guide the orderly conversion and redevelopment of former US Army Materials Technology Laboratory (AMTL) property in a manner which is beneficial to Watertown.

(c) Objectives: The establishment of the AODD overlay district is intended to accomplish the following

Thanks,

Gary

Gary B. Sutherland, CIC MLIS | CEO | NAPLIA

161 Worcester Road, Suite 504, Framingham, MA 01701 | direct: [1.508.656.1350](tel:15086561350)

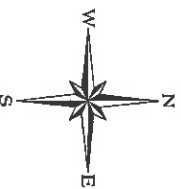
www.naplia.com

Connect with me on [LinkedIn](#)

ZONING MAP NATICK MASSACHUSETTS

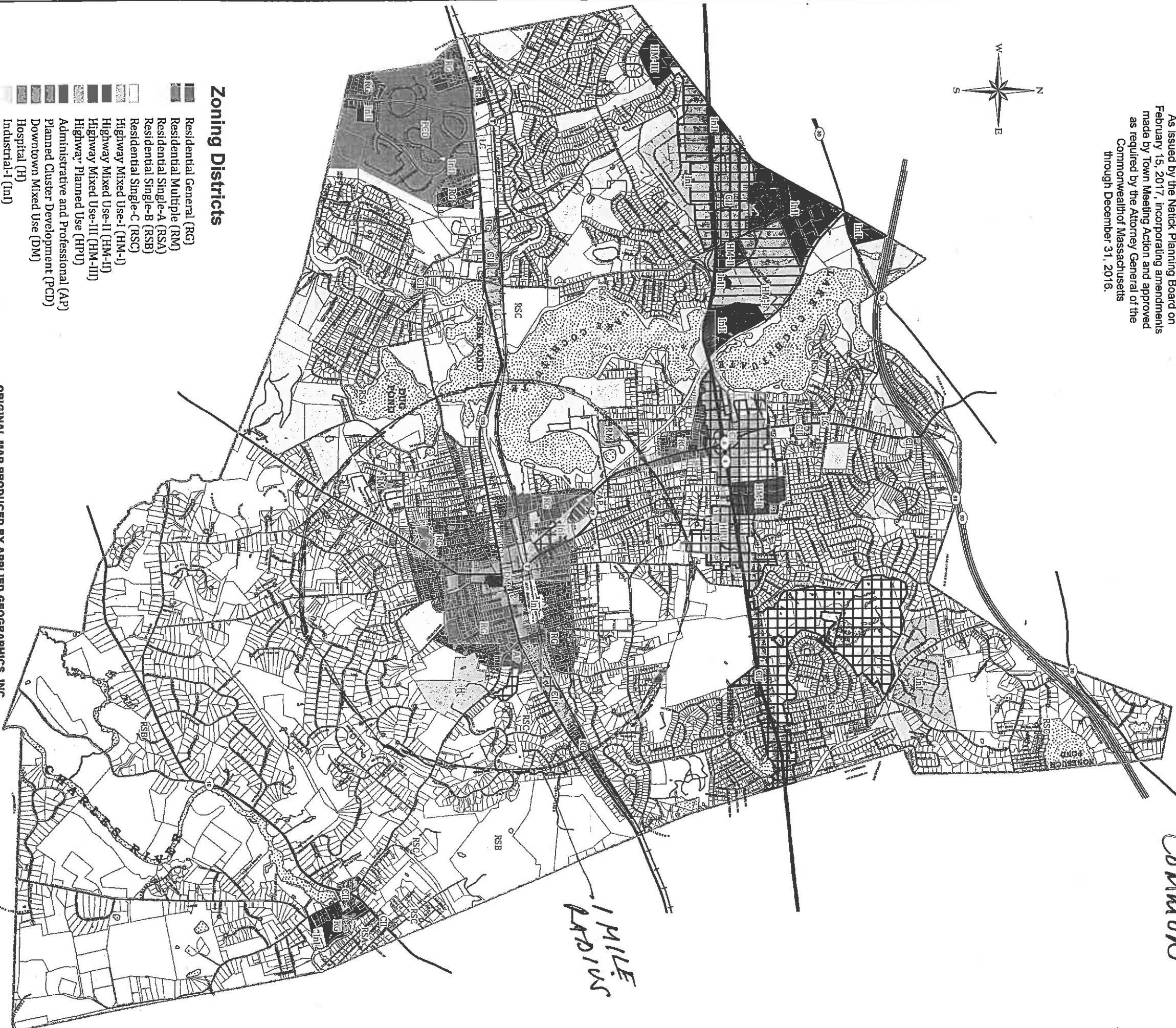


Original Map Date: February 10, 1960
As issued by the Natick Planning Board on
February 15, 2017, incorporating amendments
made by Town Meeting Action and approved
as required by the Attorney General of the
Commonwealth of Massachusetts
through December 31, 2016.



AL00D
Article # 36
ONE MILE RADIIUS
FROM DOWNTOWN
COMMON

1 MILE
RADIIUS



Zoning Districts

- Residential General (RG)
- Residential Multiple (RM)
- Residential Single-A (RSA)
- Residential Single-B (RSB)
- Residential Single-C (RSC)
- Highway Mixed Use-I (HM-I)
- Highway Mixed Use-II (HM-II)
- Highway Mixed Use-III (HM-III)
- Highway Planned Use (HPU)
- Administrative and Professional (AP)
- Planned Cluster Development (PCD)
- Downtown Mixed Use (DM)
- Hospital (H)
- Industrial-1 (I1)
- Industrial-II (I2)
- Commercial-1 (C1)
- Commercial-II (C2)
- Limited Commercial (LC)

Overlay Districts

- Highway Corridor Overlay District (HC)
- Housing Overlay Option Plan-I (HOOP-I)
- Housing Overlay Option Plan-II (HOOP-II)
- Mall Center Overlay District (MC)
- Regional Center Overlay District (RC)
- Regional Center Mixed Use Overlay District (RCP)
- Smart Growth Overlay (SGO)

ORIGINAL MAP PRODUCED BY APPLIED GEOGRAPHICS, INC

DATE: AUGUST, 2015

UPDATED MAP PRODUCED BY TOWN OF NATICK GIS

DATE: FEBRUARY 17, 2017

AppGeo



RECEIVED

MAR 11 6 2017

Town of Natick
Community Development

For more information, visit www.mapgeo.com/natickma
The Town of Natick does not make any warranty, representation,
or guarantee as to the content, sequence, accuracy, timeliness,
or completeness of the townwide basemap data.
Information to be used for reference purposes only.

0 0.25 0.5 1 Miles

SKETCH

AssessPro Patriot Properties, Inc

IMAGE

ITEM TITLE: Article 4 - Personnel Classification and Pay Plan

ITEM SUMMARY:

ATTACHMENTS:

| Description | Upload Date | Type |
|--|--------------------|-------------|
| Article 4 - Letter to Town Meeting from Personnel Board | 3/17/2017 | Exhibit |
| Town Administrator memo to FinCom re: Articles 4, 5 and 30 | 3/20/2017 | Exhibit |
| FY 2018 Pay Plan - Full Time | 3/20/2017 | Exhibit |
| FY 2018 Pay Plan Part Time | 3/20/2017 | Exhibit |

TO: Town Meeting
Board of Selectmen
Finance Committee
Town Administrator

cc: Personnel Board
Director of Human Resources

FROM: Steve Levinsky - Chair, Personnel Board

DATE: March 17, 2017

Re: Classification and Pay Plans

The Personnel Board is charged with presenting a Classification and Pay Plan to Town Meeting. Attached you will find the proposed pay plan for fiscal year 2018. There have been no changes to the pay plans approved by Town Meeting in the fall of 2016.

This plan covers the general government, non-union employees of the town - roughly 65 full-time employees. The pay plan creates the structure for compensation for town employees. Actual funding for town departments and employees are handled in other warrant articles. Establishing individual employee salaries is the responsibility of the Town Administrator. This warrant article does not seek any funding.

All full-time, non-union job descriptions can be accessed on-line at <http://www.natickma.gov/285/Non-Union-Full-Time-Job-Descriptions>.

Thank you for your time and consideration.



Town of Natick

Town Administrator's Office

TO: FINANCE COMMITTEE

FROM: MARTHA WHITE, TOWN ADMINISTRATOR

SUBJECT: 2017 SPRING ANNUAL TOWN MEETING
ARTICLE 4 - PERSONNEL BOARD CLASSIFICATION AND PAY PLAN
ARTICLE 5 - COLLECTIVE BARGAINING
ARTICLE 30 - AMEND BY-LAWS REGARDING THE ESTABLISHED DATES FOR TOWN
ELECTION, SPRING ANNUAL TOWN MEETING, AND SUBMISSION OF FISCAL
DOCUMENTS

DATE: 3/20/2017

CC: HR DIRECTOR
PERSONNEL BOARD
DEPUTY TA FOR OPERATIONS
TOWN MODERATOR
TOWN CLERK
TOWN COUNSEL

Article 4 - Personnel Board Classification and Pay Plan

The Personnel Board is not recommending any changes to the Classification and Pay Plans for full and part time non-union personnel. Nonetheless, given that the Plan last approved by Town Meeting was specifically for the fiscal year 2017, the Plans for fiscal year 2018 must be presented and voted. That proposal, identical to the Plans approved by the 2016 Fall Annual Town Meeting, is attached. The motion would be as follows:

"Move that the Town vote to amend the By-Laws by changing in its entirety the table entitled Classification and Pay Plan that is incorporated by reference into Article 24, Section 3, Paragraph 3.10. The new Classification and Pay Plan is as follows:" (Full and Part Time Plans are attached to this memo)

Article 5 - Collective Bargaining

Under this Article, Town Meeting is asked to appropriate funds for the current fiscal year (and prior fiscal year, if applicable) for collective bargaining agreements (CBAs) that

have been ratified by the respective union as well as management; such appropriation requirement applies only to General Government unions, of which there are ten. Contracts with the Clerical Union, DPW Laborers' Union and Library Union for FY 2016-2018 have been ratified by both parties and funded by prior Town Meetings. As of this date, the Facilities Management employees have ratified the terms of an agreement for FY 2016-2018; this agreement has also been ratified by the School Committee and is scheduled for vote of the Board of Selectmen on March 27. Negotiations with five additional General Government unions are being actively pursued by the parties with the goal of achieving ratification in time to request appropriation of funds at the upcoming Town Meeting. As to negotiations with the Patrol Officers' union, this matter has been referred to the Commonwealth's Joint Labor Management Committee for arbitration.

The Administration requests that the Finance Committee postpone action on this Article. The Administration and union representatives are working diligently and in good faith to reach agreement and ratification. As has been the case in past years, we ask for the Finance Committee's patience and indulgence as efforts by union representatives and the Administration are advanced.

Article 30 - Amend By-Laws Regarding the Established Dates for Town Election, Spring Annual Town Meeting, and Submission of Fiscal Documents

We are asking that the subject matter of this Article be referred to the Town Administrator.

Town of Natick
Classification and Pay Plan
Fiscal Year 2018
Effective July 1, 2017

| Grade | Minimum | Point 1 | Point 2 | Maximum |
|-------|---------------|---------------|---------------|---------------|
| 6 | \$ 125,000.00 | \$ 140,000.00 | \$ 155,000.00 | \$ 165,000.00 |
| 5 | \$ 100,000.00 | \$ 120,000.00 | \$ 135,000.00 | \$ 145,000.00 |
| 4 | \$ 75,000.00 | \$ 90,000.00 | \$ 105,000.00 | \$ 125,000.00 |
| 3 | \$ 60,000.00 | \$ 72,000.00 | \$ 85,000.00 | \$ 105,000.00 |
| 2 | \$ 48,000.00 | \$ 55,000.00 | \$ 62,500.00 | \$ 80,000.00 |
| 1 | \$ 42,000.00 | \$ 48,000.00 | \$ 54,000.00 | \$ 60,000.00 |

GRADE 6

Chief of Police
Deputy Town Administrator/Director of Finance
Deputy Town Administrator/Operations
Fire Chief
Town Administrator

GRADE 5

Comptroller
Deputy Chief of Police
Director of Community & Economic Development
Director of Community Services
Director of Facilities Management
Director of Human Resources
Director of Information Technology
Director of Public Works

GRADE 4

Assistant Comptroller
Building Commissioner
Director of Assessing
Director of Council on Aging
Director of Public Health
Director of Recreation & Parks
Morse Library Director
Treasurer/Collector

GRADE 3

Assistant Assessor (certified)
Assistant Director Council on Aging
Assistant Director Recreation & Parks
Assistant Library Director, Morse Library
Assistant Treasurer/Collector
Bacon Free Library Director
Benefits Manager
Communications/Information Officer
Director of Recreation Programs/Special Events
Environmental Health Agent
Executive Farm Director
Facility Maintenance Manager
Golf Course Manager
Housing/General Planner

GRADE 3 Continued

Information Systems Data Base Administrator
Information Systems Network Administrator
Local Building Inspector (certified)
Planner/Conservation Agent
Prevention and Outreach Program Manager
Procurement Manager
Public Health Nurse
Regulatory Compliance Coordinator
Senior Environmental Health Specialist
Senior Planner
Staff Accountant
Sustainability Coordinator
Veterans Agent

GRADE 2

Assistant Assessor (non-certified)
Assistant Director, Bacon Free Library
Assistant Farm Director
Clinical Social Worker
Data Analyst
Executive Assistant
Facility Custodial Supervisor
Golf Course Superintendent
Human Resources Coordinator
Office Administrator, Farm
Payroll Manager
Sanitarian
Senior Executive Assistant
Social Worker
Social Worker Coordinator
Special Assistant to Director of Community Services
Special Assistant to Director of Facilities Management
Special Assistant to Director of Finance
Special Needs Coordinator

