



Town of Ashland

M A S S A C H U S E T T S

Smart. Safe. Sustainable.

TOWN OF ASHLAND

ANNUAL TOWN MEETING WARRANT
June 12, 2021
Ashland High School

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Article 1: Transfer from General Stabilization Fund

Sponsor: Town Manager

To see if the Town will vote to transfer available funds from the General Stabilization fund to support the FY22 General Fund Budget, or pass any vote or take action relative thereto.

Article 2: Fiscal Year 2022 Budget

Sponsor: Town Manager

To see if the Town will vote to raise, appropriate and/or transfer from available funds in the treasury such sums of money as are necessary to defray charges and expenses of the town, including debt and interest, for the ensuing fiscal year, or pass any vote or take any action relative thereto.

Article 3: Transfer to OPEB Trust:

Sponsor: Select Board

To see if the Town will transfer **\$200,000** from OPEB Contribution Account **#01915-51709** to the OPEB Trust, Account **#88100-49710**, or pass any vote or take any action relative thereto

Article 4: Annual Consent Article - General

Sponsor: Select Board

To see if the Town will vote the following consent articles:

1. Grant Program Authorization - To see if the Town will vote to authorize the Select Board and/or the Town Manager to apply for, accept and enter into contracts from time to time for the expenditure of any funds allotted to Ashland by the Commonwealth of Massachusetts or the U. S. Government under any State or Federal grant program;

2. Road Contracts - To see if the Town will vote to authorize the Town Manager to enter into a contract with the Massachusetts Highway Department Commissioner or the Federal Government for the construction and maintenance of public highways in the Town of Ashland for the ensuing year;

3. Contracts in Excess of Three Years - To see if the Town will vote in accordance with the provisions of G.L. c. 30B, § 12(b), to authorize the Town Manager or the Superintendent of Schools to solicit and award contracts for terms exceeding three years, including any renewal, extension or option, provided in each instance the longer term is determined to be in the best interest of the Town by a vote of the Select Board or the School Committee, as appropriate;

4. Lease Purchase Agreements – To see if the Town will vote in accordance with the provisions of G.L.c. 44 §21C to authorize the Select Board to enter into lease purchase financing agreements to acquire equipment or improve a capital asset that may be financed by the issuance of debt under G. L. c. 44 or otherwise allowed by law, for a term up to the useful life of the property and to be procured in accordance with appropriate procurement laws. or take any other action relative thereto.

5. Revolving Funds: To see if the Town will vote to fix the maximum amount that may be spent during FY 2021 beginning July 1, 2021 for the revolving funds established in the town bylaws for certain departments, boards, committees, agencies or officers in accordance with G.L. c. 44 §53E 1/2, or take any other action relative thereto.

6. Grant Easements: To see if the Town will vote to authorize the Select Board and the School Committee to grant easements for access, water, drainage, sewer and utility purposes on terms and conditions the Board and the Committee deem in the best interest of the Town; or pass any vote or take any action relative thereto.

by the same aggregate amount, as allocable to each project, or to take any other action relative thereto.

Article 5: Annual Consent Article: Community Preservation Act
Sponsor: Community Preservation Committee

To see if the Town will vote the following consent articles:

- a. **Community Preservation Funds – FY22 Annual Appropriations** - To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2022, with each item to be considered a separate appropriation:

Appropriations:

From FY 2022 estimated revenues to Committee Administrative Expense \$67,883

Reserves:

From FY 2022 estimated revenues to Historic Resources Reserve \$60,909

From FY 2022 estimated revenues to Community Housing Reserve \$60,909

From FY 2022 estimated revenues to Open Space Reserve \$60,909

From FY 2022 estimated revenues to Undesignated Reserve \$426,365

- b. **Community Preservation Funds – Oak Street Bond Payment** - To see if the Town will vote to appropriate \$154,525 in Community Preservation Act funds to fund the bond payment approved in Article 1 of the Special Town Meeting of November 26, 2007 that acquired by eminent domain a certain parcel of land off Oak Street, now or formerly owned by Stephanie A. and Kristen McCook consisting of 1,305,929 +/- sq. ft. and more particularly described as parcel #003D-005-000 on the Assessors Map and further defined in an Order of Taking by Eminent Domain filed with the Middlesex County Registry of Deeds Southern District on January 7, 2002, all in accordance with the Agreement for Judgment issued by the Superior Court Department of the Trial Court, Civil Action No. MICV2003-02643 which amount supplemented the funds raised in its vote of Article 6 of the Fall Special Town Meeting of October 20, 1999, for the acquisition of the aforesaid parcel, from the Community Preservation Fund Undesignated Reserve Account, to be added to 01710 Debt Service passed in Article 3 of this Town Meeting; or pass any vote or take any other action relative thereto.
- c. **Community Preservation Funds – H.S. Athletic Fields Bond Payment** - To see if the Town will vote to appropriate \$320,950 in Community Preservation Act funds to fund the bond payment approved in Article 11 of the Annual Town Meeting of May 4, 2011 to construct and equip athletic fields to be located at the Ashland High School and other ancillary uses and to pay for all related engineering and legal fees associated therewith from the Community Preservation Fund Undesignated Reserve Account, to be added to 01710 Debt Service passed in Article 3 of this Town Meeting; or pass any vote or take any other action relative thereto.
- d. **Community Preservation Funds – Warren Woods Bond Payment** - To see if the Town will vote to appropriate \$159,218 in Community Preservation Act funds to fund the bond payment for the purchase of that certain parcel of land which was owned by Northeastern University and described as Assessors' Map 28, Lots 070 and 072, consisting of approximately 118.36 +/- acres, more or less, known as Warren Woods and which the Town acquired by deeds dated June 5, 2012 and recorded in Book 59237, Page 246 and Book 59237 Page 252 and which said expenditure and purchase was approved in Article 8 of the Special Town Meeting of November 29, 2010 and further modified by Article 5 of the Special Town Meeting of October 18, 2011, from the following FY 2014 CPA reserve accounts;

Historic Resources Reserve	<u>\$50,950</u>
Open Space Reserve	<u>\$42,989</u>
Undesignated Reserve	<u>\$65,280</u>

