

**2017 Fall Annual Town Meeting
Fine and Performing Arts Center
Natick High School
October 26, 2017
Fourth Session**

The Fourth Session of the 2017 Fall Annual Town Meeting was called to order at 7:45 PM by Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the Fourth Session of 2017 Fall Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting stand to take the oath of office. There were no new Town Meeting members. The Moderator asked the audience to stand for the Pledge of Allegiance and a moment of silence in recognition of all the men and women serving on our behalf throughout the world.

The Moderator introduced the officials present on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; Ms. Kathy Lentini, Patrick Hayes, Finance Committee Chair; Bruce Evans, Finance Committee Secretary; Martha White, Town Administrator; John Flynn, Town Counsel; and Jonathan Freedman, Chair, Board of Selectmen; Mr. Chenard, Deputy Town Administrator for Operations and Tim Lathwood, a representative from Option Technologies who will be operating the electronic voting system.

The Moderator reviewed the general rules and procedures of Town Meeting that were accepted at a previous session of this meeting. He indicated that all residents and taxpayers of the town and town officers and employees, whether or not residents, have the same right to speak as Town Meeting Members; however they do not have the right to submit motions for consideration at Town Meeting, nor vote on any matter before Town Meeting. Non-residents may only speak at Town Meeting after approval by Town Meeting Members. The proceedings of Town Meetings shall be governed by *Town Meeting Time*, the Town of Natick Home Rule Charter, the Natick By-Laws and the General Laws of the Commonwealth of Massachusetts.

No person shall speak upon any article more than once when any other person desires to be heard, nor more than twice on the same question without permission of Town Meeting; and no person shall speak more than ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-Laws, any person having a monetary or equitable interest in any matter under discussion at a Town Meeting, and any person employed by another having such an interest, shall disclose the fact of his/her interest or employment before speaking thereon.

The Moderator announced that the meeting will begin with Article 31 which was postponed until this evening followed by Article 50 and 51 and then Article 28.

ARTICLE 31: Amend Zoning By-Laws: Sky Exposure Plane (Planning Board)

To see if the Town will vote to amend the Zoning Bylaws with regard to augment Sky Exposure Plane standards as provided, in part, by MGL c. 40A s. 9B, by amending or modifying Section 200 Definitions and Section IV – Intensity Regulations; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee does not have a recommendation on the subject matter of Article 31.

MOTION (Requires two-thirds vote):

Moved by Ms. Evans, seconded by Mr. Awkward to amend the Zoning By-Laws: Sky Exposure Plane as follows

In Section 200 - Definitions; delete the current definition: “Sky Exposure Plane” and insert new definitions “Sky Exposure Plane”, “Sky Exposure Plane Slope”, and “Sky Exposure Plane Starting Elevation” as follows:

“**Sky Exposure Plane:** A plane that begins on a lot line of a parcel at or above Grade, then extends vertically and horizontally at a slope perpendicular to that lot line until it reaches the maximum permitted height in the district or intersects with a Sky Exposure Plane from another of the parcel’s lot lines. The Slope and the Starting Elevation for the Sky Exposure Plane may vary for the front, side, and rear areas of a lot.”

“Sky Exposure Plane Slope: The vertical rise of a Sky Exposure Plane above the horizontal, expressed as a ratio of **Rise** (Vertical distance) to **Run** (Horizontal distance). As per the following examples or by other slope provided in these bylaws.

- i. A Sky Exposure Plane with a slope of 2:1 rises two (2) feet vertically for every one (1) foot of horizontal distance away from its starting point.
- ii. A Sky Exposure Plane with a slope of 1:1 rises one (1) foot vertically for every one (1) foot of horizontal distance away from its starting point.
- iii. A Sky Exposure Plane with a slope of 1:2 rises one (1) foot vertically for every two (2) feet of horizontal distance away from its starting point.”

“Sky Exposure Plane Starting Elevation: The specified vertical distance at or above the mean finished grade, of a building or structure, imputed to a lot line which marks the starting point of a Sky Exposure Plane.”

Ms. Evans spoke to the article. Mr. Sidney moved, seconded by Mr. Gath to waive the reading of the motion. *The motion to waive the reading of the motion passed unanimously (by hand count). The main motion under Article 31 passed by a two-thirds vote (94-9-7).*

ARTICLE 50: Repeal the Single Use Plastic Bag Ban that Went Into Effect August 1, 2017 (Brent Longtin et al)

Repeal the single use plastic bag ban that went into effect August 1, 2017 or take any other action with respect thereto.

FINANCE COMMITTEE RECOMMENDATION

At the Finance Committee meeting on **September 12, 2017** three motions were offered and seconded- Favorable Action (2-10-0), Indefinite Postponement (5-7-0) and No Action (5-6-1). No motion received the required 8 votes.

MOTION: (Requires majority vote)

Moved by Mr. Sidney, seconded by Mr. Glater to indefinitely postpone the subject matter of Article 50.