GRADE 1

Animal Control Officer
Golf Professional
Finance Coordinator
Outreach Coordinator
Student Officer

Town of Natick
Part-Time Classification and Pay Plan
Fiscal Year 2018
Effective July 1, 2017

Hourly Wage Scale

| Grade | Minimum | Point 1 | Point 2 | Maximum |
|-------|----------|----------|----------|----------|
| 1 | \$ 11.00 | \$ 14.00 | \$ 17.00 | \$ 20.00 |
| 2 | \$ 14.00 | \$ 24.00 | \$ 27.00 | \$ 30.00 |
| 3 | \$ 24.00 | \$ 34.00 | \$ 37.00 | \$ 40.00 |

Grade 1

Assistant Leader (Rec)
Assistant Swim Coach
Attendant (Rec)
Building Monitor I (Rec)
Bus Dispatcher
Bus Driver
Cart Attendant (Golf)
Clerical Assistant
Club House Attendant (Golf)
Club House Supervisor (Golf)
Concession Manager
Custodian
Deputy Animal Control Officer
Election Clerk
Election Inspector
Equipment Operator (Golf)
Instructor
Laborer I
Leader/Counselor (Rec)
Library Page (Morse)
Lifeguard
Parking Clerk
Ranger/Starter (Golf)
Receptionist
School Crossing Guard (1st Year)
Senior Counselor (Certified-Rec)
Specialist (Rec)
Timer/Scorer

Grade 2

Administrative Support
Assistant Director (Rec)
Beach Manager
Bookkeeper
Building Monitor II (Rec)
Camp Director
Community Garden Coordinator
Conservation Agent
Election Warden
Golf Course Mechanic
Head Lifeguard
Instructor II
Intern Cooperative
Laborer II
Library Assistant (Bacon)
Meter Enforcement Operator
Plumbing and Wiring Inspector
Police Matron
Police Transcriber
Program Assistant
Program Supervisor (Rec)
Recycling Attendant
School Crossing Guard
Social Worker
Swim Coach
Transportation Coordinator
Volunteer Coordinator I

Grade 3

Adult Contractor
Building Inspector
Certified Sports Official
Instructor III
Laborer III
Nurse (RN)
Volunteer Coordinator II

| Position | Annual Rate |
|----------------------|-------------------|
| Inspector of Animals | \$ 3,750.00 |
| Registrar of Voters | \$ 966.00 |
| Town Meeting Page | \$50.00 / Session |

ITEM TITLE: Article 41 - Amend Zoning By-Law to Create an Independent Senior Living Overlay Option Plan/Elderly Family Residence Living Option Plan

ITEM SUMMARY:

ATTACHMENTS:

| Description | Upload Date | Type |
|--|--------------------|-------------|
| Article 41 Highlighted Plan | 3/17/2017 | Exhibit |
| Article 41 - FinCom Questionnaire | 3/17/2017 | Exhibit |
| Article 41- Assessors Info Map 44 Lot 260 | 3/17/2017 | Exhibit |
| Article 41 Assessor's Info Map 44 Lot 261 | 3/17/2017 | Exhibit |
| Article 41 Assessors Info Map 44 Lot 262 | 3/17/2017 | Exhibit |
| Article 41 Map of the Union and East Central Area | 3/17/2017 | Exhibit |
| Article 41 - Union & East Central HOOP Overlay | 3/17/2017 | Exhibit |
| Article 41- Union & East Central Aerial View | 3/17/2017 | Exhibit |
| Article 41 Assessors Highlighted Map | 3/20/2017 | Exhibit |
| Article 41 ISLOOP Clean Motion Assuming Articles 37 & 38 Pass | 3/20/2017 | Exhibit |
| Article 41 ISLOOP Draft (Red Lined) Motion Assuming Articles 37 & 38 Pass | 3/20/2017 | Exhibit |
| Article 41 ISLOOP Clean Motion Assuming Articles 37 & 38 Do Not Pass | 3/20/2017 | Exhibit |
| Article 41 ISLOOP DRAFT (Red Lined) Motion Assuming Articles 37 & 38 Do Not Pass | 3/20/2017 | Exhibit |

PORTIONS OF ASSESSOR'S MAPS 44 AND 45

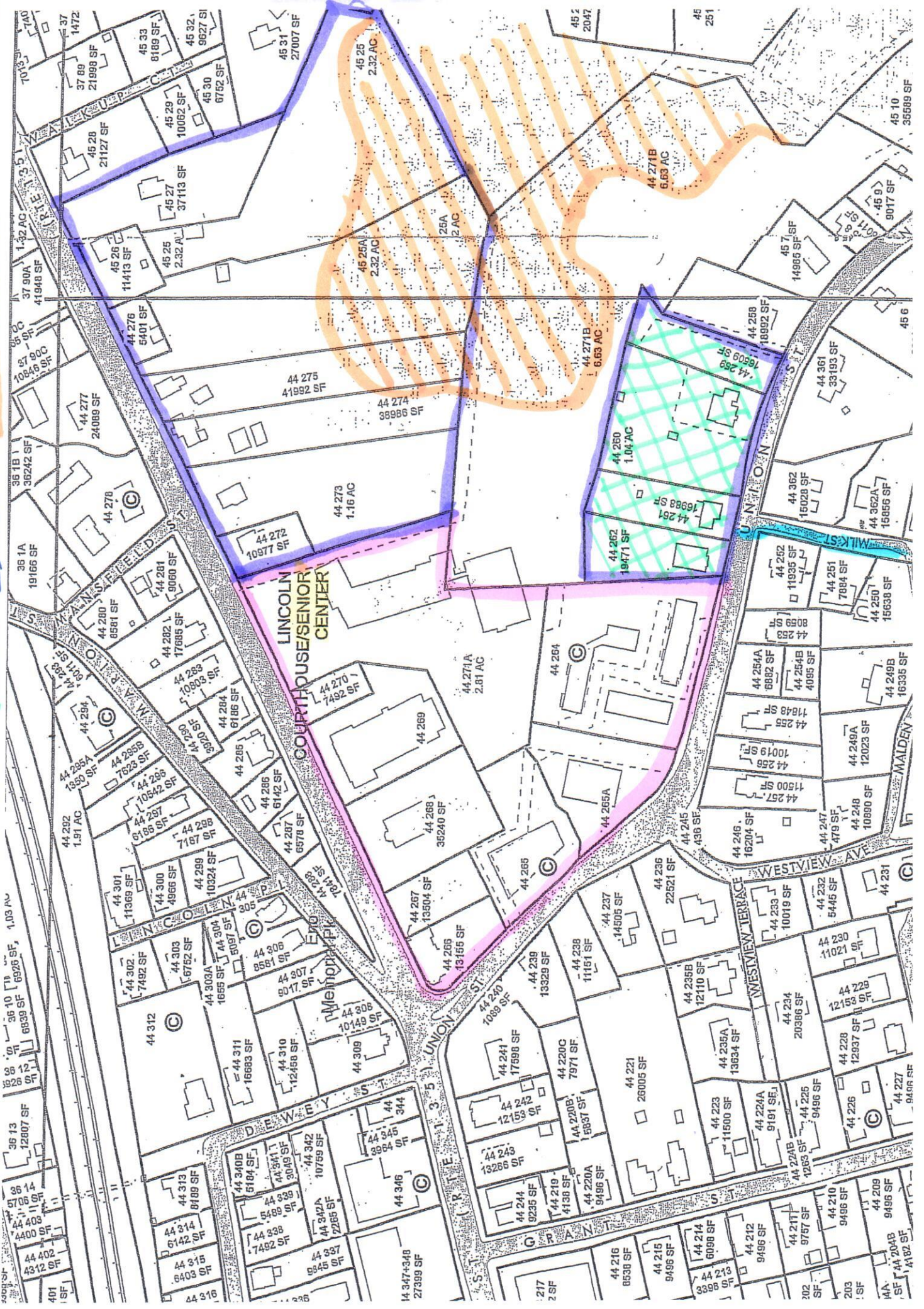
AP District

ISLOOP ENGINE

PROPOSED ISLOOP

ESTIMATED WETLANDS

MILK-SHAFT + CROSSWAY



Warrant Article Questionnaire Citizen Petitions Articles

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

| | |
|--|-------------------------------------|
| Article # 41 | Date Form Completed: March 8, 2017 |
| Article Title: Elder Family Residences/Independent Senior Living Overlay Option (ISLOOP) | |
| Sponsor Name: George Richards | Email: grichards@southnaticklaw.com |

| Question | Question |
|----------|--|
| 1 | Provide the article motion exactly as it is intended to be voted on by the Finance Committee. |
| Response | See attached Motions A, B and C attached. |
| 2 | At a summary level and very clearly, what is proposed purpose and objective of this Warrant Article and the required Motion? |
| Response | The new definition of “Independent Senior Living Facility” is being added to clarify that such a facility may provide customary services to its residents. The purpose of adding an “Independent Senior Living Overlay District” is to create a housing option for independent and healthy seniors over 62 years of age in a location that has pedestrian access to the community/senior center, restaurants and medical offices and is also in close proximity to downtown Natick and the train station. |
| 3 | What does the sponsor gain from a positive action by Town Meeting on the motion? |
| Response | Nothing other than potential legal fees from subsequent permitting applications. |
| 4 | Describe with some specificity how the sponsor envisions how: the benefits will be realized; the problem will be solved; the community at large will gain value in the outcome through the accompanied motion? |
| Response | The benefits to seniors will be realized as soon as a project is built and ready for occupancy under the Bylaw by helping address the problem of a severe lack of housing options for downsizing seniors in Natick; The benefit to the Town will be realized when the project is built and annual tax revenues will significantly increase (from approximately \$ 11,000+ to more than \$ 60,000+). The community at large will benefit by attracting people of ALL ages to the Town and therefore, creating a more diverse community. The Town would also receive an open space amenity in the form of an easement connecting the hospital walking trails to the community/senior center via the existing crosswalk at Milk Street. |
| 5 | How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive plan, and community values as well as relevant state |

Warrant Article Questionnaire Citizen Petitions Articles

| | |
|----------|---|
| | laws and regulations |
| Response | The Town recently built the community/senior center which has become valued as a focal gathering point for both seniors and the community at large so giving seniors the ability to walk out their back door to the community/senior center, as well as restaurants and medical offices nearby is a sound urban planning. This kind of "connectivity" is consistent with "smart growth" principles and the values of the community. |
| 6 | <p>Have you considered and assessed, qualified and quantified the various impacts to the community such as:</p> <ul style="list-style-type: none"> • Town infrastructure (traffic, parking, etc.) • Neighbors (noise, traffic, etc.); • Environment and green issues (energy conservation, pollution, trash, encouraging walking and biking, etc.); |
| Response | Given the proximity to nearby services and downtown, the number of cars and traffic to and from the site is expected to be significantly less than a typical apartment building; The impact to the schools is also expected to be negligible. The proposed setbacks are significantly greater than in the underlying RSC zone in order to protect the neighbors from noise and light trespass; The rear of proposed site faces natural open space/wetlands owned by the Town (that may soon have boardwalks and walking trails) and as previously mentioned will allow seniors to have pedestrian access to that land, as well as to the community/senior center in order to encourage healthy living by seniors. |
| 7 | Who are the critical participants in executing the effort envisioned by the article motion? To this point what efforts have been made to involve those participants who may be accountable, responsible, consulted or just advised/informed on the impacts of executing the motion? |
| Response | We appeared informally before the Planning Board and Open Space Advisory Committee and both boards/committees supported the concept of an overlay district for independent senior living in this area but wanted more information on density and intensity regulations before taking a position. We have also reached out to several Selectmen and to the Council on Aging in hopes of getting their support as well. |
| 8 | <p>What steps and communication has the sponsor attempted to assure that:</p> <ul style="list-style-type: none"> • Interested parties were notified in a timely way and had a chance to participate in the process, that • Appropriate town Boards & Committees were consulted • Required public hearings were held |
| Response | We have met and/or talked with several abutters and neighbors to inform them of the proposed |

Warrant Article Questionnaire Citizen Petitions Articles

| | |
|----------|--|
| | zoning changes and to encourage them to participate in the public hearing process; we appeared informally before the Planning Board on January 4 th and are scheduled to appear before them to discuss this article on March 22 nd for the required public hearing; We also appeared before the Open Space Advisory Committee on February 21 st and although they were both enthusiastic about the open space trail connection to the Mary Ann Morse walking trails, they also wanted to see the details of the proposed Bylaw changes before taking a position on the article. A concern was raised about pedestrian access through Milk Street if it was a "private" way; however we have verified that Milk Street is a "public" but unaccepted town street. |
| 9 | Why is it required for the Town of Natick AND for the sponsor(s)? |
| Response | Although not "required" for either the Town or the sponsor, the Article addresses a crucial need in the Town for INDEPENDENT SENIORS to be able to downsize and stay in the community. The article also benefits the Town with increased tax revenue without a corresponding increase of expenses. |
| 10 | Since submitting the article petition have you identified issues that weren't initially considered in the development of the proposal? |
| Response | No. |
| 11 | What are other towns and communities in the Metro West area, or the Commonwealth of MA doing similar to what your motion seeks to accomplish |
| Response | We have researched "senior overlay districts" that have been created in Wayland (http://ecode360.com/12361972) and in Westborough http://edc.town.westborough.ma.us/files/downloads/ZoningByLaws_2013.pdf (See Section 5300-5390). Both Bylaws require a special permit from the permit from the Planning Board and while Westborough's district is near downtown, Wayland's district is more isolated and self-contained. The Wayland Bylaw regulates minimum area, open space, buffers from residentially zoned land and height, while Westborough's Bylaw does NOT specifically set density standards and instead leaves it up to the Planning Board to allow density of units that are "appropriate to the zone, neighborhood and development capacity of the site". Both Bylaws encourage public open space access that has "connectivity to town services" and/or "to pathways on adjacent sites". Because the proposed overlay district abuts the AP District, we have proposed intensity regulations that are identical to the AP District and we believe that Town meeting should adopt those or similar intensity regulations rather than leaving it to the discretion of the Planning Board as Westborough has done. |
| 12 | If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences. |