- e. **Community Preservation Funds – Valentine Estate** – To see if the Town will vote to appropriate \$45,986. in Community Preservation Act Funds to fund the bond payment for the purchase of land known as and numbered 125 through 133 West Union Street, Ashland, Middlesex County, Commonwealth of Massachusetts including the land shown as Parcel A., Lot 1, Lot 2, Lot 3 on a plan entitled “Plan of Land Ashland, MA” dated January 21, 1997 as revised December 14, 1998 by GLM Engineering Consultants, Inc., 1750 Washington Street, Holliston, MA recorded as Plan Number 148 of 1999 in Plan Book 29795, Page 18 including 7.67 acres +/- and which said expenditure and purchase was approved in Article 10 of the Annual Town Meeting May 2, 2018 and further that the bond payment be paid from the following CPA reserve accounts;

Open Space Reserve	<u>\$6,571</u>
Undesignated Reserve	<u>\$39,415</u>

And further, to transfer \$45,725.24 in Community Preservation Act Funds to the General Fund 49700-49720_ to pay for the bond payment which was made in FY 2020 for the purchase of land known as and numbered 125 through 133 West Union Street, Ashland, Middlesex County, Commonwealth of Massachusetts including the land shown as Parcel A., Lot 1, Lot 2, Lot 3 on a plan entitled “Plan of Land Ashland, MA” dated January 21, 1997 as revised December 14, 1998 by GLM Engineering Consultants, Inc., 1750 Washington Street, Holliston, MA recorded as Plan Number 148 of 1999 in Plan Book 29795, Page 18 including 7.67 acres +/- and which said expenditure and purchase was approved in Article 10 of the Annual Town Meeting May 2, 2018 and further that the bond payment be paid from the following CPA reserve accounts

Open Space Reserve	<u>\$6,534.14</u>
Undesignated Reserve	<u>\$39,191.11</u>

And further, to transfer \$46,086.25 in Community Preservation Act Funds to the General Fund 49700-49720 to pay for the bond payment which was made in FY2021 for the purchase of land known as and numbered 125 through 133 West Union Street, Ashland, Middlesex County, Commonwealth of Massachusetts including the land shown as Parcel A., Lot 1, Lot 2, Lot 3 on a plan entitled “Plan of Land Ashland, MA” dated January 21, 1997 as revised December 14, 1998 by GLM Engineering Consultants, Inc., 1750 Washington Street, Holliston, MA recorded as Plan Number 148 of 1999 in Plan Book 29795, Page 18 including 7.67 acres +/- and which said expenditure and purchase was approved in Article 10 of the Annual Town Meeting May 2, 2018 and further that the bond payment be paid from the following CPA reserve accounts

Open Space Reserve	<u>\$6,585.73</u>
Undesignated Reserve	<u>\$39,500.53</u>

or pass any vote or take any other action relative thereto.

Article 6: Appropriate Funds for Valentine Barn Roof and Structural Repairs and Invasive Plant Removal
Sponsor: Community Preservation Committee

To see if the Town will vote to appropriate up to \$125,000 to enable the Town of Ashland to complete roof and structural repairs on the barn as well as perform invasive plant removal on the property located at 133 West Union Street. The barn, located at said address is, identified on the Massachusetts Historical Commission State Register of Historic Places (MACRIS database as ASL.196 and ASL.27). Repairs to the barn are to ensure the protection from further injury, harm or destruction, and provide stability and weather-tightness to the structure, to be completed in compliance with the Secretary of the Interior Standards for the Treatment of Historic Properties, under Chapter 44B, the Community Preservation Act, and that to meet this appropriation, the sum of up to \$125,000 be transferred from the Historical

Resources Reserve Account from the Community Preservation Fund balance, with unexpended funds as of June 30, 2023 being returned to their funding source; or pass any vote or take any other action thereon.

Article 7: Accept Easement from YMCA for Trolley Brook Trail
Sponsor: Select Board

To see if the Town will vote to accept an easement from the Metrowest Young Men’s Christian Association, Inc., which is shown as the “Trail Easement” including 2,875 sq feet +/- and as shown on a plan entitled “Plan of Easement” prepared by BSC., and dated May 20 2021 and on file with the Town Clerk, for the purpose of a Public Bike Path or Multi Use Rail Trail to be under the care, custody and control of the Select Board, and to authorize the Select Board to negotiate and execute any and all documents necessary to effectuate same, or pass any vote or take any action relative thereto.

Article 8: Amend Zoning Bylaw: Clarification of Design Review Process Requirements
Sponsor: Planning Board

To see if the Town will vote to amend the Town of Ashland Zoning Bylaw Chapter 282, Section 9, as follows (cross out are eliminations and bold underline is new language):

Section 9.6.3

#4. Properties with projects requiring design review per section 9.4.1.7 of Chapter 282 (Zoning) of the Town of Ashland Code.

Article 9: Amend Zoning Bylaws: Add New Section: Covered Open-Air Front Porch
Sponsor: Planning Board

To see if the Town will amend section 4 Dimensional Requirements of Chapter 282 of the Town of Ashland Zoning Bylaw by adding a new section “4.1.6 Covered Open-Air Front Porch” as follows:

4.1.6 Covered Open-Air Front Porch: The Dimensional Requirements requiring minimum front yard setbacks in residential districts shall not apply to a Covered Open-Air Front Porch, where at least ninety (90) percent of the Porch is located between the front of the residential structure and the front lot line, provided that no portion of the Covered Open-Air Front Porch shall be:

- (1) Enclosed by screen, glass or building walls, whether full or partial (open handrails and guardrails shall be allowed up to a height of 38 inches);
- (2) Of a depth (including all roof lines and columns, but not stairs) greater than ten (10) feet;
- (3) Of a height greater than one story (as related to the adjoining building) and with habitable space or balconies located above the Covered Open-Air Front Porch;

- (4) Located closer to the front lot line than a distance in feet equal to sixty (60%) percent of the applicable front yard setback requirement;
- (5) Covered with a flat, non-sloped roof, unless such roof is an open trellis; and
- (6) Constructed in non-compliance with all other requirements of the underlying zone including, without limitation, side yard setbacks and lot coverage requirements.
- (7) The volume and footprint of a Covered Open-Air Front Porch shall not be considered part of the volume or footprint of a non-conforming structure being rebuilt under section 3.3.7. However, the Covered Open-Air Front Porch may be rebuilt in kind after a demolition, destruction or catastrophe.
- (8) Said bylaws shall only be applicable for structures in existence at the time of adoption (Annual Town Meeting, June 12, 2021)

Or take any other action related thereto.