Mr. Sidney spoke to the motion to indefinitely postpone the subject matter of Article 50. Mr. Longtin, sponsor of the Article also spoke to the subject matter. *The motion to indefinitely postpone the subject matter of Article 50 passed by majority vote (73-31-5).*

ARTICLE 51: Restricting the use of Polystyrene Disposable Food Containers in Food Establishments (Patrick Conaway, et al)

Propose that the Town of Natick, through its Board of Health, prohibit the purchase, sale, distribution and use of foam and rigid Polystyrene Disposable Food Containers by Food Establishments to prepare or serve food or drinks and to require the use and distribution of Disposable Food Containers made of safer, more sustainable and environmentally friendly materials.

FINANCE COMMITTEE RECOMMENDATION

At the Finance Committee meeting on **September 14, 2017** two motions were offered and seconded- Favorable Action (7-1-2), Indefinite Postponement (2-8-0). Neither motion received the required 8 votes.

MOTION: (Requires majority vote)

Moved by Mr. Evans, seconded by Mr. Hayes that Town Meeting take no action on the subject matter of Article 51.

Mr. Sidney moved, seconded by Mr. Glater to refer the subject matter of Article 51 to the Board of Health.

Mr. Sidney spoke to the referral motion. Mr. Conaway, Town Meeting Member from Precinct 2, made a presentation on this article. The meeting voted by majority vote (by hand count) to allow Ms. Hake (a Weston resident) to speak. Mr. Ian Mevorach, a Natick resident, spoke to this article as well. There was considerable discussion on this article.

Mr. Gath, seconded by Ms. Collins to indefinitely postpone the subject matter of Article 51. The Moderator announced that there are three motions on the floor and that referral would be voted first:

- No Action
- Referral to the Board of Health

- Indefinite Postponement

The motion to refer the subject matter of Article 51 to the Board of Health passed by majority vote (70-41-1).

**ARTICLE 28: Actions pertaining to acquisition and preservation of real property at 79 South Street, Assessors Map 77 Lot 7. (Thomas Sawin Homestead Preservation Committee)
(Pursuant to Article 35, 2015 Fall Annual Town Meeting)**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, for historic preservation, education, cultural facility, and museum purposes, the building known as the Thomas Sawin House, located at 79 South Street, Map 77 Lot 7, together with a portion of said lot not to exceed one acre;
-and, further; to authorize the Board of Selectmen and other applicable boards, commissions, and personnel to apply for and receive grants or gifts for the purposes of this article and to take all action necessary or appropriate to accomplish the purposes of this article
-and, further; to authorize the Board of Selectmen to enter into lease agreements, licenses or other property contracts with non-profit entities consistent with historic preservation, educational, cultural facility, and museum purposes that Town Meeting may authorize;
-and, further; to see what sum of money the Town will vote to appropriate and raise, borrow or otherwise provide for the purposes of this article;
-or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION

Motion A: By a vote of **13-0-0** on **September 28, 2017** the Finance Committee recommends **Favorable Action** on the motion as printed below.

Motion B: By a vote of **11-0-2** on **September 28, 2017** the Finance Committee recommends **Favorable Action** on the motion as printed below.

MOTION A: (Requires majority vote)

Moved by Mr. Evans, seconded by Mr. Hayes to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, for historic preservation, education, cultural facility, and museum purposes, land with buildings thereon located at 79 South Street, Town of Natick Assessors' Map 77 Lot 7, such land area not to exceed one acre;
-and, further; to authorize the Board of Selectmen and other applicable boards, commissions, and personnel to apply for and receive grants or gifts for the purposes of this article and to take all action necessary or appropriate to accomplish the purposes of this article;
-and, further; to authorize the Board of Selectmen to enter into lease agreements, licenses or other property contracts with non-profit entities consistent with historic preservation, educational, cultural facility, and museum purposes, or other purposes that Town Meeting may authorize.

The Moderator allowed the speakers to address both motions at this time. Mr. Haugland and Ms. Balsam, members of the Thomas Sawin Homestead Preservation Committee, spoke to this article. Ms. Elissa Landre, Manager of Broadmoor Wildlife Sanctuary. Considerable discussion ensued on this article. Mr. Grady moved, seconded by Mr. Sidney to move the question and end debate on this question. *The motion to move the question and end debate on Motion A of Article 28 passed by a two-thirds vote (by hand count). Motion A under Article 28 passed by two-thirds vote (79-18-6).*

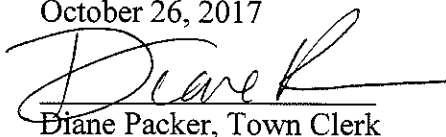
Motion B: (Requires majority vote)

Moved by Mr. Evans, seconded by Mr. Hayes to appropriate the sum of \$10,000.00 to be expended under the direction of the Board of Selectmen for the purposes of this article; and that the above amount be raised from Free Cash.

Motion B under Article 28 passed by majority vote (81-15-3).

Mr. Sidney moved, seconded by Mr. Ostroff to adjourn. *The motion to adjourn passed by majority vote.* The meeting adjourned at 10:25PM until Thursday, November 2nd at 7:30 PM.

A record of the Fourth Session of
2017 Fall Annual Town Meeting
October 26, 2017


Diane Packer, Town Clerk