Warrant Article Questionnaire
Citizen Petitions Articles

| | |
|----------|--|
| Response | The Town will lose an opportunity to add to the independent senior housing stock in an area that is extremely desirable for seniors to live in and have access to so many services within walking distances. |
|----------|--|



Parcel Legal Information

44-00000260

32 UNION ST

State Class Code: 101

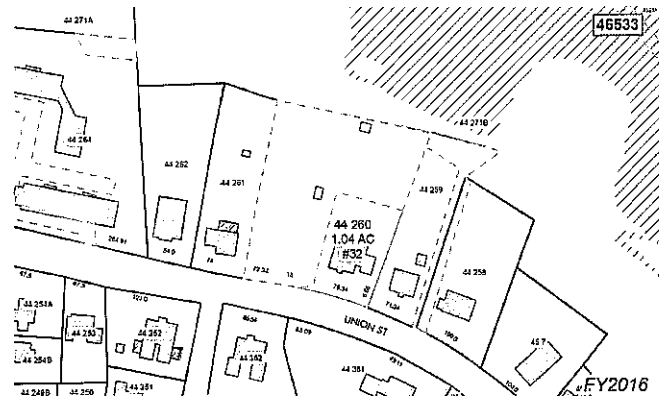
Current Land Value: \$270,400

Current Building Value: \$175,600

Current Assessment: \$446,000

| Owner of Record (Owner on January 1, 2016) | Subsequent Owner (New Owner after January 1, 2016) |
|--|--|
| 32 UNION STREET REALTY TRUST MELCHIORRI SILVANO A LILLIAN E TRS 11 WATSON ST NATICK, MA 01760 Deed Book: 42772 Deed Page: 0580 Deed Date: 20041205 | Deed Book: Deed Page: Deed Date: 0 |

ParcelDetail



Natick Town Offices 13 East Central Street, Natick, MA 01760
 Phone: (508) 647-6400 Fax: (508) 647-6424

Town of Natick

Residential Property Record Card

FY 2017

PARCEL: 44-00000260 STATE_CLASS: 101

LOCATION: 32 UNION ST

NEIGHBORHOOD: 206

ASSESSMENT: \$446,000

OWNER_NAME_1: 32 UNION STREET REALTY TRUST

OWNER_NAME_2: MELCHIORRI SILVANO A LILLIAN E TRS

OWNER_NAME_3:

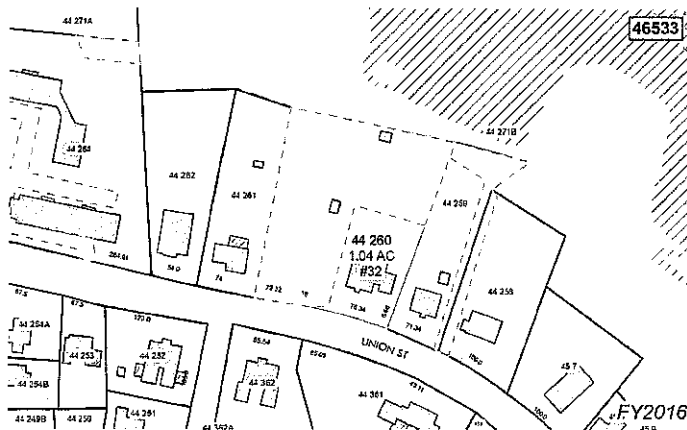
ZONING: RSC

DEED_BOOK: 42772

DEED_PAGE: 0580

DEED_DATE: 20041205

TOTAL_ACRES: 1.042



46533

LAND DATA

| TYPE | AREA | INFL FACT 1 | INFL FACT 2 | % |
|---------|-------|-------------|-------------|-------|
| | 0 | | | 0% |
| | 0 | | | 0% |
| | 0 | | | 0% |
| PRIMARY | 1.042 | | TRAFFIC | -1.5% |
| | 0 | | | 0% |
| | 0 | | | 0% |

| OUTBUILDINGS AND YARD IMPROVEMENTS | | | | |
|------------------------------------|-----|-------|-------|------|
| DESCRIPTION | QTY | SIZE1 | SIZE2 | COND |
| | 0 | 0 | 0 | |
| SHED-FRAME | 1 | 1 | 48 | P |
| | 0 | 0 | 0 | |
| | 0 | 0 | 0 | |
| | 0 | 0 | 0 | |
| | 0 | 0 | 0 | |

BUILDING DESCRIPTION

STYLE: CAPE STORY HEIGHT: 1.5
 EXTERIOR_WALLS: BRICK COLOR: NATURAL
 BASEMENT: FULL ATTIC: NONE
 YEAR_BUILT: 1950 EFFECTIVE_YR_BLT: 1985
 YEAR_REMODELED: 0
 PHYSICAL_CONDITION: AVERAGE
 GRADE: B-
 CONDITION-UTILITY: AV

HEATING AND AIR CONDITIONING

FUEL_TYPE: OIL
 SYSTEM_TYPE: WARM AIR A/C: BASIC

ROOM COUNTS

TOTAL_ROOMS: 7
 BEDROOMS: 3
 FAMILY_ROOMS: 1
 KITCHENS: 1
 FULL_BATHS: 1
 HALF_BATHS: 1
 ADDL_PLUMBING_FIXTURES: 1
 TOTAL_PLUMBING_FIXTURES: 8

FIREPLACES

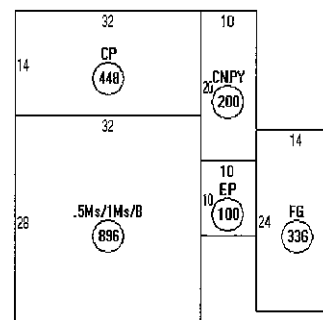
CHIMNEY: 1 OPENINGS: 1
 METAL_CHIMNEY: 0 OPENINGS: 0

TRIM & AMENITIES

BRICK_TRIM: 0 X 0 STONE_TRIM: 0 X 0
 BASEMENT_GARAGE: 0
 CARPORT: 448 CANOPY: 200
 FGST_TILE_PATIO: 0 MS_STOOP_TERRACE: 0

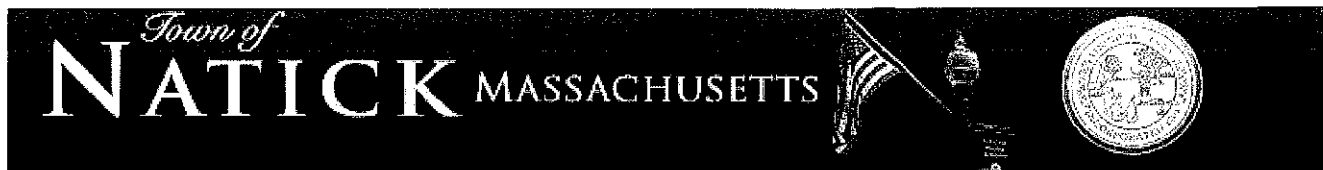
AREAS (SQUARE FEET)

TOTAL_GFLA: 896 TOTAL_TLA: 1568
 BASE_GFLA: 896 BASE_TLA: 1568
 BSMT_REC_ROOM: 1 X 495 FIN_BSMT: 0 X 0
 UNFINISHED_ATTIC: 0 FINISHED_ATTIC: 0
 WOOD_DECK_FIRST_FLOOR: 0 UPPER_FLOORS: 0

BUILDING SKETCHDescribe Area

A: 5Ms/1Ms/0
 896 sqft
 B: CP
 448 sqft
 C: EP
 100 sqft
 D: FG
 336 sqft
 E: CNPY
 200 sqft

| DESCRIPTION | FRAME AREA | MASONRY AREA |
|------------------------------|------------|--------------|
| FIRST FLOOR AREA: | 0 | 896 |
| UPPER FLOOR AREA: | 0 | 0 |
| HALF STORY AREA: | 0 | 672 |
| UTILITY AREA: | 0 | 0 |
| FIRST FLOOR BAY OR OVERHANG: | 0 | 0 |
| UPPER FLOOR BAY OR OVERHANG: | 0 | 0 |
| ATTACHED GARAGE: | 336 | 0 |
| ENCL PORCH FIRST FLOOR: | 100 | 0 |
| ENCL PORCH UPPER FLOORS: | 0 | 0 |
| OPEN PORCH FIRST FLOOR: | 0 | 0 |
| OPEN PORCH UPPER FLOORS: | 0 | 0 |



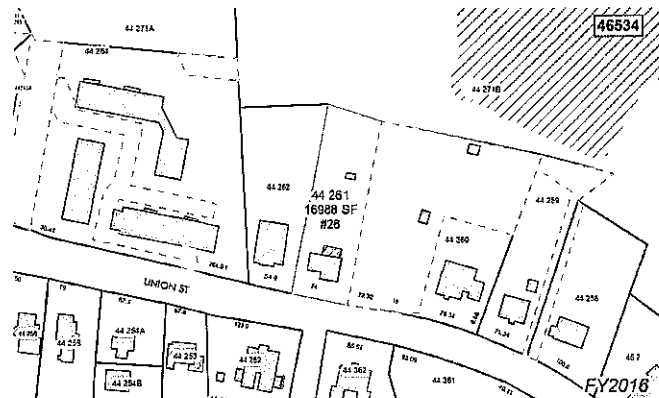
Parcel Legal Information

44-00000261 26 UNION ST State Class Code: 101

Current Land Value: \$248,000
Current Building Value: \$124,500
Current Assessment: \$372,500

| Owner of Record (Owner on January 1, 2016) | Subsequent Owner (New Owner after January 1, 2016) |
|---|--|
| VON DER LIETH THOMAS J VON DER LIETH KATHERINE P 26 UNION ST NATICK, MA 01760 Deed Book: 25606 Deed Page: 00131 Deed Date: 19950816 | KPRM PROPERTIES LLC 11 WATSON ST NATICK, MA 01760 Deed Book: 66870 Deed Page: 00322 Deed Date: 20160301 |

ParcelDetail



Natick Town Offices 13 East Central Street, Natick, MA 01760
Phone: (508) 647-6400 **Fax:** (508) 647-6424

Town of Natick

Residential Property Record Card

FY 2017

PARCEL: 44-00000261 STATE_CLASS: 101

LOCATION: 26 UNION ST

NEIGHBORHOOD: 206

ASSESSMENT: \$372,500

OWNER_NAME_1: VON DER LIETH THOMAS J

OWNER_NAME_2: VON DER LIETH KATHERINE P

OWNER_NAME_3:

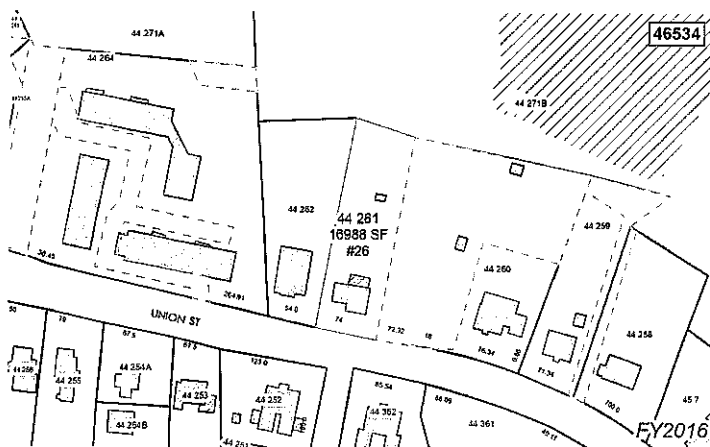
ZONING: RSC

DEED_BOOK: 25606

DEED_PAGE: 00131

DEED_DATE: 19950816

TOTAL_ACRES: 0.39



46534

LAND DATA

| TYPE | AREA | INFL FACT 1 | INFL FACT 1 | % |
|---------|-------|-------------|-------------|------|
| PRIMARY | 17001 | | TRAFFIC | -10% |
| | 0 | | | 0% |
| | 0 | | | 0% |
| | 0 | | | 0% |
| | 0 | | | 0% |
| | 0 | | | 0% |

| <u>OUTBUILDINGS AND YARD IMPROVEMENTS</u> | | | | |
|---|-----|-------|-------|------|
| DESCRIPTION | QTY | SIZE1 | SIZE2 | COND |
| SHED-FRAME | 1 | 1 | 80 | G |
| | 0 | 0 | 0 | |
| | 0 | 0 | 0 | |
| | 0 | 0 | 0 | |
| | 0 | 0 | 0 | |
| | 0 | 0 | 0 | |

BUILDING DESCRIPTION

STYLE: OLD STYLE STORY_HEIGHT: 1.5
 EXTERIOR_WALLS: ALUM/VINYL COLOR: WHITE
 BASEMENT: FULL ATTIC: NONE
 YEAR_BUILT: 1860 EFFECTIVE_YR_BLT: 1980
 YEAR_REMODELED: 0
 PHYSICAL_CONDITION: AVERAGE
 GRADE: B
 CONDITION-UTILITY: AV

HEATING AND AIR CONDITIONING

FUEL_TYPE: GAS
 SYSTEM_TYPE: WARM AIR A/C: BASIC

ROOM COUNTS

TOTAL_ROOMS: 6
 BEDROOMS: 3
 FAMILY_ROOMS: 0
 KITCHENS: 1
 FULL_BATHS: 1
 HALF_BATHS: 1
 ADDL_PLUMBING_FIXTURES: 0
 TOTAL_PLUMBING_FIXTURES: 7