**Article 10: Amend Zoning Bylaws: Revise and Replace Downtown District Zoning
Sponsor: Planning Board**

To see if the Town will vote to replace the Town of Ashland Zoning Bylaw Chapter 282, Section 8.5, with the following:

8.5 ASHLAND DOWNTOWN
DISTRICT (ADD)

8.5.1 Purpose. The purpose of this district isto:

1. Provide a framework to encourage the growth and development of a successful downtown that will promote village style redevelopment with a mix of commercial, retail, and residential uses in a walkable environment with a density that is consistent with the design principles herein, and that is functionally vibrant and active, and perceived to be an attractive destination visited by residents throughout Ashland and surrounding communities.
2. Broaden the tax base, enhance long-term economic vitality, improve the quality of life of residents, and improve the business climate by encouraging investment that will create employment and economic opportunity, attract other private investment and improvements to property. To reduce automobile dependency and air pollution by locating multiple destinations in close proximity. To strengthen the sense of community in Ashland by building on Downtown Ashland's inherent assets, historic architecture, and cultural offerings to rekindle entrepreneurship, downtown cooperation and civic engagement.

8.5.2 Purpose of Sub-Areas. The Ashland Downtown District (ADD) is

divided into the three sub-areas designed to allow a mixture of land uses where feasible and appropriate. In addition, the ADD will:

1. focus on site and building design required to promote attractive, functional development,
2. allow greater flexibility in the use of land and design of buildings, structures, landscape and amenities, include a mix of retail, office, institutional and residential including affordable housing, and
3. the ADD is intended to foster a pedestrian friendly downtown with vibrant activities, shopping and an attractive place to live.

8.5.3 Map. This district is to be applied to the area referenced on the Zoning Map as Ashland Downtown District.

Sub-area A shall overlay all underlying districts so that any parcel of land lying in sub-area A shall also lie in the zoning district in which it was classified prior to May 10, 2006. Notwithstanding any regulations in this Section 8.5, all regulations of the underlying zoning districts shall continue to apply within the Downtown District, so that the uses permitted in this Section 8.5 shall be in addition to the uses permitted in the underlying district; provided however, that the following uses shall be prohibited: Earth, vegetative materials and stone removal; and outdoor storage of goods associated with a permitted use without screening as required by Section 5.4. Where screening is provided in sub-area A for the outdoor storage of goods associated with a permitted use the requirements of Section 5.4 shall be increased so that such goods shall be screened from adjacent uses by landscaped buffers which shall be at least 15 feet in depth and which shall contain opaque screening comprised of walls, fences, berms, shrubs or evergreen plantings, or any combination thereof to prevent adverse impacts on neighboring properties. Opaque screens shall be opaque in all seasons of the year. When berms are used to meet the requirements for a buffer strip they shall be planted with living vegetation. The minimum, top width of a berm shall be three (3) feet, and the maximum side slope shall be 3:1. No more than twenty-five per cent (25%) of the coverage of a planted berm shall be mulch or non-living material.

8.5.4 Sub-Areas. There are three sub-areas in the ADD designed to promote and strengthen residential, retail and commercial development in the downtown area and to encourage mixed use that also promotes pedestrian and neighborhood activities in the downtown. The boundaries of the sub-areas on designated on the Ashland Zoning Map dated May 10, 2006.

1. Sub-area A is designed to promote the highest level of mixed use, encouraging retail on the first floor and commercial and/ or residential on the upper floors.
2. Sub-area B is designed to promote some mixed use where feasible especially commercial/retail on the first floor and residential on the upper floors.

3. Sub-area C is designed to allow mixed uses where feasible but at a lower density than A and B.

8.5.5 Table of Uses. A use listed in the "Table of Uses" shown below is permitted in any sub-area of the ADD denoted by the letter "Y" and is not permitted in any sub-area of the ADD denoted by the letter "N." If denoted by the letters "SP" the use is permitted only if the Planning Board grants a special permit as provided herein and makes such specific findings as may be required by the Bylaw in respect of such use. Within the ADD, the following listed development types of uses and mixed uses shall be allowed as designated: [Amended 5-4-2016 ATM, Art.23]

ASHLAND DOWNTOWN DISTRICT (ADD)	ADD-A	ADD-B	ADD-C
Permitted Residential Uses			
Single family and two-family dwelling homes, other than mobile home	N	SP	Y
Multifamily dwellings (3 or more dwellings)	Y	Y	SP
Dwelling units and retail, office and/ or other allowed business in separate buildings on the same lot	Y1	Y	SP
Mixed residential and commercial/ business	Y	Y	Y
Senior Residential Community pursuant to Sec 7.2 (no acreage requirement)	SP	SP	N
Cluster development pursuant to Sec 7.3	SP	N	N
Accessory family dwelling unit in compliance with Article IV, Special Regulations Sec 7.6	N	SP	SP
Permitted Community Services			
Religious or educational purposes on land owned or leased by a public body, religious group or nonprofit educational corporation	Y	Y	Y
Child daycare, adult care or assisted living facility	Y	Y	Y
Municipal uses not elsewhere specifically cited	Y	Y	SP

ASHLAND DOWNTOWN DISTRICT (ADD)	ADD-A	ADD-B	ADD-C
Post office	Y	Y	Y
Community center and public recreation center	SP	SP	SP
Nursing, convalescent, rest home, hospital	Y	Y	Y
Mixed business and residential use in the same building	Y	Y	Y
Mixed business and residential use in separate buildings on the same lot	Y	Y	Y
Business offices such as sale agents, real estate	Y	Y	Y
Bank or financial institutions without drive-up windows	Y	Y	Y
Bank or financial institutions with drive-up windows	SP	SP	N
Any use set forth above in a building with more than 20,000 sq. ft. of gross floor area	SP	N	N
Outdoor storage of products for sale	SP2	SP2	SP2
Home occupation in compliance with sec 3.2.1	Y	Y	Y
Permitted Restaurant Uses			
Restaurant and/or bakery with no outside seating and no drive-up window	Y	Y	Y
Restaurant and/or bakery, with outside seating and no drive-up window	Y	SP	SP
Restaurant, fast-food, no drive-up	SP	SP	N
Restaurant, fast-food with drive-up	SP	SP	N
Cafeteria, lunch or soda counter, ice cream establishment or food service	Y	Y	SP
Catering services	Y	SP	SP
Permitted Retail Uses			