FIREPLACES

CHIMNEY: 0 OPENINGS: 0
 METAL_CHIMNEY: 0 OPENINGS: 0

TRIM & AMENITIES

BRICK_TRIM: 0 X 0 STONE_TRIM: 0 X 0
 BASEMENT_GARAGE: 0
 CARPORT: 0 CANOPY: 0
 FGST_TILE_PATIO: 0 MS_STOOP_TERRACE: 0

AREAS (SQUARE FEET)

TOTAL_GFLA: 904 TOTAL_TLA: 1582
 BASE_GFLA: 616 BASE_TLA: 1582
 BSMT_REC_ROOM: 0 X 0 FIN_BSMT: 0 X 0
 UNFINISHED_ATTIC: 0 FINISHED_ATTIC: 0
 WOOD_DECK_FIRST_FLOOR: 331 UPPER_FLOORS: 0

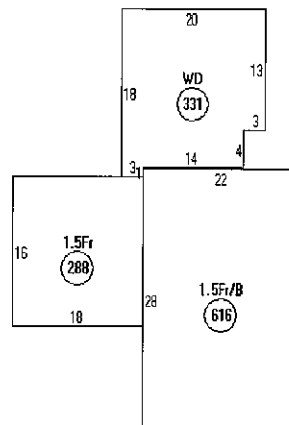
BUILDING SKETCH

Descriptor/Area

A: 1.5Fr/B
 616 sqft

B: W/D
 331 sqft

C: 1.5Fr
 288 sqft



| DESCRIPTION | FRAME AREA | MASONRY AREA |
|------------------------------|------------|--------------|
| FIRST FLOOR AREA: | 904 | 0 |
| UPPER FLOOR AREA: | 0 | 0 |
| HALF STORY AREA: | 678 | 0 |
| UTILITY AREA: | 0 | 0 |
| FIRST FLOOR BAY OR OVERHANG: | 0 | 0 |
| UPPER FLOOR BAY OR OVERHANG: | 0 | 0 |
| ATTACHED GARAGE: | 0 | 0 |
| ENCL PORCH FIRST FLOOR: | 0 | 0 |
| ENCL PORCH UPPER FLOORS: | 0 | 0 |



Parcel Legal Information

44-00000262

22 UNION ST

State Class Code: 104

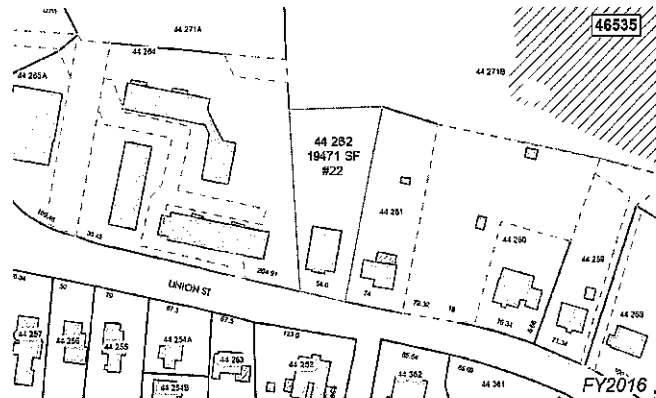
Current Land Value: \$251,300

Current Building Value: \$324,000

Current Assessment: \$575,300

| Owner of Record (Owner on January 1, 2016) | Subsequent Owner (New Owner after January 1, 2016) |
|--|--|
| ALA FAMILY LLC 61 FAIRVIEW AVE NATICK, MA 01760 Deed Book: 60787 Deed Page: 00416 Deed Date: 20121220 | Deed Book: Deed Page: Deed Date: 0 |

ParcelDetail



Natick Town Offices 13 East Central Street, Natick, MA 01760
 Phone: (508) 647-6400 Fax: (508) 647-6424

Town of Natick

Residential Property Record Card

FY 2017

PARCEL: 44-00000262 STATE_CLASS: 104

LOCATION: 22 UNION ST

NEIGHBORHOOD: 206

ASSESSMENT: \$575,300

OWNER_NAME_1: ALA FAMILY LLC

OWNER_NAME_2:

OWNER_NAME_3:

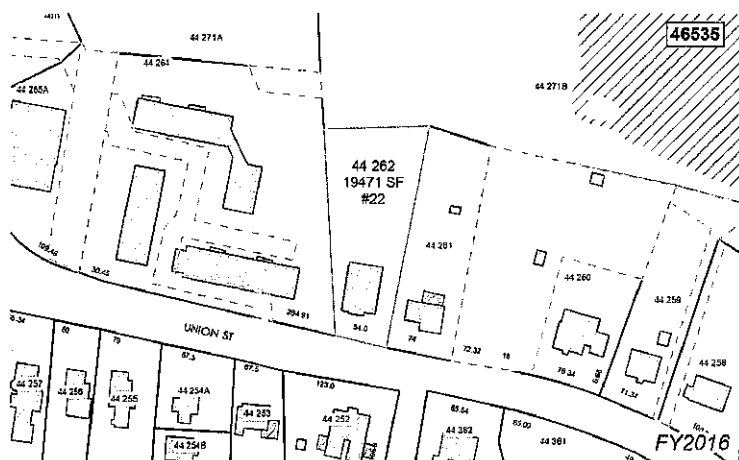
ZONING: RSC

DEED_BOOK: 60787

DEED_PAGE: 00416

DEED_DATE: 20121220

TOTAL_ACRES: 0.447

LAND DATA

| TYPE | AREA | INFL FACT 1 | INFL FACT 1 | % |
|---------|-------|-------------|-------------|------|
| PRIMARY | 19450 | | TRAFFIC | -10% |
| | 0 | | | 0% |
| | 0 | | | 0% |
| | 0 | | | 0% |
| | 0 | | | 0% |
| | 0 | | | 0% |

| OUTBUILDINGS AND YARD IMPROVEMENTS | | | | |
|------------------------------------|-----|-------|-------|------|
| DESCRIPTION | QTY | SIZE1 | SIZE2 | COND |
| | 0 | 0 | 0 | |
| | 0 | 0 | 0 | |
| | 0 | 0 | 0 | |
| | 0 | 0 | 0 | |
| | 0 | 0 | 0 | |
| | 0 | 0 | 0 | |

BUILDING DESCRIPTION

STYLE: DUPLEX STORY HEIGHT: 2.0
 EXTERIOR WALLS: ALUM/VINYL COLOR: TAN
 BASEMENT: PART ATTIC: FULL FINISH
 YEAR_BUILT: 1900 EFFECTIVE_YR_BLT: 1985
 YEAR_REMODELED: 0
 PHYSICAL_CONDITION: AVERAGE
 GRADE: A-
 CONDITION-UTILITY: AV

HEATING AND AIR CONDITIONING

FUEL_TYPE: GAS
 SYSTEM_TYPE: WARM AIR A/C: BASIC

ROOM COUNTS

TOTAL_ROOMS: 14
 BEDROOMS: 6
 FAMILY_ROOMS: 0
 KITCHENS: 2
 FULL_BATHS: 2
 HALF_BATHS: 0
 ADDL_PLUMBING_FIXTURES: 2
 TOTAL_PLUMBING_FIXTURES: 10

FIREPLACES

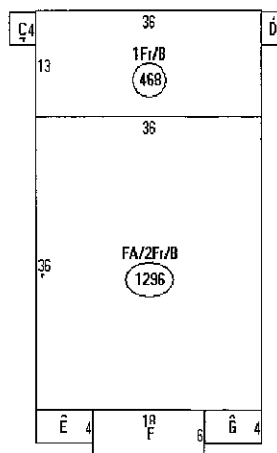
CHIMNEY: 0 OPENINGS: 0
 METAL_CHIMNEY: 0 OPENINGS: 0

TRIM & AMENITIES

BRICK_TRIM: 0 X 0 STONE_TRIM: 0 X 0
 BASEMENT_GARAGE: 0
 CARPORT: 0 CANOPY: 0
 FGST_TILE_PATIO: 0 MS_STOOP_TERRACE: 0

AREAS (SQUARE FEET)

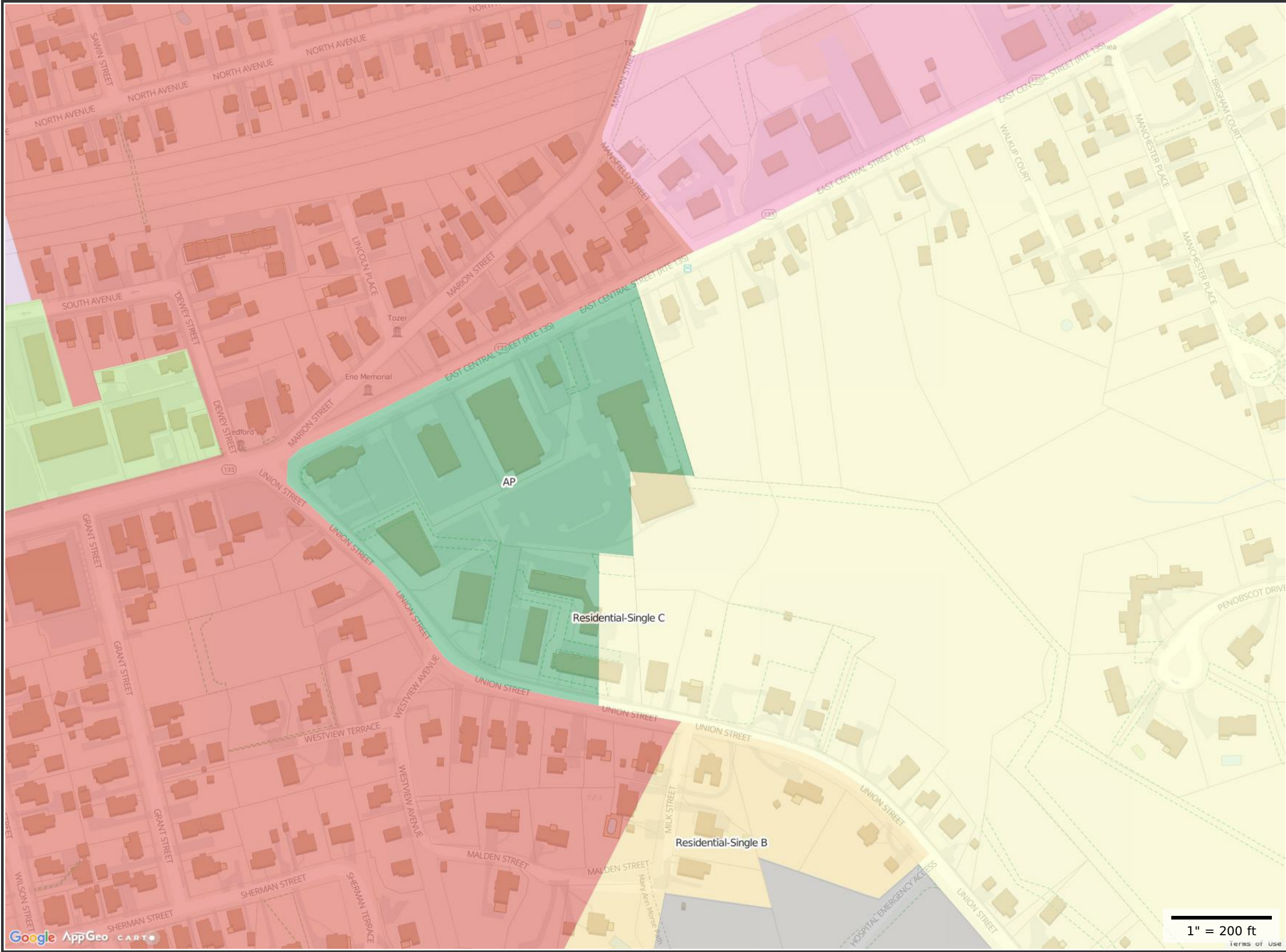
TOTAL_GFLA: 1836 TOTAL_TLA: 3722
 BASE_GFLA: 1296 BASE_TLA: 3722
 BSMT_REC_ROOM: 0 X 0 FIN_BSMT: 0 X 0
 UNFINISHED_ATTIC: 0 FINISHED_ATTIC: 0
 WOOD_DECK FIRST_FLOOR: 16 UPPER_FLOORS: 0

BUILDING SKETCHDescriptor/Area

A: FA/2F1/B
 1296 sqft
 B: 1F/1B
 468 sqft
 C: W/D
 16 sqft
 D: CPAT
 16 sqft
 E: 2FBAY/B
 36 sqft
 F: OFF
 108 sqft
 G: 2FBAY/B
 36 sqft

| DESCRIPTION | FRAME AREA | MASONRY AREA |
|------------------------------|------------|--------------|
| FIRST FLOOR AREA: | 1764 | 0 |
| UPPER FLOOR AREA: | 1296 | 0 |
| HALF STORY AREA: | 0 | 0 |
| UTILITY AREA: | 0 | 0 |
| FIRST FLOOR BAY OR OVERHANG: | 72 | 0 |

Union St and East Central St Zoning

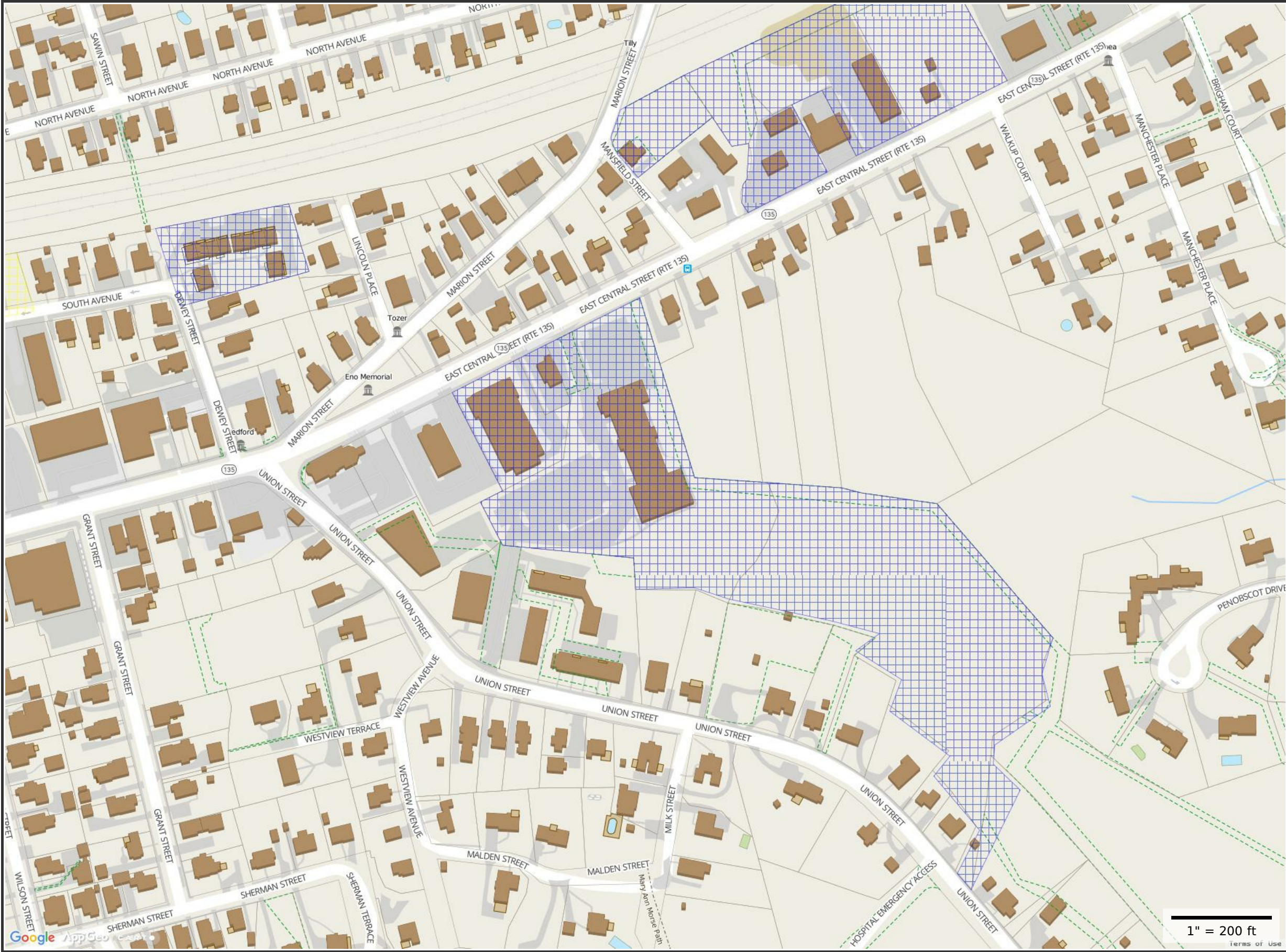


MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town of Natick, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 1/1/2016
Properties updated 1/1/2016

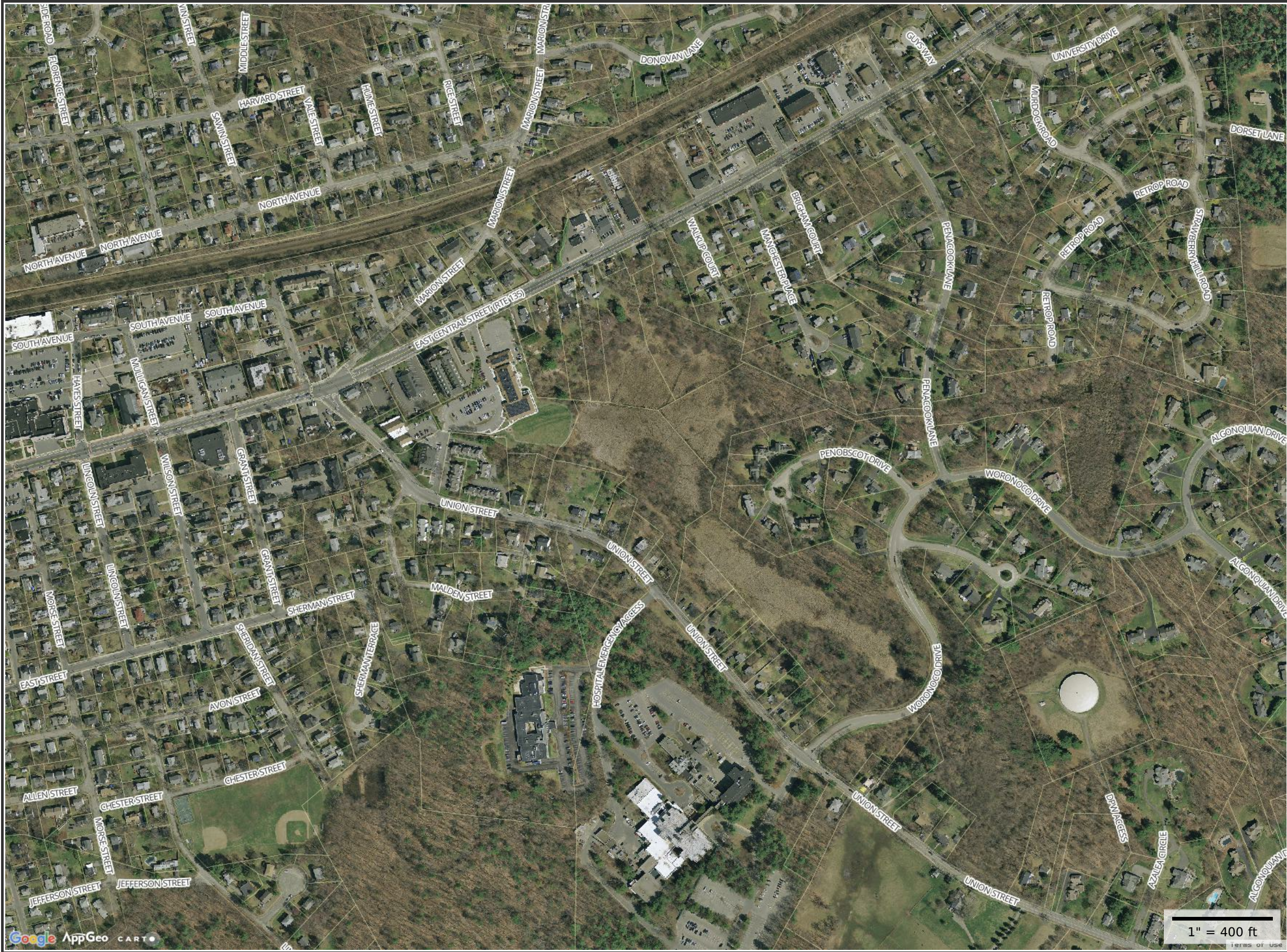
Union St and East Central St HOOP Overlay



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Parcels updated 1/1/2016
Properties updated 1/1/2016



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Parcels updated 1/1/2016
Properties updated 1/1/2016

2017 SPRING ANNUAL TOWN MEETING

Article 41

**Amend Zoning Bylaws: Elderly Family Residences and Elderly Family Overlay Option Plan
(Assuming Art. 37 and 38 Pass)**

Motion A:

Moved: To amend the Town of Natick Zoning By Laws by inserting in the Definitions Section immediately before the definition of **“Indoor Wireless Communications Facility (IWCF)”** a new definition as follows:

“Independent Senior Living Facility: A facility or building which is comprised exclusively, as the primary use, of Elderly Family Residences and which may offer and/or may include services and/or amenities for residents such as but not limited to housekeeping, cleaning, trash removal, meals, activities, transportation, etc. but not including living units or dwelling units that meet the definition of Assisted Living Residences.”

Motion B:

Moved: To amend the Town of Natick Zoning By Laws by inserting in SECTION II – USE DISTRICTS, II-A TYPES OF DISTRICTS a new overlay district as follows:

“ Independent Senior Living Overlay Option Plan”

“ISLOOP”

And by inserting “.1” after III-I in the title ‘Section III-I: Assisted Living Residences’ so that the section now begins “Section III-I.1: Assisted Living Residences”

and

following Section III-I: Assisted Living Residences by inserting, a new section, Section III-I.2. : - Independent Senior Living Overlay Option Plan, as follows:

“Section III-I.2. : Independent Senior Living Overlay Option Plan

2.1. Purpose. The purpose of the ISLOOP is to provide for the creation of Independent Senior Living Facilities to meet the needs of the senior (age 62 and over) population and to provide an alternative development option for parcels in residential single zones which are subject to ISLOOP Overlay Zoning by enabling Independent Senior Living Facilities (ISLF) which provide a residential environment that may offer amenities to individuals 62 years of age or older who are able to live independently and/or to live in a supportive elderly environment. The goal of

the ISLOOP includes the creation of ISLF's which are located in close proximity to the other facilities in the Town which provide services to the senior population.

2.2. Applicability and Eligibility. The Special Permit Granting Authority (SPGA), may grant a special permit in accordance with Section VI-DD, VI-EE, and this ISLOOP section for the construction of an Independent Senior Living Facility in an ISLOOP eligible zone. To be eligible to be placed in an ISLOOP, a parcel must satisfy the following criteria:

- i) have at least 50,000 square feet and less than 150,000 square feet of Net Usable Land Area
- ii) have continuous frontage located within 800 feet of the AP District on the same side of the street as the AP District
- iii) not be located within 800 feet of a Smart Growth Overlay zone and
- iv) have a lot depth of at least 210 feet measured from the shortest distance between the lot front and lot rear property lines.

Net Usable Land Area as used herein shall mean the area within the parcel to be used for the ISLF Development in accordance with this Section remaining after subtracting the areas of any bodies of water, wetland, or land lying within the 100 year flood elevation from the gross area of the parcel to be used for Elderly Family residential use and open space. The flood plain and wetlands maps and aerial surveys adopted as official maps by the Planning Board from time to time shall be used to determine areas of water, 100 year flood plain elevations, and wetland boundaries. Notwithstanding the foregoing, the calculation of Net Usable Land Area shall be subject to a maximum limit not to exceed 80% of overall parcel size inclusive of the areas of any bodies of water, wetland, or land lying within the 100 year flood elevation. For the purposes of this paragraph, wetlands shall not include any area that was created or converted into a wetland by human activity including without limitation Federal, State or municipal improvements.

Net Usable Land Area may include any area of a parcel that is zoned Residential Single

2.3 Allowed Uses

All of the uses allowed in the underlying zoning districts shall continue to be allowed within the ISLOOP. All of the regulations applicable to the underlying zoning district shall continue to apply in the ISLOOP except to the extent that they are specifically modified or supplemented by other applicable provisions of the ISLOOP.

Elderly Family Residences and Independent Senior Living Facilities shall be allowed by Special Permit in the ISLOOP. **2.4 Standards.** The SPGA may grant a special permit under the procedures and criteria established in MGL 40 A, the Site Plan Review and Special Permit sections of this by law and the following standards and requirements.

1. The ISLF shall provide residences (living units) of no more than two bedrooms each exclusively to meet the needs of seniors in Elderly Family Residence dwelling units .

2. Such facility may include common areas and community dining facilities. Such facility may also provide accessory personal care services, activities for residents, , and other related programs and services. These accessory uses shall be for residents, their guests and staff only and may include, but are not strictly limited to, meal care services, beauty salon, sundry shop, and banking and recreational facilities. Space designated for accessory uses may not exceed ten (10) percent of total floor area.

3. The SPGA, in order to approve the special permit application, must find that the overall impact of the facility will not substantially derogate from the cumulative impact associated with other uses allowed as a matter of right or by special permit within the zoning district. In addition, the SPGA must find that: i) all noise, smoke, dust, odor, vibration and similar objectionable features are confined to the premises, ii) Mechanical equipment (including equipment and containers such as, but not limited to, waste disposal, recycling and energy generation) are screened, if necessary, in a manner to shield visual impacts; iii) Lighting is shielded in a manner consistent with Section V-I of this ByLaw to reduce light trespass onto abutting properties or waterways; iv) Paint colors and tones of materials be muted and not create visual distraction; v) Design standards to be consistent with a) the general neighborhood and b) nearby historic districts if any within 300 feet of the property, and sighting shall reduce disruption of the topography of the neighborhood; vi) Buffers of native evergreen trees and other plants shall be planted, maintained and replaced when necessary to screen the facility from adjacent residential buildings; vii) Parking, access and buffers are placed in a manner to separate parking areas from abutting properties to prevent imposition on or use of parking on abutting properties; viii) All utilities, wire, and cable service are placed underground.

4. As part of the Special Permit process, the SPGA may require a covenant, consistent with the requirements of MGL Ch. 184 s. 26, to be recorded at the registry of deeds restricting the units in the ISLF to be available to and occupied by only persons specified within the requirements of the definition of Elderly Family Residences.

2.5. Intensity Regulations: Any building erected pursuant to the provisions of this ISLOOP district shall be subject to the following intensity requirements.:

1. Density: The number of units allowed in the ISLOOP shall be equal to the Net Usable Land Area divided by 2,100 rounded to the nearest whole number.
2. Height: 2 and ½ stories or 35 feet
3. Minimum Setbacks:
 - a. Front yard setback: 40 feet.
 - b. Rear yard setback: 40feet.
 - c. Side yard: 30 feet

4. Maximum Building Coverage – 25% of Net Usable Land Area

5. Width and Additional Setbacks: Notwithstanding any other provision to the contrary, no new building shall be permitted on any portion of a parcel having a width less than one half of the square root of the Net Usable Land Area. Both the main entrance to the building and a minimum of 40% of the width of the building, as measured across the front yard, shall be located at least 80 feet back from the front line of the parcel.