ASHLAND DOWNTOWN DISTRICT (ADD)	ADD-A	ADD-B	ADD-C
Retail sales and/or services in building less than or equal to 10,000 sq. ft. of gross floor area	Y	Y	SP
Retail sales and/or services in building more than 10,000 sq. ft. of gross floor area	Y	SP	N
Open air vending (e.g. push carts)	SP	SP	SP
Bed-and-breakfast	SP	SP	SP
Veterinary, animal hospital, kennelin compliance with Sec 3.2 lots greater than five acres	Y	Y	Y
Agriculture, horticulture, viticulture or floriculture in compliance with Sec 3.2	Y	Y	Y
Permitted Recreational Uses			
Outdoorcommercialrecreationother than campgrounds	SP	SP	SP
Theaters and cinemas	Y	Y	SP
Indoorcommercialrecreation, including tennis club, health or fitness club, day spa	Y	Y	SP
Indoor bowling alleys and skating rinks	SP	SP	SP
Permitted Light Industrial Uses			
Printers and similar shops and trades	Y	Y	SP
Light manufacturing, research, assembly, testing	Y	SP	SP
Service industries, such as the repair of appliances	Y	Y	SP
Prohibited Uses			
Motor vehicle service stations, vehicle body repair, restoration, paint shop	N	N	N
Retail sales or rental of motor vehicles, trailers or motorized marine equipment	N	N	N
Adult entertainment establishments	N	N	N

ASHLAND DOWNTOWN DISTRICT (ADD)	ADD-A	ADD-B	ADD-C
Tattoo Parlors	N	N	N
Storage trailers and outdoor storage of goods associated with a business, retail, commercial or industrial use	N	N	N

Notes on Ashland Downtown District Table of Uses

1. Ground floors of buildings which front on streets shall be reserved for non - residential uses except as specified below
 - a. Dwelling units shall be allowed on ground floors of buildings only where:
 - (i) the building is set behind another building which has non-residential uses on the ground floor; or
 - (ii) the residential portion of the first floor of a building is set behind street-front non-residential uses within the same building; or
 - (iii) in other cases where the SPGA feels that street-front residential uses will not have an adverse impact on the continuity of the non-residential street front uses.
2. Allowed as accessory use only.

8.5.6 Lot and Dimensional Standards

1. The dimensional requirements in a mixed-use building shall be governed by the ground-floor use of the building. In cases of a mixture of uses in one building or structure, the regulation for each use shall apply to the portion of the building, structure or land so used. The Planning Board may vary the dimensional and parking requirements of this section if, in its opinion, such change will result in an improved design and/or a design which reflects the design characteristics depicted in the renderings below in the Table Of Dimensional Requirements In The Ashland Downtown District. [Amended 5-4-2016 ATM, Art. 21]

DIMENSIONAL STANDARDS (REQUIRED)							
Building Type	Frontage (Min.)	Lot Size	Front Yard (Min./Max)	Side Yard (Min.)	Rear Yard (Min.)	FAR (Max.)	Height (Max.)
Sub -Area A							
Mixed-Use and Commercial	100'	35,000 SF	8' / 15'	0' if common wall; 15' otherwise	12'	2.0	3 Stories (max 38 feet)
Residential-only	100'	35,000 SF	15' / 15'	0' if common wall; 15' otherwise	12'	2.0	3 Stories (max 38 feet)

Sub-Area B							
Mixed-Use and Commercial	75'	20,000 SF	8' / 15'	0' if common wall; 10' otherwise	12'	1.5	3 Stories (max 38 feet)
Residential-only	75'	20,000 SF	15' / 15'	0' if common wall; 10' otherwise	12'	1.5	3 Stories (max 38 feet)
Sub-Area C							
Mixed-Use and Commercial	50'	8,000 SF	8' / 15'	0' if common wall; 10' otherwise	12'	1.5	3 Stories (max 38 feet)
Residential-only	50'	8,000 SF	15' / 15'	0' if common wall; 10' otherwise	12'	1.5	3 Stories (max 38 feet)

2. *Building Orientation.* Buildings shall be placed on the site to define the edges of streets and public spaces, constructed to be parallel to the street or public space. Multiple buildings on single lots are permitted. Where multiple buildings exist, to the extent practicable they shall be arranged to form a grid-like pattern.
3. *Front Yards.* The following standards shall apply to front yards.
 - a. Within the front yard setback, the space shall be used for one or more combination of:
 - (i) Outdoor seating associated with a ground-floor eating establishment
 - (ii) Publicly available open space, such as a plaza, or the like.
 - (iii) Garden space or other highly landscaped area, which in the opinion of the Planning Board contributes to the neighborhood's vibrancy
 - (iv) Other uses, which in the opinion of the Planning Board contributes to the neighborhood's vibrancy
 - b. The Planning Board may allow for greater front yards, whereby in its judgement, doing so will contribute to an improved public realm.
 - c. Parking is prohibited within the front yard setback.
4. *Rear Yards.* Where a property abuts a residential district, the rear yard must be a minimum of 30 feet, which may be reduced to no less than a 12 foot rear yard through Special Permit by the Planning Board. Any reduction in the required rear yard setback will be at the discretion of the Planning Board, if in its opinion a reduced setback will not cause any adverse effects to the adjoining residential property.
5. *FAR (Floor Area Ratio).* The total floor area of all principal buildings

on a lot divided by the area of said lot.

6. (Reserved)
7. Height may be increased up to 48 feet through a Special Permit by the Planning Board and in accordance with Section 9.3 to allow for architectural features that add to the building design and which shall not increase additional living space. Examples of such features include a pinnacle, cupola, a clock tower, a terrace, observation area, and the like.
8. Minimum lot size and minimum frontage requirements may be reduced upon issuance of a Special Permit by the Planning Board if, in its sole discretion, it finds that such a reduction will not negatively impact neighborhood character or have adverse impacts on abutting properties.
9. Within the Ashland Downtown District the height of all buildings shall be measured from the grade plane of the fronting street vertically to the highest point of the structure. No building shall be greater than 38' feet in height other than allowed by the Special Permit in accordance with Section 8.5.6.7.
10. A fourth (4) story may be added to a building through a Special Permit by the Planning Board in accordance with Section 9.3.