6. Open Space – 35% of land area exclusive of any permanent body of water but inclusive of wetlands

7. Parking: One space per unit

8. Continuous Frontage: 120 feet

9. Sky Exposure Plane: The roof of the building may not project beyond a sky exposure plane determined from a line 10 feet in from and parallel to the lot frontage line in a rise:run ratio of 0.50:1.00

5. Affordability Requirements: Unless a determination has been made satisfactory to the SPGA that the living units of the ISLF do not affect the Town's Subsidized Housing Inventory (SHI) as maintained by the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD), the Applicant shall make a one-time payment to the Affordable Housing Trust Fund of Natick, restricted to the provision of net new affordable housing, in an amount equal to a formula of \$5 multiplied by the total number of square feet of area in living units in the ISLF. This payment shall be required notwithstanding the fact that the Town may have reached an exemption level of production of affordable units in any year.

6. Aquifer Protection District: Notwithstanding residential exclusions in III-A.5.1A or elsewhere in the Zoning ByLaw, any Elderly Family Residence (EFR) and any Independent Senior Living Facility (ISLF) shall be subject to the procedures, site plan review and special permit of the Aquifer Protection Overlay District (APD) if located therein.

2.6 Procedures. In addition to the process set forth in sections VI-DD and VI-EE, the following procedures are to be followed in obtaining approval for an ISLF:

1. Pre-application: The Applicant is encouraged to meet with the Community Development Director and the SPGA prior to the preparation of a formal application, for general discussion of the project to be proposed.
2. Formal application: The Applicant shall submit a plan for the overall development, including a final site plan showing the final completed development in all phases as contemplated on the site at the time of application, regardless of the number of phases in which it may be constructed. Said application shall include at a minimum a completely designed first phase of development. The application shall be filed in the name of the Applicant. The Applicant must either own or submit authorization in writing to act for all of the owners of the ISLF parcel prior to submitting a formal application. The application for a special permit shall be filed by the applicant with the Town Clerk and a copy of said application, including the date and time of filing certified by the Town Clerk, shall be filed by the applicant with the SPGA.
3. Further procedures: Once a special permit is issued, no changes to the final site plan, exclusive of minor modifications as determined by the SPGA, shall be made without applying for a modification of such special permit.

2.7 Bonus Density and Open Space Public Benefit Amenities

Notwithstanding anything else to the contrary, the SPGA may grant additional density or intensity if the applicant provides an Open Space Public Benefit Amenity in the form of public trails, or walkways with a preference for trails or walkways which create additional access to municipal facilities or public parks which shall not be less than i) 100 feet in minimum width and ii) 10,000 square feet in Net Usable Land Area. For the purposes of this section, an Open Space Benefit Amenity obtained or granted under this section may permit the use of motorized golf cart type conveyances on public trails and/or walkways located on the parcel. The maximum increase in density allowable shall be the number of units calculated as the land area in square feet of the Open Space Public Benefit Amenity divided by 800 rounded to the nearest whole number. Any Open Space Public Benefit Amenity shall not be considered in measuring setbacks.

2.8 Modifications and Waivers.

‘The SPGA may modify and/or waive strict compliance with one or more of these requirements, regulations, and objectives set forth in this Section, in accordance with Section V-E.’

Motion C:

Moved: To amend the Town of Natick Zoning Map by including in an Independent Senior Living Overlay Option Plan overlay district the land known as 22-24, 26 and 32 Union Street on Assessors Map 44, Lots 262, 261 and 260.

Motion D:

Move to amend the Town of Natick Zoning By Law as follows:

By inserting to the list in Section II-A Types of Use Districts after the words “Regional Center Mixed Use Overlay District RCP” the words:

“Independent Senior Living Overlay Option Plan ISLOOP”

and by inserting in Section V-D-3 after the sub section “t) Assisted Living Residences” the following words:

“u) Independent Senior Living Facility – 1.0 spaces per dwelling unit”

and by inserting on the list in Section VI-D-2 A. Special Permits a) after the words “Downtown Mixed Use (DMU)” the following words”

“Independent Senior Living Facility”

and by inserting on the list in Section VI-D-2 B. Site Plan Review Applicability and SPGA Designation a) after the words “Downtown Mixed Use (DMU)” the following words”

“Independent Senior Living Facility”

2017 SPRING ANNUAL TOWN MEETING

Article 41

Amend Zoning Bylaws: Elderly Family Residences and Elderly Family Overlay Option Plan (Assuming Art. 37 and 38 Pass)

Motion A:

Moved: To amend the Town of Natick Zoning By Laws by inserting in the Definitions Section immediately before the definition of “Indoor Wireless Communications Facility (IWCF)” a new definition as follows:

“Independent Senior Living Facility: A facility or building which is comprised exclusively, as the primary use, of Elderly Family Residences and which may offer and/or may include services and/or amenities for residents such as but not limited to housekeeping, cleaning, trash removal, meals, activities, transportation, etc. but not including living units or dwelling units that meet the definition of Assisted Living Residences.”

Motion B:

Moved: To amend the Town of Natick Zoning By Laws by inserting in SECTION II – USE DISTRICTS, II-A TYPES OF DISTRICTS a new overlay district as follows:

“Independent Senior Living Overlay Option Plan”

“ISLOOP”

And by inserting “.1” after III-I in the title ‘Section III-I: Assisted Living Residences’ so that the section now begins “Section III-I.1: Assisted Living Residences”

and

following Section III-I: Assisted Living Residences by inserting, a new section, Section III-I.2. : - Independent Senior Living Overlay Option Plan, as follows:

“Section III-I.2. : Independent Senior Living Overlay Option Plan

2.1. Purpose. The purpose of the ISLOOP is to provide for the creation of Independent Senior Living Facilities to meet the needs of the senior (age 62 and over) population and to provide an alternative development option for parcels in residential single zones which are subject to ISLOOP Overlay Zoning by enabling Independent Senior Living –Facilities (ISLF) which provide a residential environment that may offer amenities to individuals 62 years of age or older who are able to live independently ~~in the community by offering amenities~~ and/or ~~opportunities~~ to live in a supportive elderly environment. The goal of the ISLOOP includes the creation of

ISLF's which are located in close proximity to the other facilities in the Town which provide services to the senior population.

2.2. Applicability and Eligibility. The ~~Planning Board, acting as~~ Special Permit Granting Authority (SPGA), may grant a special permit in accordance with Section VI-DD, VI-EE, and this ISLOOP section for the construction of an ~~Independent Senior Living Facility~~ in an ISLOOP eligible zone. To be eligible to be placed in an ISLOOP, a parcel must satisfy the following criteria:

- i) have at least 50,000 square feet and less than 150,000 square feet of Net Usable Land Area
- ii) have continuous frontage located within 800 feet of the AP District on the same side of the street as the AP District
- iii) not be located within 800 feet of a Smart Growth Overlay zone and
- ~~iv) have a lot depth of at least 210 feet measured from the shortest distance between the lot front and lot rear property lines.~~

Net Usable Land Area as used herein shall mean the area within the parcel to be used for the ISLF Development in accordance with this Section remaining after subtracting the areas of any bodies of water, wetland, or land lying within the 100 year flood elevation from the gross area of the parcel to be used for Elderly Family residential use and open space. The flood plain and wetlands maps and aerial surveys adopted as official maps by the Planning Board from time to time shall be used to determine areas of water, 100 year flood plain elevations, and wetland boundaries. Notwithstanding the foregoing, the calculation of Net Usable Land Area shall be subject to a maximum limit not to exceed 80% of overall parcel size inclusive of the areas of any bodies of water, wetland, or land lying within the 100 year flood elevation. For the purposes of this paragraph, wetlands shall not include any area that was created or converted into a wetland by human activity including without limitation Federal, State or municipal improvements.

Net Usable Land Area may include any area of a parcel that is zoned Residential Single

2.3 Allowed Uses

All of the uses allowed in the underlying zoning districts shall continue to be allowed within the ISLOOP. All of the regulations applicable to ~~in~~ the underlying zoning district shall continue to apply in the ISLOOP except to the extent that they are specifically modified or supplemented by other applicable provisions of the ISLOOP.

Elderly Family Residences and Independent Senior Living Facilities shall be allowed by Special Permit in the ISLOOP. ~~with the Planning Board serving as the Special Permit Granting Authority (SPGA).~~

2.4 Standards. The SPGA may grant a special permit under the procedures and criteria established in MGL 40 A, the Site Plan Review and Special Permit sections of this by law and the following standards and requirements.

1. The ISLF shall provide residences (living units) of no more than two bedrooms each exclusively to meet the needs of seniors in Elderly Family Residence dwelling units .
2. Such facility may include common areas and community dining facilities. Such facility may also provide accessory personal care services, activities for residents, , and other related programs and services. These accessory uses shall be for residents, their guests and staff only and may include, but are not strictly limited to, meal care services, beauty salon, sundry shop, and banking and recreational facilities. Space designated for accessory uses may not exceed ~~ten (10)~~ percent of total floor area.
3. The SPGA, in order to approve the special permit application, must find that the overall impact of the facility will not substantially derogate from the cumulative impact associated with other uses allowed as a matter of right or by special permit within the zoning district. In addition, the SPGA must find that: i) all noise, smoke, dust, odor, vibration and similar objectionable features are confined to the premises- ii) Mechanical equipment (including equipment and containers such as, but not limited to, waste disposal, recycling and energy generation) are screened, if necessary, in a manner to shield visual impacts; iii) Lighting is shielded in a manner consistent with Section V-I of this ByLaw to reduce light trespass onto abutting properties or waterways; iv) Paint colors and tones of materials be muted and not create visual distraction; v) Design standards to be consistent with a) the general neighborhood and b) nearby historic districts if any within 300 feet of the property, and sighting shall reduce disruption of the topography of the neighborhood; vi) Buffers of native evergreen trees and other plants shall be planted, maintained and replaced when necessary to screen the facility from adjacent residential buildings; vii) Parking, access and buffers are placed in a manner to separate parking areas from abutting properties to prevent imposition on or use of parking on abutting properties; viii) All utilities, wire, and cable service are placed underground.
4. As part of the Special Permit process, the SPGA may require a covenant, consistent with the requirements of MGL Ch. 184 s. 26, to be recorded at the registry of deeds restricting the units in the ISLF to be available to and occupied by only persons specified within the requirements of the definition of Elderly Family Residences.

2.5. Intensity Regulations: Any building erected pursuant to the provisions of this ISLOOP district shall be subject to the following intensity requirements.:

1. Density: The number of units allowed in the ISLOOP shall be equal to the Net Usable Land Area divided by 2,100 rounded to the nearest whole number.
2. Height: 2 and ½ stories or 35 feet
3. Minimum Setbacks:

- a. Front yard setback: ~~43~~0 feet.
- b. Rear yard setback: ~~40~~25 feet.
- c. Side yard: ~~32~~0 feet

4. Maximum Building Coverage – 25% of Net Usable Land Area

5. ~~Lot~~ Width and Additional Setbacks: Notwithstanding any other provision to the contrary, no new building shall be permitted on any portion of a parcel having a width less than one half of the square root of the Net Usable Land Area. Both the main entrance to the building and a minimum of 40% of the width of the building, as measured across the front yard, shall be located at least 80 feet back from the front line of the parcel.

6. Open Space – ~~35~~0% of land area exclusive of any permanent body of water but inclusive of wetlands

7. Parking: One space per unit

8. Continuous Frontage: 120 feet

9. Sky Exposure Plane: The roof of the building may not project beyond a sky exposure plane determined from a line 10 feet in from and parallel to the lot frontage line in a rise:run ratio of 0.50:1.00

~~For the purposes of this overlay, height shall be measured from the average ground elevation along the lot frontage.~~

5. Affordability Requirements: Unless a determination has been made satisfactory to the SPGA that the living units of the ISLF do not affect the Town's Subsidized Housing Inventory (SHI) as maintained by the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD), the Applicant shall make a one-time payment to the Affordable Housing Trust Fund of Natick, restricted to the provision of net new affordable housing, in an amount equal to a formula of \$5 multiplied by the total number of square feet of area in living units in the ISLF. This payment shall be required notwithstanding the fact that the Town may have reached an exemption level of production of affordable units in any year.

6. Aquifer Protection District: Notwithstanding residential exclusions in III-A.5.1A or elsewhere in the Zoning ByLaw, any Elderly Family Residence (EFR) and any Independent Senior Living Facility (ISLF) shall be subject to the procedures, site plan

review and special permit of the Aquifer Protection Overlay District (APD) if located therein.

2.6 Procedures. In addition to the process set forth in sections VI-DD and VI-EE, the following procedures are to be followed in obtaining approval for an ISLF:

1. Pre-application: The Applicant is encouraged to meet with the Community Development Director and the SPGA prior to the preparation of a formal application, for general discussion of the project to be proposed.
2. Formal application: The Applicant shall submit a plan for the overall development, including a final site plan showing the final completed development in all phases as contemplated on the site at the time of application, regardless of the number of phases in which it may be constructed. Said application shall include at a minimum a completely designed first phase of development. The application shall be filed in the name of the Applicant. The Applicant must either own or submit authorization in writing to act for all of the owners of the ISLF parcel prior to submitting a formal application. The application for a special permit shall be filed by the applicant with the Town Clerk and a copy of said application, including the date and time of filing certified by the Town Clerk, shall be filed by the applicant with the SPGA.
3. Further procedures: Once a special permit is issued, no changes to the final site plan, exclusive of minor modifications as determined by the SPGA, shall be made without applying for a modification of such special permit.