8.5.7 General Regulations. The Town of Ashland Design Review Guidelines (dated 2015 or the most recent edition), adopted by the Planning Board pursuant to the authority granted hereunder, available from the Town of Ashland Planning Department, shall guide the implementation of the standards of this section. All New signs will follow the sign requirements of the commercial "B: zones as noted in Sec 5.3." of this Zoning bylaw.

8.5.8 Performance Standards; Criteria. The ADD application and required plans shall meet the general performance criteria set forth in the regulations and design guidelines adopted pursuant to this Bylaw, including but not limited to Section 9.4 of this Zoning Bylaw. In addition, the Planning Board shall consider the criteria set forth in Section 8.5.14 and 9.3.2 of this Zoning Bylaw following general criteria, where relevant, before issuing a permit for development within the ADD.

1. Suitability of the site for the proposed use(s);
2. Impact on traffic and pedestrian flow and safety and access for emergency vehicles;
3. Adequacy of pedestrian access to buildings and between public spaces;
4. Impact on the visual character of the ADD and surrounding

neighborhood;

5. Adequacy of utilities, including sewage disposal, water supply and stormwater drainage.

8.5.9 Design Principles. The leading design principles are:

1. To provide convenient and efficient pedestrian access within the ADD and to surrounding neighborhoods and facilities,
2. To provide a safe and comfortable pedestrian environment with walkways, pedestrian conveniences and amenities, and
3. To encourage buildings with a pedestrian oriented scale and design.

8.5.10 To encourage buildings that are compatible with the context and historic nature of downtown Ashland lot design standards. The following standards shall apply to all lots in the ADD:

1. Sidewalks shall be required along the lots frontage on a street or streets and walkways between building entrances and the nearest street or streets with minimal interruption by driveways. Parking lot aisles, and access and interior driveways do not count as walkways;
2. Driveway and walkway connections to abutting lots are required within the ADD wherever feasible and appropriate.
3. An outdoor pedestrian area shall be provided on any lot where the floor area is 30,000 square feet or more. The pedestrian area shall be accented with pedestrian amenities such as benches and street furniture. Shade trees, ornamental trees and other landscaping shall be provided to create a separation between pedestrian and vehicular traffic, to highlight buildings and pedestrian spaces, to provide shelter from the sun, to minimize glare for drivers, to reduce noise, and to mitigate fumes.
4. The project must be connected to adjacent residential neighborhoods via pedestrian ways.
5. No driveway or parking lot shall be placed in the portion of a lot that is directly in front of a building as seen from a street, whether or not the building is located on the same lot as the driveway or parking lot, except that a driveway and parking lot may be placed in the front of a building that is located in the rear of another building when viewed from a street.

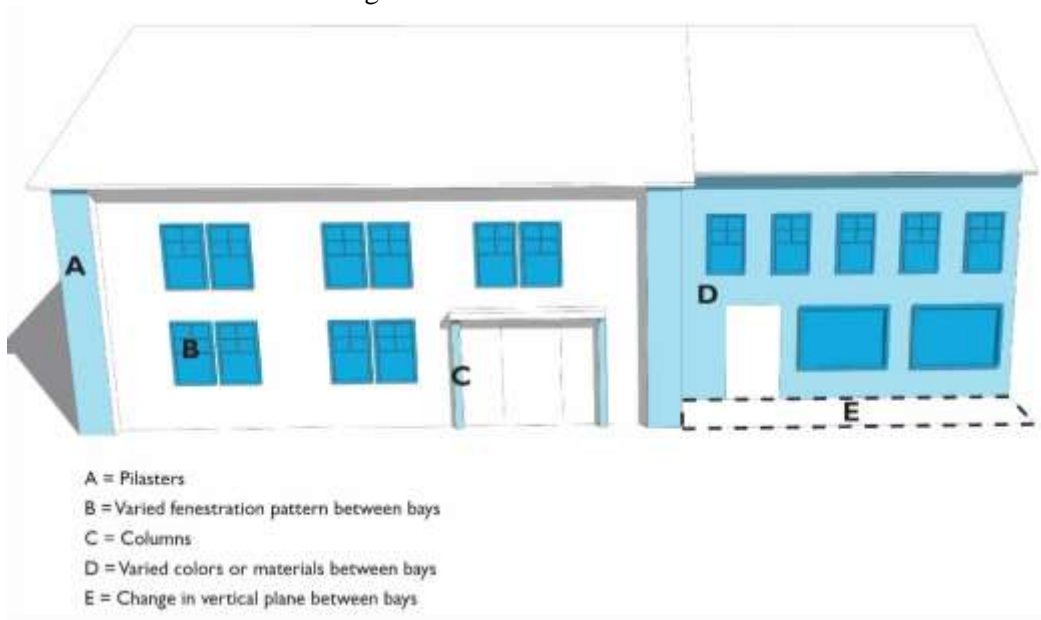
8.5.11 Building Design Standards

1. Buildings shall be of a design similar to the historic architecture in Downtown Ashland in terms of scale, massing, roof shape, spacing and exterior materials. The following diagrams are intended to provide inspiration and general examples of compatible buildings and are not intended to be exactly imitated.

Examples of general building and facade typologies compatible within context of downtown Ashland. Note that these diagrams are intended as only guides for development.