2.7 Bonus Density and Open Space Public Benefit Amenities

Notwithstanding anything else to the contrary, the SPGA may grant additional density or intensity if the applicant provides an Open Space Public Benefit Amenity in the form of public trails, or walkways with a preference for trails or walkways which create additional access to municipal facilities or public parks which shall not be less than i) 100 feet in minimum width and ii) 10,000 square feet in Net Usable Land Area. For the purposes of this section, an Open Space Benefit Amenity obtained or granted under this section may permit the use of motorized golf cart type conveyances on public trails and/or walkways located on the parcel. The maximum increase in density allowable shall be the number of units calculated as the land area in square feet of the Open Space Public Benefit Amenity divided by 800 rounded to the nearest whole number. Any Open Space Public Benefit Amenity shall not be considered in measuring setbacks.

2.8 Modifications and Waivers.

[‘The SPGA may modify and/or waive strict compliance with one or more of these requirements, regulations, and objectives set forth in this Section, in accordance with Section V-E.’](#)

~~The SPGA shall not modify the requirements of this ISLOOP section except that the SPGA may waive strict compliance with sections 2.5.1 through 2.5.8 inclusive and the regulations in the underlying zoning district as applicable, subject to the limitations and restrictions in 2.8.2 below, by finding in writing that a waiver and/or modification will not create conditions that are substantially more detrimental to the neighborhood in which the parcel is located than if the waiver and/or modification were not granted.~~

Motion C:

Moved: To amend the Town of Natick Zoning Map by including in an Independent Senior Living Overlay Option Plan overlay district the land known as 22-24, 26 and 32 Union Street on Assessors Map 44, Lots 262, 261 and 260.

Motion D:

Move to amend the Town of Natick Zoning By Law as follows:

By inserting to the list in Section II-A Types of Use Districts after the words "Regional Center Mixed Use Overlay District RCP" the words:

"Independent Senior Living Overlay Option Plan ISLOOP"

and by inserting in Section V-D-3 after the sub section "t) Assisted Living Residences " the following words:

"u) Independent Senior Living Facility – 1.0 spaces per dwelling unit"

and by inserting on the list in Section VI-D-2 A. Special Permits a) after the words "Downtown Mixed Use (DMU) " the following words"

"Independent Senior Living Facility"

and by inserting on the list in Section VI-D-2 B. Site Plan Review Applicability and SPGA Designation a) after the words "Downtown Mixed Use (DMU) " the following words"

"Independent Senior Living Facility"

2017 SPRING ANNUAL TOWN MEETING

Article 41

Amend Zoning Bylaws: Elderly Family Residences and Elderly Family Overlay Option Plan

(Assuming No Changes to the Zoning By Law Under Art. 37 and 38)

Motion A:

Moved: To amend the Town of Natick Zoning By Laws by inserting in the Definitions Section immediately before the definition of **“Indoor Wireless Communications Facility (IWCF)”** a new definition as follows:

“Independent Senior Living Facility: A facility or building which is comprised exclusively, as the primary use, of Elderly Family Residences and which may offer and/or may include services and/or amenities for residents such as but not limited to housekeeping, cleaning, trash removal, meals, activities, transportation, etc. but not including living units or dwelling units that meet the definition of Assisted Living Residences.”

Motion B:

Moved: To amend the Town of Natick Zoning By Laws by inserting in SECTION II – USE DISTRICTS, II-A TYPES OF DISTRICTS a new overlay district as follows:

“ Independent Senior Living Overlay Option Plan”

“ISLOOP”

And by inserting “.1” after III-I in the title ‘Section III-I: Assisted Living Residences’ so that the section now begins “Section III-I.1: Assisted Living Residences”

and

following Section III-I: Assisted Living Residences by inserting, a new section, Section III-I.2. : - Independent Senior Living Overlay Option Plan, as follows:

“Section III-I.2. : Independent Senior Living Overlay Option Plan

2.1. Purpose. The purpose of the ISLOOP is to provide for the creation of Independent Senior Living Facilities to meet the needs of the senior (age 62 and over) population and to provide an alternative development option for parcels in residential single zones which are subject to ISLOOP Overlay Zoning by enabling Independent Senior Living Facilities (ISLF) which provide a residential environment that may offer amenities to individuals 62 years of age or older who are able to live independently and/or to live in a supportive elderly environment. The goal of

the ISLOOP includes the creation of ISLF's which are located in close proximity to the other facilities in the Town which provide services to the senior population.

2.2. Applicability and Eligibility. The Special Permit Granting Authority (SPGA), may grant a special permit in accordance with Section VI-DD, VI-EE, and this ISLOOP section for the construction of an Independent Senior Living Facility in an ISLOOP eligible zone. To be eligible to be placed in an ISLOOP, a parcel must satisfy the following criteria:

i) have at least 50,000 square feet and less than 150,000 square feet of Net Usable Land Area

ii) have continuous frontage located within 800 feet of the AP District on the same side of the street as the AP District

iii) not be located within 800 feet of a Smart Growth Overlay zone and

iv) have a lot depth of at least 210 feet measured from the shortest distance between the lot front and lot rear property lines.

Net Usable Land Area as used herein shall mean the area within the parcel to be used for the ISLF Development in accordance with this Section remaining after subtracting the areas of any bodies of water, wetland, or land lying within the 100 year flood elevation from the gross area of the parcel to be used for Elderly Family residential use and open space. The flood plain and wetlands maps and aerial surveys adopted as official maps by the Planning Board from time to time shall be used to determine areas of water, 100 year flood plain elevations, and wetland boundaries. Notwithstanding the foregoing, the calculation of Net Usable Land Area shall be subject to a maximum limit not to exceed 80% of overall parcel size inclusive of the areas of any bodies of water, wetland, or land lying within the 100 year flood elevation. For the purposes of this paragraph, wetlands shall not include any area that was created or converted into a wetland by human activity including without limitation Federal, State or municipal improvements.

Net Usable Land Area may include any area of a parcel that is zoned Residential Single

2.3 Allowed Uses

All of the uses allowed in the underlying zoning districts shall continue to be allowed within the ISLOOP. All of the regulations applicable to the underlying zoning district shall continue to apply in the ISLOOP except to the extent that they are specifically modified or supplemented by other applicable provisions of the ISLOOP.

Elderly Family Residences and Independent Senior Living Facilities shall be allowed by Special Permit in the ISLOOP. **2.4 Standards.** The SPGA may grant a special permit under the procedures and criteria established in MGL 40 A, the Site Plan Review and Special Permit sections of this by law and the following standards and requirements.

1. The ISLF shall provide residences (living units) of no more than two bedrooms each exclusively to meet the needs of seniors in Elderly Family Residence dwelling units .

2. Such facility may include common areas and community dining facilities. Such facility may also provide accessory personal care services, activities for residents, , and other related programs and services. These accessory uses shall be for residents, their guests and staff only and may include, but are not strictly limited to, meal care services, beauty salon, sundry shop, and banking and recreational facilities. Space designated for accessory uses may not exceed ten (10) percent of total floor area.

3. The SPGA, in order to approve the special permit application, must find that the overall impact of the facility will not substantially derogate from the cumulative impact associated with other uses allowed as a matter of right or by special permit within the zoning district. In addition, the SPGA must find that: i) all noise, smoke, dust, odor, vibration and similar objectionable features are confined to the premises, ii) Mechanical equipment (including equipment and containers such as, but not limited to, waste disposal, recycling and energy generation) are screened, if necessary, in a manner to shield visual impacts; iii) Lighting is shielded in a manner consistent with Section V-I of this ByLaw to reduce light trespass onto abutting properties or waterways; iv) Paint colors and tones of materials be muted and not create visual distraction; v) Design standards to be consistent with a) the general neighborhood and b) nearby historic districts if any within 300 feet of the property, and sighting shall reduce disruption of the topography of the neighborhood; vi) Buffers of native evergreen trees and other plants shall be planted, maintained and replaced when necessary to screen the facility from adjacent residential buildings; vii) Parking, access and buffers are placed in a manner to separate parking areas from abutting properties to prevent imposition on or use of parking on abutting properties; viii) All utilities, wire, and cable service are placed underground.

4. As part of the Special Permit process, the SPGA may require a covenant, consistent with the requirements of MGL Ch. 184 s. 26, to be recorded at the registry of deeds restricting the units in the ISLF to be available to and occupied by only persons specified within the requirements of the definition of Elderly Family Residences.

2.5. Intensity Regulations: Any building erected pursuant to the provisions of this ISLOOP district shall be subject to the following intensity requirements.:

1. Density: The number of units allowed in the ISLOOP shall be equal to the Net Usable Land Area divided by 2,100 rounded to the nearest whole number.
2. Height: 2 and ½ stories or 35 feet
3. Minimum Setbacks:
 - a. Front yard setback: 40 feet.
 - b. Rear yard setback: 40feet.
 - c. Side yard: 30 feet

4. Maximum Building Coverage – 25% of Net Usable Land Area

5. Width and Additional Setbacks: Notwithstanding any other provision to the contrary, no new building shall be permitted on any portion of a parcel having a width less than one half of the square root of the Net Usable Land Area. . Both the main entrance to the building and a minimum of 40% of the width of the building, as measured across the front yard, shall be located at least 80 feet back from the front line of the parcel.

6. Open Space – 35% of land area exclusive of any permanent body of water but inclusive of wetlands

7. Parking: One space per unit

8. Continuous Frontage: 120 feet

9. Sky Exposure Plane: The roof of the building may not project beyond a sky exposure plane determined from a line 10 feet in from and parallel to the lot frontage line in a rise:run ratio of 0.50:1.00

5. Affordability Requirements: Unless a determination has been made satisfactory to the SPGA that the living units of the ISLF do not affect the Town's Subsidized Housing Inventory (SHI) as maintained by the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD), the Applicant shall make a one-time payment to the Affordable Housing Trust Fund of Natick, restricted to the provision of net new affordable housing, in an amount equal to a formula of \$5 multiplied by the total number of square feet of area in living units in the ISLF. This payment shall be required notwithstanding the fact that the Town may have reached an exemption level of production of affordable units in any year.

6. Aquifer Protection District: Notwithstanding residential exclusions in III-A.5.1A or elsewhere in the Zoning ByLaw, any Elderly Family Residence (EFR) and any Independent Senior Living Facility (ISLF) shall be subject to the procedures, site plan review and special permit of the Aquifer Protection Overlay District (APD) if located therein.

2.6 Procedures. In addition to the process set forth in sections VI-DD and VI-EE, the following procedures are to be followed in obtaining approval for an ISLF:

1. Pre-application: The Applicant is encouraged to meet with the Community Development Director and the SPGA prior to the preparation of a formal application, for general discussion of the project to be proposed.
2. Formal application: The Applicant shall submit a plan for the overall development, including a final site plan showing the final completed development in all phases as contemplated on the site at the time of application, regardless of the number of phases in which it may be constructed. Said application shall include at a minimum a completely designed first phase of development. The application shall be filed in the name of the Applicant. The Applicant must either own or submit authorization in writing to act for all of the owners of the ISLF parcel prior to submitting a formal application. The application for a special permit shall be filed by the applicant with the Town Clerk and a copy of said application, including the date and time of filing certified by the Town Clerk, shall be filed by the applicant with the SPGA.
3. Further procedures: Once a special permit is issued, no changes to the final site plan, exclusive of minor modifications as determined by the SPGA, shall be made without applying for a modification of such special permit.

2.7 Bonus Density and Open Space Public Benefit Amenities

Notwithstanding anything else to the contrary, the SPGA may grant additional density or intensity if the applicant provides an Open Space Public Benefit Amenity in the form of public trails, or walkways with a preference for trails or walkways which create additional access to municipal facilities or public parks which shall not be less than i) 100 feet in minimum width and ii) 10,000 square feet in Net Usable Land Area. For the purposes of this section, an Open Space Benefit Amenity obtained or granted under this section may permit the use of motorized golf cart type conveyances on public trails and/or walkways located on the parcel. The maximum increase in density allowable shall be the number of units calculated as the land area in square feet of the Open Space Public Benefit Amenity divided by 800 rounded to the nearest whole number. Any Open Space Public Benefit Amenity shall not be considered in measuring setbacks.

2.8 Modifications and Waivers.

1. The SPGA shall not modify the requirements of this ISLOOP section except that the SPGA may waive strict compliance with sections 2.5.1 through 2.5.8 inclusive and the regulations in the underlying zoning district as applicable, subject to the limitations and restrictions in 2.8.2 below, by finding in writing that a waiver and/or modification will not create conditions that are substantially more detrimental to the neighborhood in which the parcel is located than if the waiver and/or modification were not granted.
2. The SPGA shall not modify or waive the standards of Section 2.4 above.

Motion C:

Moved: To amend the Town of Natick Zoning Map by including in an Independent Senior Living Overlay Option Plan overlay district the land known as 22-24, 26 and 32 Union Street on Assessors Map 44, Lots 262, 261 and 260.

Motion D:

Move to amend the Town of Natick Zoning By Law as follows:

By inserting to the list in Section II-A Types of Use Districts after the words “Regional Center Mixed Use Overlay District RCP” the words:

“Independent Senior Living Overlay Option Plan ISLOOP”

and by inserting in Section V-D-3 after the sub section “t) Assisted Living Residences” the following words:

“u) Independent Senior Living Facility – 1.0 spaces per dwelling unit”

and by inserting on the list in Section VI-D-2 a) after the words “Industrial II (I-II)” the following words”

“Independent Senior Living Facility”

2017 SPRING ANNUAL TOWN MEETING

Article 41

Amend Zoning Bylaws: Elderly Family Residences and Elderly Family Overlay Option Plan

(Assuming No Changes to the Zoning By Law Under Art. 37 and 38)

Motion A:

Moved: To amend the Town of Natick Zoning By Laws by inserting in the Definitions Section immediately before the definition of “Indoor Wireless Communications Facility (IWCF)” a new definition as follows:

“Independent Senior Living Facility: A facility or building which is comprised exclusively, as the primary use, of Elderly Family Residences and which may offer and/or may include services and/or amenities for residents such as but not limited to housekeeping, cleaning, trash removal, meals, activities, transportation, etc. but not including living units or dwelling units that meet the definition of Assisted Living Residences.”