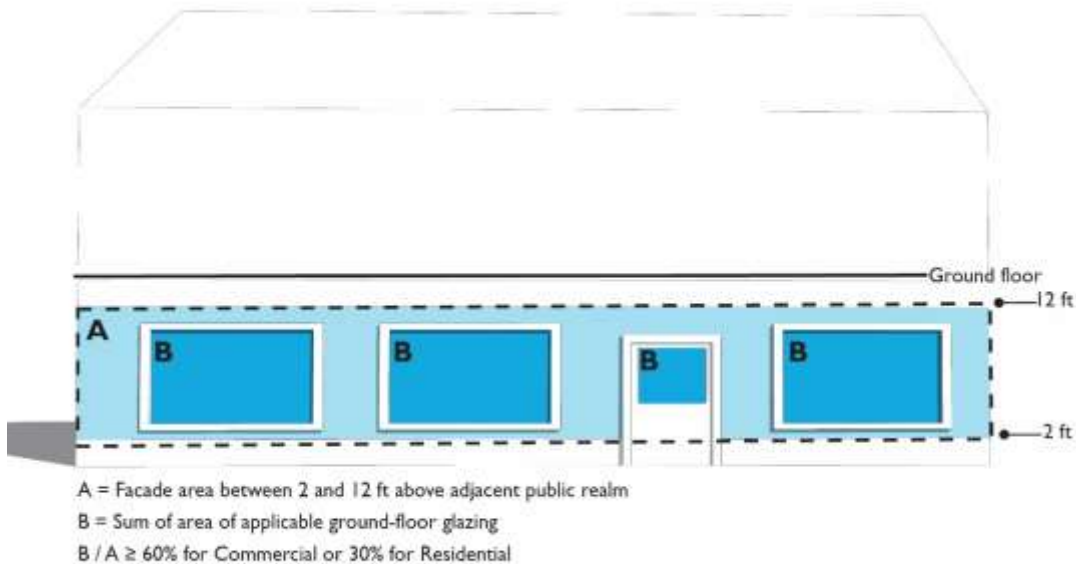
2. The building front facades shall be articulated to achieve a human scale and interest. The use of different textures, shadow lines, detailing and contrasting shapes is required.
 - a. Where buildings are greater than 60 feet in width along the public right-of-way, buildings shall have vertical modulation elements at minimum every 45 feet. These required vertical articulation elements include a combination of changes in the vertical plane of the building (minimum two foot and maximum 4 feet), vertical architectural details such as columns, pilasters, and the like, varied fenestration patterns, changes of material, and other elements, which, in the opinion of the Planning Board achieve the desired effect.



- b. Building facades should be horizontally articulated with a clearly defined base, middle, and top as illustrated below. For buildings three (3) stories and taller, the following standards apply:
 - (i) The bottom one to two (2) stories of a building should be visually integrated as an appropriately scaled expression of the building's base. The base should be visually differentiated from the stories above by a horizontal expression line or cornice and include a change in color, building material, or pattern of fenestration.
 - (ii) The central portion of each facade should be visually integrated as an expression of the building's middle. The middle should be visually differentiated from the base and top by a horizontal expression line or cornice and include a change in color, building material, or pattern of fenestration.

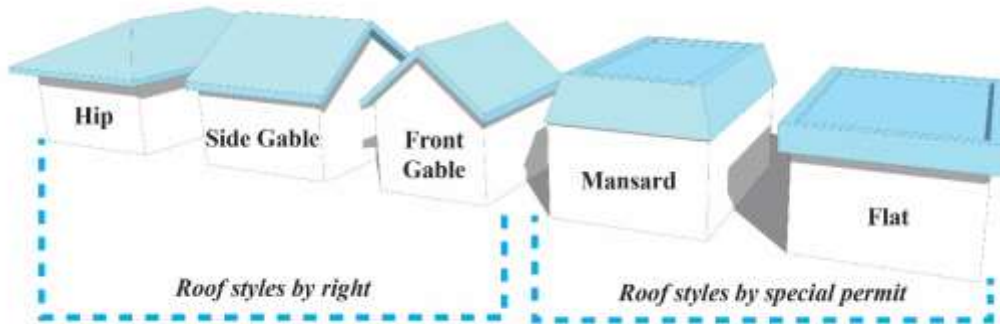
- (iii) The top story of each facade should have a cornice, parapet, roof element, or change in massing as an expression of the building's top.
- (iv) Materials appearing heavier in weight should be used for the building's base, with materials appearing similar or lighter in weight used above.

3. Facades shall have windows and doors with highly transparent, low reflectivity glass for a percentage of the total area of a ground-floor facade facing the public right-of-way. Facade glazing is measured between two (2) feet and twelve (12) feet of the ground floor above the applicable facade. For commercial uses, the required percentage is a minimum of 60% and for residential uses, the required percentage is 30%. Window casings shall be of style and scale appropriate to the historic nature of the downtown and be no less than 3 inches wide.



4. The following standards for roofs shall apply:
- a. Buildings shall have one the following roof styles: front gable, side gable, or hip roof.
 - b. The minimum pitch requirement is a 7/12 ratio. The Planning Board may grant a Special Permit at its sole discretion and in accordance with Section 9.3 for a reduced pitch of an otherwise by-right roof style.
 - c. The Planning Board may grant a Special Permit in accordance with Section 9.3 for Mansard, flat roofs, or other roof styles if the applicant can demonstrate that the

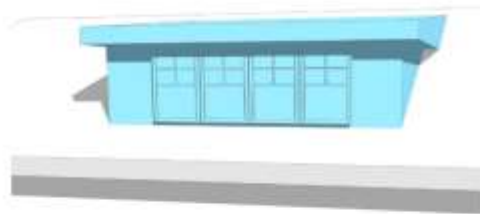
proposed design will enhance the character of the neighborhood through inclusion of historically appropriate architectural details, such as cornices, moldings, and the like.



- Buildings shall be designed to include massing components with the intent of adding visual interest and reducing the perceived visual bulk of buildings. Massing components include dormers, shed dormers, cross gables, bay windows, upper story step-backs, or the like.

Examples of building components to be incorporated into building designs. Note that window treatments, roof styles, and proportions can vary, depending on the context of the building's design.

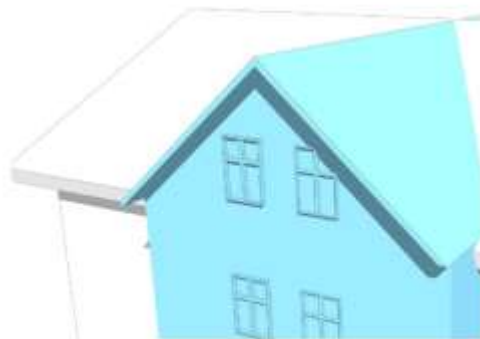
Shed dormer (example)



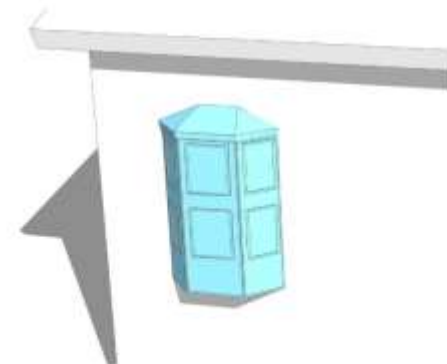
Dormer (example)



Cross gable (example)



Bay window (example)



8.5.12 Landscaping. See Section 5.4.

8.5.13 Parking and Loading. See Section 5.1 and 5.2. The schedule of parking requirements found in Section 5.1 shall apply. However in the ADD, the number of parking spaces required for each use shall be 75% of those stated in Section 5.1. Where there is a mixture of land uses on one lot, the number of parking spaces required shall be only 75% of those stipulated above, that is, where there is a mixture of uses the parking requirement will be 56.25% (75% times 75%).

1. Shared Motor Vehicle Parking. Shared use of motor vehicle parking is strongly encouraged, however, parking spaces for one use shall not be considered as providing the required spaces for any other use, except when it can be clearly demonstrated that the need for parking occurs at different times. A shared parking agreement shall be submitted to the Planning Board as part of any permit request. Said shared parking agreement shall address issues such as the maintenance, stripping and snow plowing of the shared parking area.
2. All parking areas, lots and/or facilities shall be connected to the parking areas, lots and/or facilities of all adjacent lots within the ADD, unless physical constraints, present site configuration, uncooperative abutters, or land vacancy precludes strict compliance.

8.5.14 Mandatory Findings. When a Special Permit is required, the Planning Board shall not issue a Special Permit unless without exception it shall find that the proposed use and development:

1. is in harmony with the purpose and intent of this Bylaw;
2. is appropriate for the site for which the petition is submitted and is related harmoniously to the terrain and to the use, scale and proportions of existing and proposed buildings in the immediate vicinity that have functional or visual relationship to the proposed use;
3. includes sufficient mitigating measures which shall be implemented as part of the special permit for any adverse effects noted in reports from town boards and agencies, reports from consultants, and public hearings;
4. will result in no significant effect on level of service for any service provided by the Town, including fire, police and ambulance. Proof of no significant effect is the lack of need for the Town to add equipment and/or staff specifically due to the development;
5. will provide adequate provision for pedestrian traffic; and
6. will comply with all requirements of all applicable requirements of this By-law.

8.5.15 If, in the judgement of the Town Planner, the design(s) proposed in an application

reflect the design characteristics encouraged in Subsection 8.5.7, the following stipulations shall take effect: **[Added 5-4-2016 ATM, Art.22]**

1. The Planning Board's maximum period of review and decision shall be ninety (90) days from the opening of a special permit public hearing and ninety (90) days from the opening of a meeting commencing a site plan review process, unless the review period is extended by mutual agreement of the Planning Board and applicant;
2. Planning Board special permit and site plan review processes shall be conducted concurrently;
3. A maximum of \$4,000.00 in up-front application fees shall be charged. This shall not include peer review fees.

Or take any other action related thereto.

TOWN MEETING VOCABULARY

Abatement	A reduction or elimination of a real or personal property tax, motor vehicle excise, a fee, charge, or special assessment imposed.
Available Funds	Balances in the various fund types that represent non-recurring revenue sources. Examples include free cash, stabilization funds, overlay surplus, and enterprise retained earnings.
Bond	A means to raise money through the issuance of debt.
Bond Authorization	The action of town meeting authorizing the executive branch to raise money through the sale of bonds in a specific amount and for a specific purpose. Once authorized, issuance is by the treasurer upon signature of the selectmen.
Cherry Sheet	An annual statement from the Massachusetts Department of Revenue detailing estimated reimbursements and charges to the Town. Its name derives from the fact that it was once written on cherry colored paper. In this manner the Town receives its share of various state funds and aid accounts, and is charged its share of running state government. Although the Cherry Sheet is required to be distributed by the first of March of each year, in actuality it is sent after the Legislature has passed the budget, which may not occur until June or July.
Citizens' Petitions	10 citizens for an Annual Town Meeting or 100 citizens for a Special Town Meeting may submit a petition requesting that a specific article be included in the next Town Meeting warrant for consideration. 200 citizens may submit a petition calling the Board of Selectmen to set a Town Meeting within 45 days.
Community Preservation Act	Permits towns accepting its provisions to establish a restricted fund from which monies can be appropriated only for a) the acquisition, creation and preservation of open space; b) the acquisition, preservation, rehabilitation, and restoration of historic resources; and c) the acquisition, creation and preservation of land for recreational use; d) the creation, preservation and support of community housing; and e) the rehabilitation and restoration of open space, land for recreational use and community housing that is acquired or created using monies from the fund.
Community Preservation Fund	A special revenue fund established to receive all monies collected to support the community preservation program, including but not limited to, tax surcharge receipts, proceeds from borrowings, and funds received from the State.
Debt Exclusion	A community may vote at an election to exclude debt service payments for a particular capital project from the levy limit. The amount necessary to cover each year's principal & interest is added to the levy limit for the life of the debts.
Enterprise Fund	An enterprise fund is a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for goods or services. With an enterprise fund, all costs of service delivery--direct, indirect,

and capital costs—are identified. This allows the community to recover total service costs through user fees if it chooses. Enterprise accounting also enables communities to reserve the "surplus" or net assets unrestricted generated by the operation of the enterprise rather than closing it out to the general fund at year-end. We have sewer, water and trash enterprise accounts.

Exemption	Established by statute, it is a discharge from the obligation to pay all or a portion of a property tax. The exemption is available to particular categories of property or persons upon the timely submission and approval of an application to the assessors. Properties exempt from taxation include hospitals, schools, houses of worship, and cultural institutions. Persons who may qualify for exemptions include disabled veterans, blind individuals, surviving spouses, and seniors.
Fiscal Year	The Fiscal Year starts July 1 st of each year and ends June 30 th the following year.
Free Cash	Remaining, unrestricted funds from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in excess of revenue estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items. Unpaid property taxes and certain deficits reduce the amount that can be certified as free cash. The calculation of free cash is based on the balance sheet as of June 30, which is submitted by the community's accountant. This amount is certified annually by the Massachusetts Department of Revenue and thereafter is available for appropriation by a Town Meeting.
Levy Limit	The amount of property taxes that can be raised in accordance with Proposition 2½ formulas. The levy may be raised by 2½% plus new construction.
Local Receipts	Income derived by the Town from Motor Vehicle excise taxes, fees, licenses and permits, penalties & interest on taxes, etc.
New Construction	New growth and increases to property independent of market inflation are added to the levy limit in addition to the 2½% inflation increase allowed under Proposition 2½.
Omnibus Budget	For convenience, all recommended appropriations for operating expenses of the various Town departments and boards are gathered together in one article called the Omnibus Budget. The period covered by the Omnibus Budget is the upcoming Fiscal Year, and money not spent during this period reverts to Free Cash. No department or board can overspend its budget.
Overlay	An account established annually to fund anticipated property tax abatements, exemptions and uncollected taxes in that year. The overlay reserve need not be funded by the normal appropriation process, but rather is raised on the tax rate recapitulation sheet.
Override	A vote by a community at an election to permanently increase the levy limit. An override question on the election ballot must state a purpose for the override and the dollar amount.
Raise and Appropriate	A type of funding for Town expenditures voted at Town Meetings. The funds are raised through taxes, local receipts, and state reimbursements. Funds raised and appropriated in warrant articles are available until a time set by the article or until voted out by a subsequent Town Meeting.

Reserve Fund	A fund, established by each Town Meeting, for extraordinary or unforeseen expenses in the upcoming fiscal year. The Finance Committee alone may transfer money from this fund, thus eliminating the need for frequent Special Town Meetings. The fund may not exceed 5% of the preceding year's tax levy.
Revolving Account	Allows a community to raise revenues from a specific service and use those revenues without appropriation to support the service.
Stabilization Fund	A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose. It retains its own investment income. A two-thirds vote is required on any vote relative to this Fund. This fund serves as the Town's primary "rainy day" fund.

**Town of Ashland
Selected Town Meeting Procedures**

Amending an Article: Any time after a main motion has been made and seconded, but before being voted on, it is possible to amend the main motion using the following procedures:

1. Proceed to a microphone and wait to be recognized by the Moderator.
2. Announce your intent to amend the motion verbally and submit a copy of the amended motion in writing to the Moderator. The motion to amend must include your name as sponsor. Any increase in appropriation must include a funding source.
3. The Moderator will ask for a second to the motion to amend.
4. If passed, the motion to amend will be opened for discussion and then must be voted on by Town Meeting separately from the main motion.
5. A simple majority is required to pass a motion to amend.
6. More than one motion to amend can be made to a main article, but each must be presented and voted on one at a time. A motion to amend must be made before the main motion is voted on.
7. After all motions to amend are voted, the main motion (or as amended) must be voted on.

Necessary Majorities *

Unless noted otherwise, a simple majority is required to pass a motion.

A 2/3 majority is required for all borrowing, land acquisitions or transfers and all zoning by-laws.

A 4/5 majority is required at Annual Town Meeting for unpaid bills of prior fiscal years.

A 9/10 majority is required at Special Town Meetings for unpaid bills of prior years.

Only votes cast will be counted in determining the percentage of votes in favor of a motion. If there are 170 voters present and 100 vote yes, 50 vote no and 20 do not vote, the results shall be interpreted as 100 yes votes out of 150 votes or 66.67% in favor.

* Please note that these vote majorities are for example only and there may be other types of votes which fall under each of the categories listed above.

WARRANT - TOWN OF ASHLAND
JUNE 12, 2021 ANNUAL TOWN MEETING

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS:

TO: A Constable of the Town of Ashland, in said county:

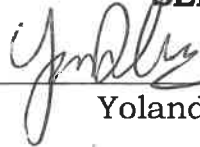
GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify the legal voters of the Town of Ashland to meet at the Ashland High School in said Town, on SATURDAY, the twelfth day of June, in the year Two Thousand and Twenty-One at 10:00 AM to act upon the following Articles of the Town Warrant.

Hereof fail not and make due return of this warrant by your doing thereon to the Town Clerk, at or before the time of the meeting aforesaid.

Given under our hands, at Ashland, on the 19th day of May, in the year Two Thousand and Twenty-One.

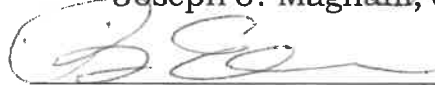
SELECT BOARD



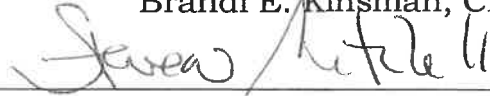
Yolanda Greaves, Chair



Joseph J. Magnani, Jr. Vice-Chair



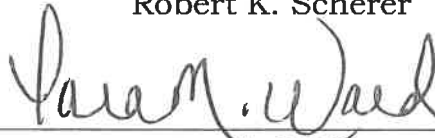
Brandi E. Kinsman, Clerk



Steven Mitchell



Robert K. Scherer



ATTEST:

Tara M. Ward, CMC/CMMC
Ashland Town Clerk

POSTING CERTIFICATION

I, the undersigned, a Constable for the Town of Ashland, MA, do hereby certify that I have posted copies attested by the Town Clerk of the within warrant at least seven days before the time of said Town Meeting at the following places:

Town Hall, 101 Main Street, Ashland, MA (Precinct 1)
Ashland Police Station, 137 Main Street, Ashland, MA (Precinct 1)
Ashland Public Library, 66 Front Street, Ashland, MA (Precinct 1)
Marathon Mobil, 103 West Union Street, Ashland, MA (Precinct 2)
Ashland Convenience Store/Pizza Palace, 72 Union Street, Ashland, MA.
(Precinct 3)
Shaw's Supermarket, 307 Pond Street, Ashland, MA (Precinct 4)
Ashland Community Center, 162 West Union Street, Ashland, MA
(Precinct 5)



Constable's Signature

5/27/2021

Date of Posting

Barry Sims

Constable's Name Printed

ATTEST: 

Tara M. Ward, CMC/CMMC, Ashland Town Clerk