Motion B:

Moved: To amend the Town of Natick Zoning By Laws by inserting in SECTION II – USE DISTRICTS, II-A TYPES OF DISTRICTS a new overlay district as follows:

“ Independent Senior Living Overlay Option Plan”

“ISLOOP”

And by inserting “.1” after III-I in the title ‘Section III-I: Assisted Living Residences’ so that the section now begins “Section III-I.1: Assisted Living Residences”

and

following Section III-I: Assisted Living Residences by inserting, a new section, Section III-I.2. : - Independent Senior Living Overlay Option Plan, as follows:

“Section III-I.2. : Independent Senior Living Overlay Option Plan

2.1. Purpose. The purpose of the ISLOOP is to provide for the creation of Independent Senior Living Facilities to meet the needs of the senior (age 62 and over) population and to provide an alternative development option for parcels in residential single zones which are subject to ISLOOP Overlay Zoning by enabling Independent Senior Living –Facilities (ISLF) which provide a residential environment that may offer amenities to individuals 62 years of age or older who are able to live independently ~~in the community by offering amenities~~ and/or ~~opportunities~~ to live in a supportive elderly environment. The goal of the ISLOOP includes the creation of

ISLF's which are located in close proximity to the other facilities in the Town which provide services to the senior population.

2.2. Applicability and Eligibility. The ~~Planning Board, acting as~~ Special Permit Granting Authority (SPGA), may grant a special permit in accordance with Section VI-DD, VI-EE, and this ISLOOP section for the construction of an ~~Independent Senior Living Facility~~ in an ISLOOP eligible zone. To be eligible to be placed in an ISLOOP, a parcel must satisfy the following criteria:

- i) have at least 50,000 square feet and less than 150,000 square feet of Net Usable Land Area
- ii) have continuous frontage located within 800 feet of the AP District on the same side of the street as the AP District
- iii) not be located within 800 feet of a Smart Growth Overlay zone and
- ~~iv) have a lot depth of at least 210 feet measured from the shortest distance between the lot front and lot rear property lines.~~

Net Usable Land Area as used herein shall mean the area within the parcel to be used for the ISLF Development in accordance with this Section remaining after subtracting the areas of any bodies of water, wetland, or land lying within the 100 year flood elevation from the gross area of the parcel to be used for Elderly Family residential use and open space. The flood plain and wetlands maps and aerial surveys adopted as official maps by the Planning Board from time to time shall be used to determine areas of water, 100 year flood plain elevations, and wetland boundaries. Notwithstanding the foregoing, the calculation of Net Usable Land Area shall be subject to a maximum limit not to exceed 80% of overall parcel size inclusive of the areas of any bodies of water, wetland, or land lying within the 100 year flood elevation. For the purposes of this paragraph, wetlands shall not include any area that was created or converted into a wetland by human activity including without limitation Federal, State or municipal improvements.

Net Usable Land Area may include any area of a parcel that is zoned Residential Single

2.3 Allowed Uses

All of the uses allowed in the underlying zoning districts shall continue to be allowed within the ISLOOP. All of the regulations applicable to ~~in~~ the underlying zoning district shall continue to apply in the ISLOOP except to the extent that they are specifically modified or supplemented by other applicable provisions of the ISLOOP.

Elderly Family Residences and Independent Senior Living Facilities shall be allowed by Special Permit in the ISLOOP. ~~with the Planning Board serving as the Special Permit Granting Authority (SPGA).~~

2.4 Standards. The SPGA may grant a special permit under the procedures and criteria established in MGL 40 A, the Site Plan Review and Special Permit sections of this by law and the following standards and requirements.

1. The ISLF shall provide residences (living units) of no more than two bedrooms each exclusively to meet the needs of seniors in Elderly Family Residence dwelling units .
2. Such facility may include common areas and community dining facilities. Such facility may also provide accessory personal care services, activities for residents, , and other related programs and services. These accessory uses shall be for residents, their guests and staff only and may include, but are not strictly limited to, meal care services, beauty salon, sundry shop, and banking and recreational facilities. Space designated for accessory uses may not exceed ~~ten~~ (10) percent of total floor area.
3. The SPGA, in order to approve the special permit application, must find that the overall impact of the facility will not substantially derogate from the cumulative impact associated with other uses allowed as a matter of right or by special permit within the zoning district. In addition, the SPGA must find that: i) all noise, smoke, dust, odor, vibration and similar objectionable features are confined to the premises- ii) Mechanical equipment (including equipment and containers such as, but not limited to, waste disposal, recycling and energy generation) are screened, if necessary, in a manner to shield visual impacts; iii) Lighting is shielded in a manner consistent with Section V-I of this ByLaw to reduce light trespass onto abutting properties or waterways; iv) Paint colors and tones of materials be muted and not create visual distraction; v) Design standards to be consistent with a) the general neighborhood and b) nearby historic districts if any within 300 feet of the property, and sighting shall reduce disruption of the topography of the neighborhood; vi) Buffers of native evergreen trees and other plants shall be planted, maintained and replaced when necessary to screen the facility from adjacent residential buildings; vii) Parking, access and buffers are placed in a manner to separate parking areas from abutting properties to prevent imposition on or use of parking on abutting properties; viii) All utilities, wire, and cable service are placed underground.
4. As part of the Special Permit process, the SPGA may require a covenant, consistent with the requirements of MGL Ch. 184 s. 26, to be recorded at the registry of deeds restricting the units in the ISLF to be available to and occupied by only persons specified within the requirements of the definition of Elderly Family Residences.

2.5. Intensity Regulations: Any building erected pursuant to the provisions of this ISLOOP district shall be subject to the following intensity requirements.:

1. Density: The number of units allowed in the ISLOOP shall be equal to the Net Usable Land Area divided by 2,100 rounded to the nearest whole number.
2. Height: 2 and ½ stories or 35 feet
3. Minimum Setbacks:

ISLOOP 03.15.17

- a. Front yard setback: ~~43~~0 feet.
- b. Rear yard setback: ~~40~~25 feet.
- c. Side yard: ~~32~~0 feet

4. Maximum Building Coverage – 25% of Net Usable Land Area

5. ~~Lot~~ Width and Additional Setbacks: Notwithstanding any other provision to the contrary, no new building shall be permitted on any portion of a parcel having a width less than one half of the square root of the Net Usable Land Area. Both the main entrance to the building and a minimum of 40% of the width of the building, as measured across the front yard, shall be located at least 80 feet back from the front line of the parcel.

6. Open Space – ~~35~~0% of land area exclusive of any permanent body of water but inclusive of wetlands

7. Parking: One space per unit

8. Continuous Frontage: 120 feet

9. Sky Exposure Plane: The roof of the building may not project beyond a sky exposure plane determined from a line 10 feet in from and parallel to the lot frontage line in a rise:run ratio of 0.50:1.00

~~For the purposes of this overlay, height shall be measured from the average ground elevation along the lot frontage.~~

5. Affordability Requirements: Unless a determination has been made satisfactory to the SPGA that the living units of the ISLF do not affect the Town's Subsidized Housing Inventory (SHI) as maintained by the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD), the Applicant shall make a one-time payment to the Affordable Housing Trust Fund of Natick, restricted to the provision of net new affordable housing, in an amount equal to a formula of \$5 multiplied by the total number of square feet of area in living units in the ISLF. This payment shall be required notwithstanding the fact that the Town may have reached an exemption level of production of affordable units in any year.

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2.6 Procedures. In addition to the process set forth in sections VI-DD and VI-EE, the following procedures are to be followed in obtaining approval for an ISLF:

1. Pre-application: The Applicant is encouraged to meet with the Community Development Director and the SPGA prior to the preparation of a formal application, for general discussion of the project to be proposed.
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3. Further procedures: Once a special permit is issued, no changes to the final site plan, exclusive of minor modifications as determined by the SPGA, shall be made without applying for a modification of such special permit.

2.7 Bonus Density and Open Space Public Benefit Amenities

Notwithstanding anything else to the contrary, the SPGA may grant additional density or intensity if the applicant provides an Open Space Public Benefit Amenity in the form of public trails, or walkways with a preference for trails or walkways which create additional access to municipal facilities or public parks which shall not be less than i) 100 feet in minimum width and ii) 10,000 square feet in Net Usable Land Area. For the purposes of this section, an Open Space Benefit Amenity obtained or granted under this section may permit the use of motorized golf cart type conveyances on public trails and/or walkways located on the parcel. The maximum increase in density allowable shall be the number of units calculated as the land area in square feet of the Open Space Public Benefit Amenity divided by 800 rounded to the nearest whole number. Any Open Space Public Benefit Amenity shall not be considered in measuring setbacks.

2.8 Modifications and Waivers.

1. The SPGA shall not modify the requirements of this ISLOOP section except that the SPGA may waive strict compliance with sections 2.5.1 through 2.5.8 inclusive and the regulations in the underlying zoning district as applicable, subject to the limitations and restrictions in 2.8.2 below, by finding in writing that a waiver and/or modification will not create conditions that are substantially more detrimental to the neighborhood in which the parcel is located than if the waiver and/or modification were not granted.

2. The SPGA shall not modify or waive the standards of Section 2.4 above.

Motion C:

Moved: To amend the Town of Natick Zoning Map by including in an Independent Senior Living Overlay Option Plan overlay district the land known as 22-24, 26 and 32 Union Street on Assessors Map 44, Lots 262, 261 and 260.

Motion D:

Move to amend the Town of Natick Zoning By Law as follows:

By inserting to the list in Section II-A Types of Use Districts after the words “Regional Center Mixed Use Overlay District RCP” the words:

“Independent Senior Living Overlay Option Plan ISLOOP”

and by inserting in Section V-D-3 after the sub section “t) Assisted Living Residences “ the following words:

“u) Independent Senior Living Facility – 1.0 spaces per dwelling unit”

and by inserting on the list in Section VI-D-2 a) after the words “Industrial II (I-II) ” the following words”

“Independent Senior Living Facility”

ITEM TITLE: Article 5 - Collective Bargaining

ITEM SUMMARY:

ATTACHMENTS:

| Description | Upload Date | Type |
|--|--------------------|-------------|
| Town Administrator memo to FinCom re: Articles 4, 5 and 30 | 3/20/2017 | Exhibit |



Town of Natick

Town Administrator's Office

TO: FINANCE COMMITTEE

FROM: MARTHA WHITE, TOWN ADMINISTRATOR

SUBJECT: 2017 SPRING ANNUAL TOWN MEETING
ARTICLE 4 - PERSONNEL BOARD CLASSIFICATION AND PAY PLAN
ARTICLE 5 - COLLECTIVE BARGAINING
ARTICLE 30 - AMEND BY-LAWS REGARDING THE ESTABLISHED DATES FOR TOWN
ELECTION, SPRING ANNUAL TOWN MEETING, AND SUBMISSION OF FISCAL
DOCUMENTS

DATE: 3/20/2017

CC: HR DIRECTOR
PERSONNEL BOARD
DEPUTY TA FOR OPERATIONS
TOWN MODERATOR
TOWN CLERK
TOWN COUNSEL

Article 4 - Personnel Board Classification and Pay Plan

The Personnel Board is not recommending any changes to the Classification and Pay Plans for full and part time non-union personnel. Nonetheless, given that the Plan last approved by Town Meeting was specifically for the fiscal year 2017, the Plans for fiscal year 2018 must be presented and voted. That proposal, identical to the Plans approved by the 2016 Fall Annual Town Meeting, is attached. The motion would be as follows:

"Move that the Town vote to amend the By-Laws by changing in its entirety the table entitled Classification and Pay Plan that is incorporated by reference into Article 24, Section 3, Paragraph 3.10. The new Classification and Pay Plan is as follows:" (Full and Part Time Plans are attached to this memo)

Article 5 - Collective Bargaining

Under this Article, Town Meeting is asked to appropriate funds for the current fiscal year (and prior fiscal year, if applicable) for collective bargaining agreements (CBAs) that

have been ratified by the respective union as well as management; such appropriation requirement applies only to General Government unions, of which there are ten. Contracts with the Clerical Union, DPW Laborers' Union and Library Union for FY 2016-2018 have been ratified by both parties and funded by prior Town Meetings. As of this date, the Facilities Management employees have ratified the terms of an agreement for FY 2016-2018; this agreement has also been ratified by the School Committee and is scheduled for vote of the Board of Selectmen on March 27. Negotiations with five additional General Government unions are being actively pursued by the parties with the goal of achieving ratification in time to request appropriation of funds at the upcoming Town Meeting. As to negotiations with the Patrol Officers' union, this matter has been referred to the Commonwealth's Joint Labor Management Committee for arbitration.

The Administration requests that the Finance Committee postpone action on this Article. The Administration and union representatives are working diligently and in good faith to reach agreement and ratification. As has been the case in past years, we ask for the Finance Committee's patience and indulgence as efforts by union representatives and the Administration are advanced.

Article 30 - Amend By-Laws Regarding the Established Dates for Town Election, Spring Annual Town Meeting, and Submission of Fiscal Documents

We are asking that the subject matter of this Article be referred to the Town Administrator.

ITEM TITLE: Article #2 - Committee Article: Natick Affordable Housing Trust

ITEM SUMMARY:
