



TOWN OF ASHLAND Annual Town Meeting May 7, 2025

At the Annual Town Meeting duly called and held in the Ashland High School, 165 East Union Street, Ashland, MA, on Wednesday, May 7, 2025, at 7:00 PM the following ARTICLES were voted on in a legal manner. There was a quorum present (25 Voters = quorum); 234 voters were present.

Tellers: Rob St. Germain
David Rosenblum
Beth Reynolds

Teller Oath:

"Do you solemnly swear or affirm that you will faithfully and impartially discharge and perform all the duties incumbent upon you to count all the sections in Town Meeting to the best of your ability and understanding agreeably to the rules and regulations of the Constitution and the laws of this Commonwealth?"

The Town Moderator, Adam B. Shuster, called the meeting to order at 7:00pm.

Before he began the meeting he took a few moments to explain what Town Meeting is all about.

"Just over 250 years ago on the early morning of April 18, 1775, William Dawes and Paul Revere made their famous rides alerting colonists that the British troops were on the march to Lexington and Concord. As they did so, bells pealed and signal shots were fired into the pre-dawn sky to alarm local militias. This group of amateur soldiers from all walks of life – farmers and tradesmen, teen-agers to 60-year-olds - grabbed their muskets and headed to Concord to face the world's most powerful army.

They had little in the way of training and supplies. They didn't even have a country to back them up yet, and – though we have to imagine they felt that they had virtually no chance of victory - they went anyway.

We all know how it turned out, but many don't know the prelude. The war certainly started on that April morning, but the Revolution had its origins in the years leading up to that fateful day as Colonials – particularly here in Eastern Massachusetts - saw their rights eroding. The movement manifested itself in Town Meetings – this unique form of government that had already existed here for more than 130 years.

Much as with the militia members who marched to battle barely more than 250 years ago, those attendees at Town Meeting also put their lives, their fortunes, and their sacred honor on the line.

At its recent annual town meeting, the moderator of North Andover said that "these local democracies, by their nature, taught Americans the virtues and responsibilities of self-government. It was through the conduct of Town Meetings that the Colonial American public embraced the unalienable right of self-determination which, in turn, sparked a revolt and fueled a Revolution. The voices then raised, actions

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

taken, financial support committed, and lives and liberties pledged at many Town Meetings in the Commonwealth, remain our worthy heritage."

As we sit here in Ashland tonight 250 years later, it's worth a few moments to pause and remember that those patriots fought for our independence, for our freedom, for the idea that we shall have no kings in this country, and for the idea that all power in these United States derives from WE THE PEOPLE.

WE THE PEOPLE, delegated in our 1787 Constitution certain limited powers to a Legislative Branch, to an Executive branch, and to a Judicial branch. Over the last 250 years, WE THE PEOPLE, have made it clear to enemies foreign and domestic that our power, the power of WE THE PEOPLE, the people of these United States, cannot and shall not be challenged.

Here in Ashland, WE THE PEOPLE is Town Meeting. Town Meeting determines the bylaws of the town, approves the budget of the town, and establishes town officials, committees and boards. We either elect those officials and the members of those boards, or delegate the appointment of their members to other officials. Each of those officials and boards has only the powers given to them by statute, by town by-law, and by Town Meeting...WE THE PEOPLE.

Be aware, however, that with the great power of Town Meeting comes great responsibility. I've lived in Ashland for 26 years and my experience is that Ashland is generally a welcoming town where we respect each other and value our differences and diversity of opinion because those differences make us a stronger town. While you may strongly disagree with some of your neighbors, at Town Meeting we exercise civility and restraint. Please remember that whether you agree with them or not, everyone who is here tonight participating in Town Meeting cares deeply about our community. There is no place for rudeness or disrespect.

For more than a century before the Revolution and in the 250 years since, our citizens and town meeting members have maintained and strengthened Massachusetts' Town Meetings. Tonight, you occupy those seats, those same positions, as we carry on this amazing form of self-governance.

Thank you."

The Moderator welcomed everyone and thanked them for being there. He read the list of preliminaries explaining the basics of how Town Meeting will operate.

He acknowledged the committee members and department heads sitting at the front of the auditorium. There were members of the School Committee; Select Board; Finance Committee; Town Counsel, Lisa Mead; Town Manager, Michael Herbert; Assistant Town Manager, Jenn Ball; Treasurer/Collector/Finance Director, Cindy Cincotta and School Superintendent, Jim Adams. Sitting behind the Moderator was Town Clerk, Cindy Livingstone and Deputy Town Clerk, Christopher P. Sullivan.

Residents received a green index card when they checked in that evening and the Moderator instructed that they will not be able to vote without it.

He instructed that speakers would receive three minutes at the microphone during discussion of each article.

He announced May is Mental Health Awareness Month and acknowledged the progress we've made in

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

recognizing the importance of mental health”.

He mentioned the Annual Town Election is being held on May 20th at the High School. Polling hours are 8:00 AM – 7:00 PM. He informed the residents that In-Person Early Voting would be held May 14th at the Town Hall from 8:00 AM – 7:00 PM.

He announced two vacancies on the Finance Committee for any interested residents.

The Moderator let the voters know that the Moderator’ Motions were listed on page 4 in their handbook.

The Town Moderator noted the receipt of the return of the posting of the Warrant for the Annual Town Meeting by the Constable.

Warrant Article Index

Art #	Article Name	Article Sponsor	Maj
1	Town Reports	Select Board	
2	Transfer from General Stabilization Fund	Town Manager	2/3
3	Transfer from SPED Stabilization	Town Manager/Finance Director	2/3
4	FY26 Budget	Town Manager/Finance Director	SM
5	OPEB Trust	Town Manager/Finance Director	SM
6	Annual Consent	Select Board	2/3
7	Annual CPC Consent	CPC	SM
8	CPC Funding: Ashland Arboretum	CPC	SM
9	CPC Funding: Digitizing Documents for Historic Preservation	CPC	SM
10	CPC Funding: Additional funds for Dog Park	CPC	SM
11	Accept MGL Section 40 Chapter 653 of the Acts of 1989	Town Manager	SM
12	Borrowing: Water Treatment Plant	Town Manager	2/3
13	Borrowing: Water Main Projects	Town Manager	2/3
14	I&I Program Phase 14 & 16	Town Manager	2/3
15	Bylaw: Establish Local Historic District	Historic Commission	2/3
16	Land Taking: Pond St for Multi Modal Path	Select Board	2/3
17	Zoning Bylaw: Accessory Dwelling Units	Planning Board	SM
18	Bylaw: Update Flood Plain	Planning Board	2/3
19	Zoning Bylaw: Update Site Plan Review	Planning Board	2/3
20	Bylaw: Update Dog Kennel Bylaw	Town Clerk	SM

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

MOTION MADE: To approve the Moderator's Motions 1, 2, 3 & 4 as printed in the handbook. A motion was made and there was a second.

MOTION PASSED

ARTICLE 1: Town Reports
SPONSOR: Select Board

To see if the Town will hear the reports of the several town committees, or pass any vote or take action relative thereto.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommended that the Town hear any reports and vote accordingly.

There were three reports.

First we heard from the Comprehensive Plan Committee Co-Chairs, Stacey Grant-Lewis and Rajashree Ghosh. Next up, Superintendent, Jim Adams with a report from the School Committee. For the final report, we heard from Town Manager, Michael Herbert.

There was no vote required so the meeting moved on.

The Moderator announced that after some discussion about Article 2 they came to the conclusion that it didn't make sense to transfer General Stabilization Funds into the General Fund until a vote was taken on the FY26 budget. He asked for a motion to table Article 2 until a vote is taken on the budget. There was a second. There was no discussion. The motion passed unanimously so we moved onto Article 3.

Article 3: Transfer from Special Education Stabilization to General Fund
Sponsor: Town Manager/Finance Director

To see if the Town will transfer \$300,000 from the Special Education Stabilization Fund to the General Fund, Account #49700-49760, or pass any vote or take any action relative thereto.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommended the Town transfer \$300,000 from the Special Education Stabilization Fund to the General Fund, Account #49700-49760

Speaker: Michael Herbert, Town Manager, explained the reasoning to transfer the money.

Discussion: A voter asked for clarification on whether it was an increase or decrease in the fund. Mr. Herbert clarified it was an increase in the funding.

MOTION MADE: That the Town transfer \$300,000 from the Special Education Stabilization Fund to the General Fund, Account #49700-49760

The motion was seconded.

A 2/3 majority is required.

VOTE ON ARTICLE 3: Passed unanimously

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

Article 4: Fiscal Year 2026 Budget
Sponsor: Town Manager/Finance Director

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.

DEPT. #	DEPARTMENT	2024 ACTUAL TOTAL	2025 ATM BUDGET TOTAL	2026 PROPOSED BUDGET	\$ CHANGE	% CHANGE
01123	TOWN MANAGER	616,956	635,366	654,432	19,066	3.00%
01138	CENTRAL PURCHASING	82,000	74,500	74,500	-	0.00%
01139	TELECOMMUNICATIONS	92,057	90,000	100,000	10,000	11.11%
01151	TOWN COUNSEL	170,785	200,000	200,000	-	0.00%
01155	DATA PROCESSING	606,539	681,001	705,830	24,829	3.65%
01161	TOWN CLERK	159,036	169,274	173,068	3,794	2.24%
01162	ELECTIONS/TOWN MEETING	42,907	52,350	40,000	(12,350)	-23.59%
01163	BOARD OF REGISTRARS	12,442	13,650	15,500	1,850	13.55%
01180	HUMAN RESOURCES	284,606	290,128	300,065	9,937	3.42%
SUBTOTAL: ADMINISTRATION		2,067,329	2,206,269	2,263,395	57,125	2.59%
01135	TOWN ACCOUNTANT	184,194	176,277	203,315	27,038	15.34%
01141	ASSESSORS OFFICE	268,465	249,361	311,262	61,901	24.82%
01145	TREASURER	191,562	207,940	227,435	19,495	9.38%
SUBTOTAL: FINANCE		644,221	633,578	742,012	108,434	17.11%
01171	CONSERVATION COMMISSION	84,967	87,077	88,812	1,735	1.99%
01172	OPEN SPACE COMMITTEE	-	450	450	-	0.00%
01175	PLANNING BOARD	207,392	203,405	219,057	15,652	7.70%
01241	INSPECTION SERVICES DEP	210,009	172,305	178,476	6,171	3.58%
SUBTOTAL: DEVELOPMENT SERVICES		502,368	463,237	486,795	23,558	5.09%
01210	POLICE DEPT.	4,319,941	4,410,121	4,552,889	142,768	3.24%
01220	FIRE DEPARTMENT	2,815,410	2,718,771	2,912,356	193,585	7.12%
SUBTOTAL: PUBLIC SAFETY		7,135,351	7,128,892	7,465,245	336,353	4.72%
01510	HEALTH DEPARTMENT	177,117	214,606	222,536	7,929	3.69%
01541	COUNCIL ON AGING	-	184,599	191,693	7,094	3.84%
01542	RECREATION	-	80,739	84,258	3,519	4.36%
01543	VETERAN'S SERVICES	82,001	132,850	102,850	(30,000)	-22.58%
01544	PREVENTION & HUMAN SERVICES	472,834	225,462	239,617	14,155	6.28%
01610	PUBLIC LIBRARY	472,914	467,628	503,731	36,103	7.72%
SUBTOTAL: HEALTH & HUMAN SERVICES		1,204,866	1,305,885	1,344,685	38,800	2.97%

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

DEPT. #	DEPARTMENT	2024 ACTUAL TOTAL	2025 ATM BUDGET TOTAL	2026 PROPOSED BUDGET	\$ CHANGE	% CHANGE
01192	PUBLIC BUILDINGS & PROPERTY MAINT.	665,043	678,177	674,164	(4,013)	-0.59%
01421	DPW ADMINISTRATION	119,103	126,292	132,979	6,687	5.29%
01422	HIGHWAY	638,160	698,749	737,902	39,153	5.60%
01423	SNOW & ICE REMOVAL	536,835	285,200	285,200		
01424	HIGHWAY-STREETLIGHTING	47,612	45,000	45,000	-	0.00%
01429	HIGHWAY COMBINED FUEL	180,271	182,000	182,000	-	0.00%
01491	CEMETERY, PARKS & TREES	291,268	331,270	367,983	36,713	11.08%
SUBTOTAL: PUBLIC WORKS		2,478,292	2,346,688	2,425,228	78,540	3.35%
01429	SCHOOL DEPARTMENT	40,168,184	41,859,543	44,350,743	2,491,200	5.95%
01491	KEEFE TECH VOC SCHOOL	1,222,254	1,287,576	1,287,576	-	0.00%
SUBTOTAL: EDUCATION		41,390,438	43,147,119	45,638,319	2,491,200	5.77%
	EXCLUDED DEBT	4,801,046	4,321,883	4,335,820	13,937	0.32%
	NON EXCLUDED DEBT	2,106,259	2,917,650	2,904,731	(12,919)	-0.44%
01710	TOTAL DEBT	6,907,305	7,239,533	7,240,551	1,018	0.01%
01930	CAPITAL PROJECTS	1,383,087	3,723,925	-	-	0.00%
01911	EMPLOYEE RETIREMENT	3,905,242	4,152,712	4,400,562	247,850	5.97%
01912	WORKERS COMPENSATION	222,397	255,000	265,000	10,000	3.92%
01913	UNEMPLOYMENT COMPENSATION	24,796	25,000	40,000	15,000	60.00%
01915	GROUP HEALTH INSURANCE	7,266,405	7,948,447	8,953,600	1,005,153	12.65%
01945	OTHER INSURANCE	939,748	1,051,494	1,053,500	2,006	0.19%
SUBTOTAL: BENEFITS & INSURANCE		12,358,588	13,432,653	14,712,662	1,280,009	9.53%
01960	SALARY CONTINGENCY	-	275,000	125,000	(150,000)	-54.55%
01132	RESERVE FUND		450,000	450,000		
TOTAL GENERAL FUND		76,071,845	82,352,779	82,893,892	4,265,038	5.18%
6000	WATER ENTERPRISE FUND	2,729,908	3,373,554	3,953,249	579,695	17.18%
6100	SEWER ENTERPRISE FUND	5,687,940	6,446,156	6,365,469	(80,687)	-1.25%
6200	RUBBISH & RECYCLING ENTERPRISE FUND	1,656,800	1,864,668	1,867,011	2,343	0.13%
6300	FIELD ENTERPRISE FUND	87,654	130,954	114,933	(16,021)	-12.23%
6400	CABLE ACCESS ENTERPRISE FUND	313,016	500,000	395,000	(105,000)	-21.00%
6500	STORMWATER ENTERPRISE FUND	358,679	393,761	406,255	12,494	3.17%
TOTAL ALL FUNDS		86,905,842	95,061,872	95,995,809	4,657,862	4.90%

FINANCE COMMITTEE RECOMMENDATION: That the Town approves the budget as presented.

The Moderator had made some changes this year and provided both the School Committee and Town Manager with a few minutes to make comments on the budget. First we heard from School Superintendent, Jim Adams. He spoke about how challenging the budget is becoming with more needs than money. We then heard from Town Manager, Michael Herbert, echoing Mr. Adams comments about the spirit of collaboration in Town between residents, volunteers, boards, committees and employees. He explained the financial challenges we are facing and that our “rainy day fund” cannot continue to be used each year to fill the gap in deficits. He pointed out the areas that were unable to be funded that are vital to the level of service the residents have come to expect.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

Next we heard from Jonathan Moore, Vice-Chair of the Finance Committee. He discussed what the Committee function is and reiterated what Mr. Herbert had said about taking from the “rainy day fund”. He spoke to our AAA credit rating and how important it is to keep that rating.

Moderator: “Voting on the Budget is a 2-step process. First, we will review and vote on the appropriations for each of the various accounts. After action has been taken on all the accounts, we’ll vote on the overall budget motion.

I will start by reading the names of a series of accounts. If you have a question or comment on a particular item yell out “HOLD”. After voting on all unchallenged line items, we’ll go back and discuss any that were held.”

- Administration: Town Manager, Central Purchasing, Telecommunications, Town Counsel, Data Processing, Town Clerk, Elections/Town Meeting, Board of Registrars, Human Resources. There were no challenges.
- Finance: Town Accountant, Assessors’ Office, Treasurer. There were no challenges.
- Development Services: Conservation Commission, Open Space Committee, Planning Board, Inspectional Services Dept. There were no challenges.
- Public Safety: Police Department, Fire Department. There were no challenges.
- Health and Human Services: Health Department, Council on Aging, Recreation, Veteran’s Services, Prevention & Human Services, Public Library. There were no challenges.
- Public Works: Public Buildings & Prop Maintenance, DPW Administration, Highway, Snow & Ice Removal, Highway Street Lighting, Highway Combined Fuel, Cemetery, Parks & Trees. There were no challenges.
- Education: School Department, Keefe Tech Vocational School. There were no challenges.
- Debt: Total Debt. There were no challenges.

Before we got to the Capital Projects line, the Moderator explained the capital projects listed in the handbook are anticipated to be funded under the account 01930 appropriation. The appropriation we are about to make is NOT for the individual items listed, but rather for account 01930 in total. As such, the individual items listed are not subject to amendment.

- Benefits & Insurance: Employee Retirement, Workers Compensation, Unemployment Compensation, Group Health Insurance, Other Insurance, Salary Contingency, Reserve Fund. There were no challenges.
- Enterprise Funds: Water Enterprise, Sewer Enterprise, Trash Collection, Field Management, Cable Access, Stormwater. There were no challenges.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

We approved the individual line items in the budget and needed to approve the overall funding mechanism. For that, the Moderator entertained a motion...

MOTION MADE:

a. For the General Fund, that the following amounts be transferred from the respective accounts:

EMS Revolving (\$1,375,341)	\$200,000
Dog Licenses (\$27,644)	\$25,000
Recreation Revolving (\$629,987)	\$12,975

And that the balance be raised and appropriated \$79,331,386

b. For the Water Enterprise Fund that \$3,953,249 be raised through the water rates;

c. For the Sewer Enterprise Fund that \$6,365,469 be raised through the sewer rates;

d. For the Rubbish Collection Enterprise Fund that \$1,8647,011 be raised through the solid waste rates;

e. For the Fields Management Enterprise Fund that \$114,933 be raised through fees for field usage.

f. For the Cable Access Enterprise Fund that \$390,000 be raised through cable franchise fees.

g. For the Stormwater Enterprise Fund that \$405,255 be raised through stormwater rates.

h. For the Economic Development Special Revenue Fund that \$338,593 be appropriated from available meals tax funds.

The motion was seconded.

A simple majority is required.

VOTE ON ARTICLE 4: Passed unanimously

At this point, the Moderator entertained a motion to remove article 2 from the table. The motion was seconded and passed.

Article 2: 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 FY26 General Fund Budget, or pass any vote or take action relative thereto.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommended the Town approves the transfer of \$2,256,720 from the General Stabilization Fund to defray charges and expenses of the town, including debt and interest, for the ensuing fiscal year as set forth in the FY26 General Fund Budget

Speaker: Michael Herbert, Town Manager, discussed the balance of the General Stabilization Fund is at 7.9 million.

Discussion: A voter asked if the balance after the transfer is 7.9 million or before. Mr. Herbert clarified it is before the transfer.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

MOTION MADE: That the Town transfers \$2,256,720 from the General Stabilization Fund to defray charges and expenses of the town, including debt and interest, for the ensuing fiscal year as set forth in the FY26 General Fund Budget.

The motion was seconded.

A 2/3 majority is required.

VOTE ON ARTICLE 2: The Moderator declared a 2/3 vote.

Article 5: Transfer to OPEB Trust

Sponsor: Town Manager/Finance Director

To see if the Town will transfer \$375,000 from OPEB Contribution Account #01915-51709 to the OPEB Trust, Account #88100-49710, or pass any vote or take any action relative thereto.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommended the Town transfer \$375,000 from OPEB Contribution Account #01915-51709 to the OPEB Trust, Account #88100-49710

Speaker: Michael Herbert, Town Manager, spoke about what OPEB is and how it is required by the State.

Discussion: There was no discussion

MOTION MADE: That the Town will transfer \$375,000 from OPEB Contribution Account #01915-51709 to the OPEB Trust, Account #88100-49710

The motion was seconded.

A simple majority is required.

VOTE ON ARTICLE 5: Passed unanimously

Article 6: 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.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

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;

5. Revolving Funds: To see if the Town will vote to fix the maximum amount that may be spent during FY 2026 beginning July 1, 2025 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;

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.

FUND DESCRIPTION	USE OF FUNDS	Maximum Amount of Expenditure From Fund
Senior Program Revolving	The purpose of which shall be to pay for programs conducted by the Council on Aging for the benefit of Ashland senior citizens	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$25,000
Town Building Rental	The purpose of which shall be to pay for expenses and maintenance incurred for the rental of said building	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$75,000
Town of Holliston Animal Control Revolving	The purpose of which shall be to pay for expenses incurred for the care and capture of animals on behalf of the Town of Holliston	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$114,000
Library Materials Replacement	The purpose of which shall be to acquire equivalent Public Library materials to replace items lost or damaged by those who borrow such materials	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$5,000

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

Hazardous Waste Revolving	The purpose of which shall be to be able to continue to drop off programs for TV's & Computers	Expenditures shall not exceed monies into the fund \$10,000
Sidewalk Construction Fund	The purpose of which shall be to pay for sidewalks	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$50,000
Guidance Revolving Fund	The purpose of which shall be to pay for the institutional, per student cost for our students who take the PSAT and/or Advanced Placement (AP) tests and to pay for proctors during the exams	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$50,000
Food Inspection Program	The purpose of which shall be a self-supporting program which will collect fees for the services provided to pay for food establishment programs provided by the Board of Health for the delivery of routine inspections, investigations and reviews for food establishments	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$20,000
Electrical, Plumbing, & Gas Inspections Revolving Fund	The purpose of which shall be a self-supporting program which will collect fees charged and received by the Building Department for electrical, plumbing and gas inspections and permits. During each fiscal year, the Building Department may incur liabilities against and spend monies from the Revolving Fund for salaries or wages of for inspectors performing electric, plumbing or gas inspections, education, contractual services and any other expenses in connection with the operation of the inspectional services program	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$150,000

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

Tobacco Program Revolving	The purpose of which shall be a self-supporting program which will collect fees for the services provided to pay for inspections and programs provided by the Board of Health for the delivery of tobacco control comprehensive inspections at tobacco sales locations and for evidence based education programs that will benefit the residents of Ashland	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$10,000
Ambulance Revolving	The purpose of which shall be to pay for the costs of providing ambulance and emergency response services.	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$900,000
Recreation Revolving	The purpose of which shall be to support the cost of providing recreation programs throughout the year.	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$500,000
Vaccination Clinic Revolving	The purpose shall be to create a self-supporting program which will pay for the costs associated with running the regional vaccination clinics.	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$30,000

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommended the Town approve Article 6 as set forth in the Warrant and set the maximum amount that may be spent on revolving funds in subsection 5 of Article 6.

Given the routine nature of the items contained within consent articles they are normally voted without discussion. As such, the Moderator asked for a motion and then move directly to a vote.

MOTION MADE: That the Town approve Article 6 as set forth in the Warrant and set the maximum amount that may be spent on revolving funds in subsection 5 of Article 6 as follows:

- Senior Program Revolving: \$25,000
- Town Building Rental: \$75,000
- Town of Holliston Animal Control Revolving: \$114,000
- Library Materials Replacement: \$5,000
- Hazardous Waste Revolving: \$10,000
- Sidewalk Construction Fund: \$50,000

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

Guidance Revolving Fund: \$50,000
Food Inspection Program: \$20,000
Electrical, Inspections & Gas Inspection Revolving Fund: \$150,000
Tobacco Program Revolving: \$10,000
Ambulance Revolving: \$900,000
Recreation Revolving: \$500,000
Vaccination Clinic Revolving: \$30,000

The motion was seconded.

A 2/3 majority is required.

VOTE ON ARTICLE 6: Passed unanimously

Article 7: 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 – FY26 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 2026, with each item to be considered a separate appropriation:

Appropriations :

From FY 2026 estimated revenues to Committee Administrative Expense **\$72,747**

Reserves:

From FY 2026 estimated revenues to Historic Resources Reserve **\$138,218**

From FY 2026 estimated revenues to Community Housing Reserve **\$138,218**

From FY 2026 estimated revenues to Open Space Reserve **\$138,218**

From FY 2026 estimated revenues to Undesignated Reserve **\$967,528**

- b. **Community Preservation Funds – Oak Street Bond Payment** - To see if the Town will vote to appropriate **\$131,150** 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 2 of this Town Meeting; or pass any vote or take any other action relative thereto.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

c. **Community Preservation Funds – H.S. Athletic Fields Bond Payment** - To see if the Town will vote to appropriate **\$292,600** 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 2 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 **\$148,125** 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>\$47,400</u>
Open Space Reserve	<u>\$39,994</u>
Undesignated Reserve	<u>\$60,731</u>

e. **Community Preservation Funds – Valentine Estate** – To see if the Town will vote to appropriate **\$45,936** 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>\$6,564</u>
Undesignated Reserve	<u>\$39,372</u>

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

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommended the Town approve the CPC Consent Article as set forth in Article 7.

As with Article 6, due to the routine and recurring nature of this article, the Moderator asked for a motion and then moved directly to a vote.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

MOTION MADE: That the Town approve the CPC Consent Article as forth in the Article 7.

The motion was seconded.

A simple majority is required.

VOTE ON ARTICLE 7: Passed

Article 8: Appropriate CPA Funds for the creation of the Ashland Arboretum
Sponsor: Community Preservation Committee

To see if the Town will vote to appropriate up to \$500,000 for the creation of the Ashland Arboretum and that to meet this appropriation, the sum of \$200,000 to be transferred from the Open Space and Recreation Fund and \$300,000 from the undesignated account from the Community Preservation Fund balance. With unexpended funds as of December 31, 2028 being returned to their funding source; or pass any vote or take any other action thereon.

COMMUNITY PRESERVATION COMMITTEE RECOMMENDATION: The Community Preservation Committee recommends that the Town so vote.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommended that the Town appropriates \$500,000 for the creation of the Ashland Arboretum and that to meet this appropriation, the sum of \$200,000 to be transferred from the Open Space and Recreation Fund and \$300,000 from the undesignated account from the Community Preservation Fund balance. With unexpended funds as of December 31, 2028 being returned to their funding source

Speaker: Aaron Ladd, Community Preservation Committee Chair, spoke about the exciting project that is going to be at the old Cadillac Paint site and create a beautiful space for the community.

Discussion: There was no discussion.

MOTION MADE: That the Town votes to appropriate \$500,000 for the creation of the Ashland Arboretum and that to meet this appropriation, the sum of \$200,000 to be transferred from the Open Space and Recreation Fund and \$300,000 from the undesignated account from the Community Preservation Fund balance. With unexpended funds as of December 31, 2028 being returned to their funding source.

The motion was seconded.

A simple majority is required.

VOTE ON ARTICLE 8: Passed unanimously

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

Article 9: Appropriate CPA Funds for the digitization documents for the Historic Preservation
Sponsor: Community Preservation Committee

To see if the Town will vote to appropriate up to \$110,000 for the digitization of Town of Ashland records for historic preservation and that to meet this appropriation, the sum of \$110,000 be transferred from the Historical Resources Reserve account from the Community Preservation Fund balance. With unexpended funds as of December 31, 2028 being returned to their funding source; or pass any vote or take any other action thereon.

COMMUNITY PRESERVATION COMMITTEE RECOMMENDATION: The Community Preservation Committee recommends that the Town so vote.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommended \$110,000 for the digitization of Town of Ashland records for historic preservation and that to meet this appropriation, the sum of \$110,000 be transferred from the Historical Resources Reserve account from the Community Preservation Fund balance. With unexpended funds as of December 31, 2028 being returned to their funding source.

Speaker: Aaron Ladd, Community Preservation Committee Chair

MOTION MADE: That the Town votes to appropriate up to \$110,000 for the digitization of Town of Ashland records for historic preservation and that to meet this appropriation, the sum of \$110,000 be transferred from the Historical Resources Reserve account from the Community Preservation Fund balance. With unexpended funds as of December 31, 2028 being returned to their funding source.

The motion was seconded.

A simple majority is required.

VOTE ON ARTICLE 9: Passed unanimously

Article 10: Appropriate CPA Funds for Additional funds for Dog Park Site Improvements
Sponsor: Community Preservation Committee

To see if the Town will vote to appropriate up to \$60,000 for the Ashland Bark Park Site Improvements and that to meet this appropriation, the sum of \$60,000 be transferred from the Open Space and Recreation account from the Community Preservation Fund balance. With unexpended funds as of December 31, 2026 being returned to their funding source; or pass any vote or take any other action thereon.

COMMUNITY PRESERVATION COMMITTEE RECOMMENDATION: The Community Preservation Committee recommends that the Town so vote.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommended that the Town appropriates up to \$60,000 for the Ashland Bark Park Site Improvements and that to meet this appropriation, the sum of \$60,000 be transferred from the Open Space and Recreation account from the Community Preservation Fund balance. With unexpended funds as of December 31, 2026 being returned to their funding source.

Speaker: Aaron Ladd, Community Preservation Committee Chair

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

Discussion: There was some discussion. Mostly for the project and one against.

MOTION MADE: That the Town appropriates up to \$60,000 for the Ashland Bark Park Site Improvements and that to meet this appropriation, the sum of \$60,000 be transferred from the Open Space and Recreation account from the Community Preservation Fund balance. With unexpended funds as of December 31, 2026 being returned to their funding source.

The motion was seconded.

A simple majority is required.

VOTE ON ARTICLE 10: Passed

Article 11: Accept Section 40 Chapter 653 of the Acts of 1989

Sponsor: Town Manager

To see if the Town will vote to accept the provisions of Section 40 Chapter 653 of the Acts of 1989 in order to allow the Town to tax in the current fiscal year all new construction built between January 1 and June 30 of that year; or take any action relative thereto.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommended that the Town accepts the provisions of Section 40 Chapter 653 of the Acts of 1989 in order to allow the Town to tax in the current fiscal year all new construction built between January 1 and June 30 of that year

Speaker: Cindy Cincotta, Finance Director/Treasurer/Collector explained that this is a Massachusetts General Law that will benefit the Town if we are able to collect tax in the current fiscal year for new construction.

Discussion: There was no discussion.

MOTION MADE: That the Town accepts the provisions of Section 40 Chapter 653 of the Acts of 1989 in order to allow the Town to tax in the current fiscal year all new construction built between January 1 and June 30 of that year.

The motion was seconded.

A simple majority is required.

VOTE ON ARTICLE 11: Passed Unanimously

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

Article 12: Authorize a Water Treatment Capital Project

Sponsor: Town Manager/Finance Director/Director of Public Works

To see if the Town will vote to appropriate, transfer, or otherwise provide an additional \$2,000,000 to the previously approved \$4,000,000 authorized in Article 11 of the 2024 Annual Town Meeting, for the engineering, design, construction and all costs incidental and related thereto in order to replace the existing 20+ year old Ozone system at the water treatment plant located at 229 Howe Street and to determine if this amount shall be paid for by borrowing and if so authorize the Town Treasurer, with the approval of the Select Board, to borrow said amount under and pursuant to G.L. c. 44, §7(1), or any other enabling authority, and to issue bonds or notes of the Town therefor or take any action relative thereto

FINANCE COMMITTEE RECOMMENDATION: Finance Committee recommended that the Town appropriates \$2,000,000 to pay costs of engineering, design and construction related to the replacement of the existing 20+ year old ozone system at the water treatment plant located at 229 Howe Street, and for the payment of all other costs incidental and related thereto, which amount shall be expended in addition to the \$4,000,000 previously approved by the Town for this project under Article 11 of the 2024 Annual Town Meeting, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §8(4), or any other enabling authority, and to issue bonds or notes of the Town therefor.

Speaker: Michael Herbert, Town Manager

Discussion: There was no discussion

MOTION MADE: That the Town appropriates \$2,000,000 to pay costs of engineering, design and construction related to the replacement of the existing 20+ year old ozone system at the water treatment plant located at 229 Howe Street, and for the payment of all other costs incidental and related thereto, which amount shall be expended in addition to the \$4,000,000 previously approved by the Town for this project under Article 11 of the 2024 Annual Town Meeting, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §8(4), or any other enabling authority, and to issue bonds or notes of the Town therefor. The motion was seconded.

A 2/3 majority is required.

VOTE ON ARTICLE 12: Passed unanimously

Article 13: Authorize Borrowing for Water Main Replacement Project

Sponsor: Town Manager/Finance Director

To see if the Town will appropriate, transfer, or otherwise provide an additional \$3,000,000, to the previously approved \$1,000,000 authorized in Article 5 of the 2024 Special Town Meeting to pay costs of engineering, design and construction related to various water main replacement projects, including the costs of roadway restoration and all other costs incidental or related thereto; to determine if this amount shall be paid for by borrowing and if so authorize the Town Treasurer, with the approval of the Select

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

Board, to borrow said amount under and pursuant to G.L. c. 44, §7(1), or any other enabling authority, and to issue bonds or notes of the Town therefor, or take any other action related thereto.

FINANCE COMMITTEE RECOMMENDATION: Finance Committee recommended That the Town appropriates \$3,000,000 to pay costs of engineering, design and construction related to various water main replacement projects, including the costs of roadway restoration and all other costs incidental or related thereto, which amount shall be expended in addition to the \$1,000,000 previously approved for this project by vote of the Town under Article 5 of the Warrant at the 2024 Special Town Meeting, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized borrow said amount under and pursuant to G.L. c. 44, §8(5), or any other enabling authority, and to issue bonds or notes of the Town therefor.

Speaker: Michael Herbert, Town Manager

Discussion: There was no discussion

MOTION MADE: That the Town appropriates \$3,000,000 to pay costs of engineering, design and construction related to various water main replacement projects, including the costs of roadway restoration and all other costs incidental or related thereto, which amount shall be expended in addition to the \$1,000,000 previously approved for this project by vote of the Town under Article 5 of the Warrant at the 2024 Special Town Meeting, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized borrow said amount under and pursuant to G.L. c. 44, §8(5), or any other enabling authority, and to issue bonds or notes of the Town therefor.

The motion was seconded.

A 2/3 majority is required.

VOTE ON ARTICLE 13: Passed unanimously

Article 14: Funding for I&I

Sponsor: Town Manager/Finance Director

To see if the Town will appropriate a sum of money to make infiltration and inflow improvements to the Town's sewer system, including improvements for infiltration and inflow reduction purposes that are eligible for loans or other financial assistance through the Massachusetts Water Resources Authority's I/I Local Financial Assistance Program - Phase 14 and 16 Funding Allocation, said funds to be expended under the direction of the Department of Public Works; to determine whether such amounts should be raised by taxation, borrowing, transfer from available funds or otherwise, and to authorize the Select Board to apply for and accept, any grants that may be available to pay costs of such projects; or pass any vote or take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommendations that the Town appropriates \$1,214,000 to make infiltration and inflow improvements to the Town's sewer system, including improvements for infiltration and inflow reduction purposes that are eligible for loans or other

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

financial assistance through the Massachusetts Water Resources Authority's I/I Local Financial Assistance Program - Phase 14 & 16 Funding Allocation, said funds to be expended under the direction of the Department of Public Works; to determine whether such amounts should be raised by taxation, borrowing, transfer from available funds or otherwise, and to authorize the Select Board to apply for and accept, any grants that may be available to pay costs of such projects. And to meet said appropriation the Town Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to M.G.L Chapter 44, or pursuant to any other enabling authority.

Speaker: Michael Herbert, Town Manager

Discussion: There was no discussion.

MOTION MADE: That the Town appropriate \$1,214,000, to make infiltration and inflow improvements to the Town's sewer system, including improvements for infiltration and inflow reduction purposes that are eligible for loans or other financial assistance through the Massachusetts Water Resources Authority's I/I Local Financial Assistance Program - Phase 14 & 16 Funding Allocation, said funds to be expended under the direction of the Department of Public Works; to determine whether such amounts should be raised by taxation, borrowing, transfer from available funds or otherwise, and to authorize the Select Board to apply for and accept, any grants that may be available to pay costs of such projects. And to meet said appropriation the Town Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to M.G.L Chapter 44, or pursuant to any other enabling authority.

The motion was seconded.

A 2/3 majority is required.

VOTE ON ARTICLE 14: Passed unanimously

Article 15: Bylaw: Establish a Local Historic District

Sponsor: Historic Commission

To see if the Town will vote to establish a Local Historic District, to be administered by an Historic District Commission as provided for under Massachusetts General Laws Chapter 40C, by amending the Town of Ashland bylaws by adding a new Chapter 32 entitled, Local Historic District, as follows:

Chapter 32 Local Historic District

The Town of Ashland hereby establishes a Local Historic District, to be administered by an Historic District Commission as provided for under Massachusetts General Laws Chapter 40C, as amended and as set forth below.

32-1. PURPOSE

The purpose of this bylaw is to aid in the preservation and protection of the distinctive characteristics and architecture of buildings and places significant in the history of the Town of Ashland, the maintenance and improvement of their settings and the encouragement of new building designs compatible with the existing architecture.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

32-2. DEFINITIONS

The terms defined in this section shall be capitalized throughout this Bylaw. Where a defined term has not been capitalized, it is intended that the meaning of the term be the same as the meaning ascribed to it in this section unless another meaning is clearly intended by its context. As used in this Bylaw the following terms shall have the following meaning:

ALTERATION, TO ALTER – The act or the fact of rebuilding, reconstruction, restoration, replication, removal, demolition, and other similar activities.

BUILDING – A combination of materials forming a shelter for persons, animals or property.

CERTIFICATE – A Certificate of Appropriateness, a Certificate of Non-Applicability, or a Certificate of Hardship as set forth in this Bylaw.

COMMISSION – The Historic District Commission as established in this Bylaw.

CONSTRUCTION, TO CONSTRUCT – The act or the fact of building, erecting, installing, enlarging, moving and other similar activities.

DEMOLITION – Any voluntary act of pulling down, destroying, burning, removing, or razing of a building in whole or of more than 25% of any single façade or any significant architectural or structural feature visible from the exterior of the building, or commencing the work of total or substantial destruction with the intent of compelling the same; demolition does not include the mere replacement of roofing, siding, windows, or trim for maintenance or repair. For purposes hereof, “significant architectural or structural features” include but are not limited to porticos, bay windows, roof lines, dormers, or other unique features of a building.

DISPLAY AREA – The total surface area of a SIGN, including all lettering, wording, designs, symbols, background and frame, but not including any support structure or bracing incidental to the SIGN. The DISPLAY AREA of an individual letter SIGN or irregular shaped SIGN shall be the area of the smallest rectangle into which the letters or shape will fit. Where SIGN faces are placed back to back and face in opposite directions, the DISPLAY AREA shall be defined as the area of one face of the SIGN.

DISTRICT – The Local Historic District as established in this Bylaw consisting of one or more DISTRICT AREAS.

DISTRICT AREA – A portion of land in the Town as listed in Section 13 (Appendices) of this Bylaw.

EXTERIOR ARCHITECTURAL FEATURE – Such portion of the exterior of a BUILDING or STRUCTURE as is open to view from a public way or ways (vegetation notwithstanding), including but not limited to architectural style and general arrangement and setting thereof, the kind and texture of exterior building materials, and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures.

PERSON AGGRIEVED – The applicant; an owner of adjoining property; an owner of property within the same DISTRICT AREA; an owner of property within 100 feet of said DISTRICT AREA; and any charitable

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

corporation in which one of its purposes is the preservation of historic places, structures, BUILDINGS or districts.

SIGNS – Any symbol, design or device used to identify or advertise any place of business, product, activity or person.

STRUCTURE – A combination of materials other than a BUILDING, including but not limited to a SIGN, fence, wall, terrace, walk or driveway.

TEMPORARY STRUCTURE or BUILDING – A BUILDING not to be in existence for a period of more than two years. A STRUCTURE not to be in existence for a period of more than one year. The COMMISSION may further limit the time periods set forth herein as it deems appropriate.

32-3. DISTRICT

The DISTRICT shall consist of one or more DISTRICT AREAS as listed in Section 13 (Appendices) of this Bylaw.

32-4. COMMISSION

32-4.1 The DISTRICT shall be overseen by a COMMISSION consisting of five members, to be appointed by the Select Board, two members initially to be appointed for one year, two for two years, and one for three years, and each successive appointment to be made for three years.

32-4.2 The COMMISSION shall include, if possible, one member from two nominees solicited from the Ashland Historical Society, one member from two nominees solicited from the chapter of the American Institute of Architects covering Ashland; one member from two nominees of the Board of Realtors covering Ashland; and one property owner from within the DISTRICT AREA. If within thirty days after submission of a written request for nominees to any of the organizations herein named insufficient nominations have been made, the Select Board may proceed to make appointments as it desires.

32-4.3 The Select Board may appoint up to four alternate members to the COMMISSION. Each alternate member shall have the right to act and vote in the place of one regular member should such regular member be absent from a meeting or be unwilling or unable to act or vote. Said alternate members shall initially be appointed for terms of two or three years, and for three year terms thereafter.

32-4.4 Each member and alternate member shall continue to serve in office after the expiration date of his or her term until a successor is duly appointed.

32-4.5 Meetings of the COMMISSION shall be held at the call of the Chairman, at the request of two members and in such other manner as the COMMISSION shall determine in its Rules and Regulations.

32-4.6 Four members of the COMMISSION shall constitute a quorum.

32-5. COMMISSION POWERS AND DUTIES

32-5.1 The COMMISSION shall exercise its powers in administering and regulating the CONSTRUCTION and ALTERATION of any STRUCTURES or BUILDINGS within the DISTRICT as set forth under the procedures and criteria established in this Bylaw. In exercising its powers and duties hereunder, the COMMISSION shall pay due regard to the distinctive characteristics of each BUILDING, STRUCTURE and DISTRICT AREA.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

32-5.2 The COMMISSION may adopt, and from time to time amend, reasonable Rules and Regulations not inconsistent with the provisions of this Bylaw or M.G.L. Chapter 40C, setting forth such forms and procedures as it deems desirable and necessary for the regulation of its affairs and the conduct of its business, including requirements for the contents and form of applications for CERTIFICATES, fees, hearing procedures and other matters. The COMMISSION shall file a copy of any such Rules and Regulations with the office of the Town Clerk.

32-5.3 The COMMISSION, after a public hearing duly posted and advertised at least 14 business days in advance in a conspicuous place in Town Hall and in a newspaper of general circulation, may adopt and from time to time amend guidelines which set forth the designs for certain EXTERIOR ARCHITECTURAL FEATURES which are, in general, suitable for the issuance of a CERTIFICATE. No such design guidelines shall limit the right of an applicant for a CERTIFICATE to present other designs to the COMMISSION for approval.

32-5.4 The COMMISSION shall at the beginning of each fiscal year hold an organizational meeting and elect a Chairman, a Vice Chairman and Secretary, and file notice of such election with the office of the Town Clerk.

32-5.5 The COMMISSION shall keep a permanent record of its resolutions, transactions, decisions and determinations and of the vote of each member participating therein.

32-5.6 The COMMISSION shall undertake educational efforts to explain to the public and property owners the merits and functions of a DISTRICT.

32-5.7 The COMMISSION may, subject to appropriation or receipt of other monies, employ clerical and technical assistance and consultants and incur other expenses appropriate to the carrying on of its work and may accept money gifts and expend the same for such purposes.

32-6. ALTERATIONS AND CONSTRUCTION PROHIBITED WITHOUT A CERTIFICATE

32-6.1 Except as this Bylaw provides, no BUILDING or STRUCTURE or part thereof within a DISTRICT shall be CONSTRUCTED or ALTERED in any way that affects the EXTERIOR ARCHITECTURAL FEATURES as visible from a public way, unless the COMMISSION shall first have issued a CERTIFICATE with respect to such CONSTRUCTION or ALTERATION.

32-6.2 No building permit for CONSTRUCTION of a BUILDING or STRUCTURE or for ALTERATION of an EXTERIOR ARCHITECTURAL FEATURE within a DISTRICT and no demolition permit for demolition or removal of a BUILDING or STRUCTURE within a DISTRICT shall be issued by the Town or any department thereof until a CERTIFICATE as required under this Bylaw has been issued by the COMMISSION.

32-7. PROCEDURES FOR REVIEW OF APPLICATIONS

32-7.1 Any person who desires to obtain a CERTIFICATE from the COMMISSION shall file with the COMMISSION an application for a CERTIFICATE of Appropriateness, of Non-Applicability or of Hardship, as the case may be. The application shall be accompanied by such plans, elevations, specifications, material and other information, including in the case of demolition or removal a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the COMMISSION to enable it to make a determination on the application.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

32-7.2 The COMMISSION shall determine within fourteen (14) business days of the filing of an application for a CERTIFICATE whether said application involves any EXTERIOR ARCHITECTURAL FEATURES which are within the jurisdiction of the COMMISSION.

32-7.3 If the COMMISSION determines that an application for a CERTIFICATE does not involve any EXTERIOR ARCHITECTURAL FEATURES, or involves an EXTERIOR ARCHITECTURAL FEATURE which is not subject to review by the COMMISSION under the provisions of this Bylaw, the COMMISSION shall forthwith issue a CERTIFICATE of Non-Applicability.

32-7.4 If the COMMISSION determines that such application involves any EXTERIOR ARCHITECTURAL FEATURE subject to review under this Bylaw, it shall hold a public hearing on the application, except as may otherwise be provided in this Bylaw. The COMMISSION shall hold such a public hearing within forty-five (45) days from the date of the filing of the application. At least fourteen (14) business days before said public hearing, public notice shall be given by posting in a conspicuous place in Town Hall and in a newspaper of general circulation in Ashland. Such notice shall identify the time, place and purpose of the public hearing. Concurrently, a copy of said public notice shall be mailed to the applicant, to the owners of all adjoining properties and of other properties deemed by the COMMISSION to be materially affected thereby, all as they appear on the most recent applicable tax list, to the Planning Board, to any person filing a written request for notice of hearings, such request to be renewed yearly in December, and to such other persons as the COMMISSION shall deem entitled to notice.

32-7.4.1 A public hearing on an application for a CERTIFICATE need not be held if such hearing is waived in writing by all persons entitled to notice thereof. In addition, a public hearing on an application for a CERTIFICATE may be waived by the COMMISSION if the COMMISSION determines that the EXTERIOR ARCHITECTURAL FEATURE involved, or its category, is so insubstantial in its effect on the DISTRICT that it may be reviewed by the COMMISSION without a public hearing. If the COMMISSION dispenses with a public hearing on an application for a CERTIFICATE, notice of such application shall be given to the owners of all adjoining property and of other property deemed by the COMMISSION to be materially affected thereby as above provided, and ten (10) days shall elapse after the mailing of such notice before the COMMISSION may act upon such application.

32-7.5 Within sixty (60) days after the filing of an application for a CERTIFICATE, or within such further time as the applicant may allow in writing, the COMMISSION shall issue a CERTIFICATE or a disapproval. In the case of a disapproval of an application for a CERTIFICATE, the COMMISSION shall set forth in its disapproval the reasons for such disapproval. The COMMISSION may include in its disapproval specific recommendations for changes in the applicant's proposal with respect to the appropriateness of design, arrangement, texture, material and similar features which, if made and filed with the COMMISSION in a subsequent application, would make the application acceptable to the COMMISSION.

32-7.6 The concurring vote of a majority of the members shall be required to issue a CERTIFICATE.

32-7.7 In issuing CERTIFICATES, the COMMISSION may, as it deems appropriate, impose certain conditions and limitations, and may require architectural or plan modifications consistent with the intent and purpose of this Bylaw.

32-7.8 If the COMMISSION determines that the CONSTRUCTION or ALTERATION for which an application for a CERTIFICATE of Appropriateness has been filed will be appropriate for or compatible with the

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

preservation or protection of the DISTRICT, the COMMISSION shall issue a CERTIFICATE of Appropriateness.

32-7.9 If the CONSTRUCTION or ALTERATION for which an application for a CERTIFICATE of Appropriateness has been filed shall be determined to be inappropriate and therefore disapproved, or in the event of an application for a CERTIFICATE of Hardship, the COMMISSION shall determine whether, owing to conditions especially affecting the BUILDING or STRUCTURE involved, but not affecting the DISTRICT generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and whether such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this Bylaw. If the COMMISSION determines that owing to such conditions failure to approve an application will involve substantial hardship to the applicant and approval thereof may be made without such substantial detriment or derogation, the COMMISSION shall issue a CERTIFICATE of Hardship.

32-7.10 The COMMISSION shall send a copy of its CERTIFICATES and disapprovals to the applicant and shall file a copy of its CERTIFICATES and disapprovals with the office of the Town Clerk and the Building Commissioner. The date of issuance of a CERTIFICATE or disapproval shall be the date of the filing of a copy of such CERTIFICATE or disapproval with the office of the Town Clerk.

32-7.11 If the COMMISSION should fail to issue a CERTIFICATE or a disapproval within sixty (60) days of the filing of the application for a CERTIFICATE, or within such further time as the applicant may allow in writing, the COMMISSION shall thereupon issue a CERTIFICATE of Hardship Due to Failure to Act.

32-7.12 Each CERTIFICATE issued by the COMMISSION shall be dated and signed by its chairman or such other person designated by the COMMISSION to sign such CERTIFICATES on its behalf.

32-7.13 A PERSON AGGRIEVED by a determination of the COMMISSION may, within twenty (20) days of the issuance of a CERTIFICATE or disapproval, file a written request with the COMMISSION for a review by a person or persons of competence and experience in such matters, acting as arbitrator and designated by the regional planning agency. The finding of the person or persons making such review shall be filed with the Town Clerk within forty-five (45) days after the request, and shall be binding on the applicant and the COMMISSION, unless a further appeal is sought in the Superior Court as provided in Chapter 40C, Section 12A. The filing of such further appeal shall occur within twenty (20) days after the finding of the arbitrator has been filed with the office of the Town Clerk.

32-8. CRITERIA FOR DETERMINATIONS

32-8.1 In deliberating on applications for CERTIFICATES, the COMMISSION shall consider, among other things, the historic and architectural value and significance of the site, BUILDING or STRUCTURE; the general design, proportions, detailing, mass, arrangement, texture, and material of the EXTERIOR ARCHITECTURAL FEATURES involved; and the relation of such EXTERIOR ARCHITECTURAL FEATURES to similar features of BUILDINGS and STRUCTURES in the surrounding area.

32-8.2 In the case of new CONSTRUCTION or additions to existing BUILDINGS or STRUCTURES, the COMMISSION shall consider the appropriateness of the scale, shape and proportions of the BUILDING or STRUCTURE both in relation to the land area upon which the BUILDING or STRUCTURE is situated and in relation to BUILDINGS and STRUCTURES in the vicinity. The COMMISSION may in appropriate cases impose dimensional and setback requirements in addition to those required by applicable statute or bylaw.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

32-8.3 When ruling on applications for CERTIFICATES on solar energy systems as defined in Section IA of Chapter 40A, the COMMISSION shall consider the policy of the Commonwealth of Massachusetts to encourage the use of solar energy systems and to protect solar access.

32-8.4 The COMMISSION shall not consider interior arrangements or architectural features not subject to public view from a public way.

32-9. EXCLUSIONS

32-9.1 The COMMISSION shall exclude from its purview the following:

32-9.1.1 Temporary BUILDINGS, STRUCTURES or SIGNS subject, however, to conditions pertaining to the duration of existence and use, location, lighting, removal, and similar matters as the COMMISSION may reasonably specify.

32-9.1.2 Terraces, walks, driveways, sidewalks, and similar STRUCTURES, provided that any such STRUCTURE is substantially at grade level.

32-9.1.3 Storm windows and doors, screen windows and doors, and window air conditioners.

32-9.1.4 The color of paint.

32-9.1.5 The color of materials used on roofs.

32-9.1.6 Signs of not more than two (2) square feet in DISPLAY AREA in-connection with use of a residence for a customary home occupation or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is illuminated only indirectly; and one sign in connection with the nonresidential use of each BUILDING or STRUCTURE which is not more than six (6) square feet in DISPLAY AREA, consists of letters painted on wood without symbol or trademark and if illuminated is illuminated indirectly.

32-9.1.7 The reconstruction, substantially similar in exterior design, of a BUILDING, STRUCTURE or EXTERIOR ARCHITECTURAL FEATURE damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within three years thereafter and carried forward with due diligence.

32-9.2 Upon request the COMMISSION shall issue a CERTIFICATE of Non-Applicability with respect to CONSTRUCTION or ALTERATION in any category not subject to review by the COMMISSION in accordance with the above provisions.

32-9.3 Nothing in this Bylaw shall be construed to prevent the ordinary maintenance, repair or replacement of any EXTERIOR ARCHITECTURAL FEATURE within a DISTRICT which does not involve a change in design, material or the outward appearance thereof, nor to prevent landscaping with plants, trees or shrubs, nor construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any CONSTRUCTION or ALTERATION under a permit duly issued prior to the effective date of this Bylaw.

32-10. CATEGORICAL APPROVAL

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

The COMMISSION may determine from time to time after a public hearing, duly advertised and posted at least fourteen (14) business days in advance in a conspicuous place in Town Hall and in a newspaper of general circulation in Ashland, that certain categories of EXTERIOR ARCHITECTURAL FEATURES, STRUCTURES or BUILDINGS under certain conditions may be CONSTRUCTED or ALTERED without review by the COMMISSION without causing substantial derogation from the intent and purpose of this Bylaw.

32-11. ENFORCEMENT AND PENALTIES

32-11.1 The COMMISSION shall determine whether a particular activity is in violation of this Bylaw or not, and the COMMISSION shall be charged with the enforcement of this Bylaw.

32-11.2 The COMMISSION, upon a written complaint of any resident of Ashland, or owner of property within Ashland, or upon its own initiative, shall institute any appropriate action or proceedings in the name of the Town of Ashland to prevent, correct, restrain or abate violation of this Bylaw. In the case where the COMMISSION is requested in writing to enforce this Bylaw against any person allegedly in violation of same and the COMMISSION declines to act, the COMMISSION shall notify, in writing, the party requesting such enforcement of any action or refusal to act and the reasons therefore, within twenty-one (21) days of receipt of such request.

32-11.3 Whoever violates any of the provisions of this Bylaw shall be punishable by a fine of up to \$100.00 for each offense. Each day during any portion of which such violation continues to exist shall constitute a separate offense.

32-11.4 The COMMISSION may designate the Building Commissioner of the Town of Ashland to act on its behalf and to enforce this Bylaw under the direction of the COMMISSION.

32-11.5 The COMMISSION shall notify the Building Commissioner in writing of any violation of the requirements of this ordinance or its determinations, rulings, and regulations with regard to a specific building or structure, and shall instruct said commissioner to make a permanent record of such violation in the corresponding property file maintained by the department of inspectional services as require by law. Prior to issuance of any building permit for the construction, reconstruction, alteration, renovation, repair, removal, demolition, or change of use or occupancy of any building or structure, said commissioner shall review the property file and ascertain whether a notice of unremediated violation of this ordinance is on record. To the extent allowed by law, including but not limited to the provisions of the state building code, 780 CMR 111.1 (6th ed) or its successor, unless the commissioner is satisfied there is no outstanding unremediated violation of this ordinance, he or she shall reject such an application for a building permit for such building or structure in writing, stating the reasons therefor.

32-12. VALIDITY AND SEPARABILITY

The provisions of this Bylaw shall be deemed to be separable. If any of its provisions, sections, subsections, sentences or clauses shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Bylaw shall continue to be in full force and effect.

32-13. APPENDICES

Appendix 1:

Ashland Center District

The Ashland Centre District shall be a DISTRICT AREA under this Bylaw. The location and boundaries of the Ashland Centre District are defined and shown on the Local Historic District Map of the Town of Ashland,

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

included in this report and which is a part of this Bylaw. The map is based on the Town of Ashland GIS, SimpliCITY Municipal Software provided by People GIS as of August 25, 2024. The delineation of the DISTRICT AREA boundaries is based on the parcel boundaries then in existence and shown therein.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee defers to Town Meeting

Speaker: Jim Neilson, Historical Commission Chair, gave a presentation and discussed how the Local Historic District is the only way to preserve a historic building in downtown Ashland. He presented the map of the district and pointed out the upgrade to the old Fire Station and how it kept the historic front. He noted what the bylaw would and would not allow.

Discussion: The discussion was robust. The Moderator stated he would allow nonresidents that owned businesses within the proposed district to also speak.

Curtis Hoffman, 58 Hilldale Rd, talked about the boundaries approval from the Mass Historical Commission and cannot change once established. Brittany Krasner, 70 Pennock Road and owner of Lunkers building downtown business spoke against the article. She believes it will not benefit new business. Deborah Neilson read a message from Nadine Nesbitt in favor of the article. Brandi Kinsman, Select Board member, speaking on her own behalf, spoke highly of the work that the Commission put into the article but still has concerns and is against the article at this time. Lisa Churchill, Cirrus Dr. and property owner of 20 Front Street and Blush Bouquets believes that the proposed district will slow down business growth in downtown. Marcia Reni, 41 Bay Colony Drive, spoke strongly in favor of the article. John Ellsworth, 22 High St. Ext., owned a business within the proposed district and thinks it is too expensive for business owners to conform to the guidelines. Roberta Soolman, 28 Woodridge Lane and Chair of Open Space and Recreation said the Committee voted to endorse the article. The discussion went on for some time with residents and business owners both for and against the article.

The Moderator thought given the interest in the article it was best to do a hand count and brought the tellers up.

MOTION MADE: That the Town establishes a Local Historic District, to be administered by an Historic District Commission as provided for under Massachusetts General Laws Chapter 40C, by amending the Town of Ashland bylaws by adding a new Chapter 32 entitled, Local Historic District as set forth in Article 15.

The motion was seconded.

A 2/3 majority is required.

VOTE ON ARTICLE 15: Failed (111-66)

Article 16: Land Taking for Multi Modal Trail
Sponsor: Select Board

Note: This article was withdrawn at Town Meeting

To see if the Town will vote to authorize the Select Board to purchase, acquire or take by eminent domain, and to raise and appropriate, either by appropriation, borrowing or otherwise, a sum of money to fund

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

said purchase or taking along with all associated legal and engineering costs necessary, the following parcels of land: 81 Pond Street shown as Map 14 Block 22 Lot 0 consisting of 12.3 acres +/- and 0 Pond Street shown as Map 14 Block 22 Lot 6 including 2.74 acres +/- the acquisition of said property having been determined to be necessary for the health and welfare of the inhabitants of Ashland and to be used for general municipal purposes including multi modal trail under the care custody and control of the Select Board ; or pass any vote or take any action relative thereto.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommended that the Town Authorize the Select Board to purchase, acquire or take by eminent domain the parcels of land described in the motion with the condition that compensation to the land owner does not exceed the grant funds available for this purpose.

WITHDRAWN: No action required.

Article 17: Zoning Bylaw: Accessory Dwelling Unit
Sponsor: Planning Board

To amend the Town of Ashland zoning by law section 7.6 Accessory Family Dwelling Unit by omitting the existing section 7.6 and in its place add the following:

7.6 ACCESSORY DWELLING UNIT

7.6.1 Purpose. The purpose of this section is to permit Accessory Dwelling Units (ADUs) in single-family residential districts subject to the standards and procedures here and after set forth. It is also the intent to maintain the single-family character of neighborhoods containing ADUs. An ADU created under this bylaw shall be a Protected Use ADU. The As of Right permitting of ADUs is intended to:

1. Increase the Town's number of small residential rental units;
2. Increase the Town's number of affordable residential rental units;
3. Increase the Town's diversity of housing options.

7.6.2 Definitions. For the purpose of this bylaw, the following definition shall apply:

1. Accessory Dwelling Unit; A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that:
 - a. maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the Building Code for safe egress;
 - b. is not larger in Gross Floor Area than ½ the Gross Floor Area of the Principal Dwelling or 900 square feet, whichever is smaller; and
 - c. is subject to such additional restrictions as may be imposed by a municipality including, but not limited to, additional size restrictions, and restrictions or prohibitions on Short-term Rental as defined in M.G.L. c. 64G, § 1; provided, however, that no Municipality shall unreasonably restrict the creation or rental of an ADU that is not a Short-term Rental.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

2. Dwelling Unit; A single housing unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
3. Gross Floor Area; The sum of the areas of all stories of the building of compliant ceiling height pursuant to the Building Code, including basements, lofts, and intermediate floored tiers, measured from the interior faces of exterior walls or from the centerline of walls separating buildings or dwelling units but excluding: crawl spaces, garage parking areas, attics, enclosed porches and similar spaces. Where there are multiple Principal Dwellings on the lot, the Gross Floor Area of the largest Principal Dwelling shall be used for determining the maximum size of an ADU.
4. Principal Dwelling; A structure, regardless of whether it, or the Lot it is situated on, conforms to Zoning, including use requirements and dimensional requirements, such as setbacks, bulk, and height, that contains at least one Dwelling Unit and is, or will be, located on the same Lot as a Protected Use ADU.
5. Protected Use ADU; An attached or detached ADU that is located, or is proposed to be located, on a Lot in a Single-family Residential Zoning District and is protected by M.G.L. c. 40A, § 3, provided that only one ADU on a lot may qualify as a Protected Use ADU. An ADU that is nonconforming to Zoning shall still qualify as a Protected Use ADU if it otherwise meets this definition.
6. Short-term Rental; An owner-occupied, tenant-occupied or non-owner-occupied property including, but not limited to, an apartment, house, cottage, condominium or a furnished accommodation that is not a hotel, motel, lodging house or bed and breakfast establishment, where:
 - a. at least 1 room or unit is rented to an occupant or sub-occupant; and
 - b. all accommodations are reserved in advance; provided, however, that a private owner-occupied property shall be considered a single unit if leased or rented as such.

7.6.3 General Requirements:

1. An ADU shall only be permitted in a zoning district that allows by-right single-family residential dwellings.
2. An ADU is only allowed as an accessory to single-family dwelling.
3. An ADU is allowed within, attached to, or detached from a single-family dwelling.
4. No more than one ADU shall be permitted for each principal dwelling unit, and not more than one ADU shall be permitted per lot.
5. The ADU and the principal dwelling unit shall remain on the same lot and shall not be divided into two (2) separate lots.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

6. An ADU shall not be utilized as a short-term rental. Short-term rentals are prohibited in both the accessory and principal dwelling unit.

7.6.4 Exterior Appearance and Size.

1. The ADU shall be limited to a maximum of fifty percent (50%) of the gross floor area of the principal dwelling unit or nine hundred (900) square feet, whichever is smaller.
2. The ADU shall be fully located within the dimensional setbacks of the zoning district.
3. Where the ADU has an entrance on the front facade of a dwelling, the ADU entrance shall be secondary in appearance to the entrance of the principal dwelling unit.
4. All stairways to an ADU located above the first floor shall be enclosed within exterior walls or be located on sides other than the street (front) side of the lot, unless otherwise required by applicable provisions of the State Building Code.
5. Driveways shall be designed in conformance with section 6.3 of Ashland's zoning bylaws with an exemption provided for section 6.3.5: Common Driveway Special Permit.

7.6.5 Disposal of Sewage. Adequate provision shall be made for the supplying of water and the disposal of sewage.

1. If the principal dwelling unit is served by public water and sanitary sewer, the ADU shall be connected to public water and sanitary sewer. ADUs are recommended to have a separate water meter from the principal dwelling.
2. If public water and/or sanitary sewer is not available, the ADU shall be in accordance with the requirements of the Board of Health. Such determination shall be made prior to the issuance of a building permit.

7.6.6 Parking. One (1) Parking space with the exception of properties within one-half (1/2) mile of a transit station as defined in 760 CMR 71.02, shall be provided with a designated off-street driveway area or garage.

7.6.7 Permitting Regulations and Permit Review Authority

1. The Building Commissioner shall be the permit granting authority for an ADU.
2. Any new building or structure shall conform to all adopted state and town laws, bylaws, codes and regulations. No building shall be occupied until a certificate of occupancy has been issued by the Building Commissioner where required.

7.6.8 Nonconformities.

1. If an attached ADU is proposed for a pre-existing, non-conforming single-family primary residence, the requirements of Sections §3.3 of this Zoning Bylaw shall apply provided that, in the event a special permit is required, no such special permit may consider the ADU use or impose conditions on such use.

Section 10.0 "Definitions" shall be amended by deleting the following definition:

~~Accessory family dwelling unit~~

~~A dwelling unit contained within or an extension of a single-family structure to accommodate an additional~~

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

~~family related by blood, marriage or adoption or sixty (60) years of age or older. The "accessory family dwelling unit" shall be no greater than twenty-five percent (25%) of the floor area of the principal dwelling or eight hundred (800) square feet in total floor area, whichever is greater.~~

FINCANCE COMMITTEE: The Finance Committee defers to Town Meeting

Speaker: Trisha Kendall, Planning Board Chair spoke about how the new bylaw brings us into compliance with State law.

Discussion: There was no discussion.

Zoning is usually a 2/3 majority but per new state regulations a simple majority is required for an Accessory Dwelling Unit bylaw.

MOTION MADE: That the Town amends the Town of Ashland zoning by law section 7.6 Accessory Family Dwelling Unit by omitting the existing section 7.6 and replaces it with the zoning bylaw printed in Article 17 of the Warrant.

The motion was seconded.

A simple majority is required.

VOTE ON ARTICLE 17: Passed unanimously

Article 18: Update Bylaw: Flood Plain

Sponsor: Planning Board

To amend the Town of Ashland zoning bylaw section 8.1 FLOODPLAIN OVERLAY DISTRICT (FPOD) by omitting the existing section 8.1 and replacing it as follows:

8.1 FLOODPLAIN OVERLAY DISTRICT (FPOD)

8.1.1 The purpose of the Floodplain Overlay District (FPOD) is to:

1. Ensure public safety through reducing the threats to life and personal injury
2. Eliminate new hazards to emergency response officials
3. Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding
4. Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding
5. Eliminate costs associated with the response and cleanup of flooding conditions
6. Reduce damage to public and private property resulting from flooding waters

8.1.2 Definitions.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

National Flood Insurance Program (NFIP) definitions are found in Title 44 of the Code of Federal Regulations, section 59.1. The definitions below refer to their source; if the definition is from the MA building code, it is from the 9th Edition, which meets the minimum standards of the NFIP.

- A. DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

- B. FLOOD BOUNDARY AND FLOODWAY MAP means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.)

- C. FLOOD HAZARD BOUNDARY MAP (FHBM.) An official map of a community issued by the Federal Insurance Administrator, where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E. [US Code of Federal Regulations, Title 44, Part 59]

- D. FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

- E. FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

- F. HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

- G. HISTORIC STRUCTURE means any structure that is:
 - 1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - 2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - 3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
 - 4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

- a. By an approved state program as determined by the Secretary of the Interior, or
- b. Directly by the Secretary of the Interior in states without approved programs.

[US Code of Federal Regulations, Title 44, Part 59]

H. **NEW CONSTRUCTION.** Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. *New construction includes work determined to be substantial improvement.*
[Referenced Standard ASCE 24-14]

I. **RECREATIONAL VEHICLE** means a vehicle which is:

- 1. Built on a single chassis;
- 2. 400 square feet or less when measured at the largest horizontal projection;
- 3. Designed to be self-propelled or permanently towable by a light duty truck; and
- 4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

J. **REGULATORY FLOODWAY** - see FLOODWAY.

K. **SPECIAL FLOOD HAZARD AREA.** The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE, or V1-30. [Base Code, Chapter 2, Section 202]

L. **START OF CONSTRUCTION.** The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

M. **STRUCTURE** means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

- N. **SUBSTANTIAL REPAIR OF A FOUNDATION.** When work to repair or replace a foundation result in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]
- O. **VARIANCE** means a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]
- P. **VIOLATION** means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3 is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]
- Q. **Definitions of Flood Zones**
- These terms are defined in the US Code of Federal Regulations, Title 44, Part 64.3.*
1. **ZONE A** means an area of special flood hazard without water surface elevations determined
 2. **ZONE AE** means area of special flood hazard with water surface elevations determined
 3. **ZONE AH** means areas of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) feet, and with water surface elevations determined
 4. **ZONE AO** means area of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) ft. (*Velocity flow may be evident; such flooding is characterized by ponding or sheet flow.*)
 5. **ZONE A99** means area of special flood hazard where enough progress has been made on a protective system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. (Flood elevations may not be determined.) **ZONES B, C, AND X** means areas of minimal or moderate flood hazards or areas of future-conditions flood hazard. (*Zone X replaces Zones B and C on new and revised maps.*)

8.1.3 District Delineation.

The FPOD is herein established as an overlay district to all other districts. The FPOD includes all special flood hazard areas within Ashland designated as Zone A, AE, AH, AO, or A99 on the Middlesex Flood Insurance Rate Map (FIRM) dated July 8, 2025 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program.

The exact boundaries of the FPOD shall be defined by the 1%-chance base flood elevations shown

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

on the FIRM and further defined by the Middlesex Flood Insurance Study (FIS) report dated July 8, 2025. The FIRM and FIS report are incorporated herein by reference and are on file with the Department of Community Development and Health, Ashland Town Hall, 101 Main Street, Ashland, MA.

1. Floodway encroachment

In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

In Zones A and AE, along watercourses that have a regulatory floodway designated on Ashland's Flood Boundary & Floodway Map encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2. Base flood elevation data for subdivision proposals

All subdivision proposals or other developments greater than 50 lots or 5 acres shall comply with [44CFR 60.3(b)(3)]

If a subdivision fitting this size description is proposed in the FPOD where there are not already base flood elevations (BFEs) for each parcel, then the developer must provide BFEs for each parcel so that flood-resistant standards can be appropriately applied. The developer is responsible for providing the necessary technical data to support the base flood elevations shown on his/her design drawings.

3. Watercourse alterations or relocations in riverine areas

If alterations or relocation are proposed in riverine areas, the building commissioner in collaboration with the Department of Community Development and the Board of Health shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities, especially upstream and downstream
- Bordering States, if affected
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
- NFIP Program Specialist
Federal Emergency Management Agency, Region I

8.1.4 Use Regulations.

All development in the FPOD, including structural and nonstructural activities, whether permitted as a right or by special permit, must be in compliance with the Wetlands Protection Act (M.G.L. c.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

131, s. 40), Wetlands Protection Bylaw (Ashland Town Code Chapter 280) and with the requirements of the Massachusetts State Building Code pertaining to construction in the floodplains.

The following uses, which have low flood damage potential, and cause no obstructions to flood flows shall be permitted, provided that they do not require structures, fill, or storage of materials or equipment:

1. Agricultural uses, such as farming, grazing, truck farming, horticulture, and the like.
2. Forestry and nursery use.
3. Outdoor recreational uses, including fishing, boating, play areas, and the like.
4. Conservation of water, plants and wildlife.
5. Wildlife management areas and foot, bicycle and/or horse paths.
6. Temporary nonresidential structures used in connection with fishing, growing, harvesting, storage or sale of crops raised on the premises.
7. Buildings lawfully existing prior to the adoption of these provisions.

8.1.5 Special Permit.

No structure or building shall be erected, constructed, substantially improved, reconstructed or otherwise created or moved and no earth or other materials dumped, filled, excavated or transferred unless a special permit is granted by the Planning Board. Said Board may issue a special permit hereunder (subject to other provisions of this chapter) if the application is compliant with the following provisions:

1. The proposed use shall comply in all respects with the provisions of the underlying district in which the land is located.
2. Within ten (10) days of the receipt of the application, the Board shall transmit one (1) copy of the development plan to the Conservation Commission, Board of Health and Building Inspector. Final action shall not be taken until reports have been received from the above Boards or until thirty-five (35) days have elapsed.
3. All encroachments, including fill, new construction and substantial improvements to existing structures, and other development are prohibited in the floodway unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the one-hundred-year flood.
4. The Board may specify such additional requirement and conditions as it finds necessary to protect the health, safety and welfare of the public and the occupants of the proposed use.

8.1.6 Permits are Required for all Proposed Development in the FPOD

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

The Town Ashland requires a permit for all proposed construction or other development in the FPOD, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties. A Special Permit granted by the Planning Board according to Section 8.1.5 above shall satisfy the requirement of this Section 8.1.6. All other proposed development described herein require a "FPOD Work Permit" which shall be issued by the Building Commissioner who shall create a form application and process for said FPOD Work Permit.

8.1.7 Subdivision Application.

All subdivision proposals and development proposals in the FPOD shall be reviewed to assure that:

1. Such proposals minimize flood damage.
2. Public utilities and facilities are located and constructed so as to minimize flood damage.
3. Adequate drainage is provided.

8.1.8 Assure that all necessary permits are obtained

The Town's permit review process includes the requirement that the proponent obtain all local, state and federal permits that will be necessary to carry out the proposed development in the FPOD. The proponent must acquire all necessary permits, and must demonstrate that all necessary permits have been acquired prior to beginning any site preparation or construction.

8.1.9 Unnumbered A Zones

In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A and as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

8.1.10 Recreational vehicles

In A and AE Zones, all recreational vehicles or camper to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

8.1.11 Requirement to submit new technical data

If the Town/City acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town/City will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:

- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

- NFIP Program Specialist
Federal Emergency Management Agency, Region I

8.1.12 Variances

1. Building code floodplain standards

The Town of Ashland will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance and will maintain this record in the community's files.

Ashland shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that:

- a. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and
- b. Such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the FPOD.

2. Local Zoning Bylaws related to community compliance with the National Flood Insurance Program (NFIP)

A variance administered by the Board of Appeal, Section 9.2 of the from this Section 8.1 must meet the requirements set out by State law, and may only be granted if:

- a. Good and sufficient cause and exceptional non-financial hardship exist;
- b. The variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and
- c. The variance is the minimum action necessary to afford relief. The burden of proof is on the applicant to prove that the above three requirements are met when applying for a variance.

8.1.13 Abrogation and greater restriction section

The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

8.1.14 Disclaimer of liability

The degree of flood protection required by Section 8.1 is considered reasonable but does not imply total flood protection

8.1.15 Severability section

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

If any paragraph, subsection, provision or portion of this Section 8.1 is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

8.1.16 Designation of Community Flooding Administrator

1. The Town of Ashland hereby designates the position of Building Commissioner to be the official Floodplain Administrator for the Town.
2. The Floodplain Administrator shall be responsible for the enforcement of this Section 8.1 and granted the authority to issue violations and fines as they deem necessary following the below fine schedule:
 - First violation: \$100
 - Second Violation: \$200
 - Third Violation and thereafter: \$300
3. A violation will be defined as each violation of this Section 8.1 per day.
4. Violations and fines can be appealed to the Clerk Magistrate, Framingham District Court, Framingham, MA.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee defers to Town Meeting

Please note that there was a scrivener's error in section 8.1.12(2). The words "of the" should have been struck through and the correct verbiage is "Local Zoning Bylaws related to community compliance with the National Flood Insurance Program (NFIP). A variance administered by the Board of Appeal, section 9.2 from this section..."

Speaker: Trisha Kendall, Planning Board Chair, said the Planning Board sponsored the amendment to the current Floodplain Overlay bylaw due to changes to the FEMA flood insurance rate maps. Without a change in the bylaw Ashland's ability to utilize FEMA's insurance would be at risk.

Discussion: There was no discussion.

MOTION MADE: That the Town amend the Town of Ashland zoning by law section 8.1 FLOODPLAIN OVERLAY DISTRICT (FPOD) by omitting the existing section 8.1 and replacing it with the bylaw as printed in Article 18 of the Warrant except that the words "of the" following the words "Section 9.2" in section 8.1.12(2) shall be omitted."

The motion was seconded.

A 2/3 majority is required.

VOTE ON ARTICLE 18: Passed unanimously

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

Article 19: Update Bylaw: Site Plan Review
Sponsor: Planning Board

To amend the Town of Ashland zoning by law section 9.4.5.3 Procedures for Site Plan Review and Design Plan Review removing the strikethrough language and replace it with the following:

9.4.5 Procedures for Site Plan Review and Design Plan Review.

3. The Planning Board ~~may hold a fact-finding and public information meeting within thirty (30) days~~ **shall hold a public hearing within sixty-five (65) days** of the receipt of an application. **Notification shall be provided in compliance with M.G.L. Chapter 40A Section 11.** The applicant or his agent shall attend such ~~a meeting~~ **public hearing** in order to assist the Planning Board in responding to public questions and concerns. Failure to attend shall be deemed lack of compliance with the requirements of this chapter.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee defers to Town Meeting

Speaker: Trisha Kendall, Planning Board Chair, said this is a slight change just to clean up the Town's bylaw to bring our site plan review process in alignment with special permit process.

Discussion: There was no discussion.

MOTION MADE: That the Town amend the Town of Ashland zoning bylaw section 9.4.5.3 as set forth in Article 19.

The motion was seconded.

A 2/3 majority is required.

VOTE ON ARTICLE 19: Passed unanimously.

Article 20: Update Bylaw: Dog Kennel Bylaw
Sponsor: Town Clerk

Note: This article was withdrawn at Town Meeting

To see if the Town will vote to amend Chapter 87, Animal Control, section 87-8 of the Town of Ashland General Bylaws as follows (**underline and bold** new and ~~cross-out~~ removed):

§ 87-8. Licensing Requirements.

- (A) Every dog (6) months old or older kept in the Town of Ashland shall be duly registered, numbered, described and licensed.
- (B) Every person who becomes **an** owner or keeper of such a dog shall, within thirty (30) days of its becoming six (6) months old or thirty (30) days of becoming its owner or keeper, whichever shall last

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

occur, shall obtain such license from the Licensing Authority. The ~~O~~owner or ~~K~~keeper shall submit an application on the form prescribed along with proof of vaccination or notarized letter from a licensed veterinarian stating that the dog has been vaccinated, or Board of Health Declaration that the dog is exempt from the vaccination requirement to the ~~L~~icensing.

- (C) The registering, numbering, describing and licensing of a dog shall be done by the Licensing Authority, and shall be subject to the conditions expressed therein that the dog which is the subject of the license shall be controlled and restrained from killing, chasing or harassing livestock, fowls or wildlife.
- (D) The owner of a licensed dog shall cause it to wear around its neck or body a collar or harness of leather or other suitable materials, to which shall be securely attached a tag on a form ~~prescribed~~ **prescribed** and distributed by the Licensing Authority when a license is issued. Such tag shall state "Town of Ashland," the year of issue and tag number. The Licensing Authority shall maintain a record of the identifying numbers.
- (E) If any such tag is lost the owner shall secure a substitute tag issued by the Licensing Authority.
- (F) The Licensing Authority shall not grant any license until and unless a current rabies vaccination certificate or Board of Health Declaration that the dog is exempt from the vaccination requirement for the animal has been presented.
- (G) A transfer license from another location in Massachusetts shall be granted upon application provided that adequate proof is presented to the Licensing Authority at the time of application. Such application shall occur within thirty (30) days of establishing residency within Ashland.
- (H) The license fee for spayed or neutered dogs shall be \$15.00 and shall be \$20.00 for intact dogs. There shall be no license fee for persons over the age of seventy (70) years **or for service animals as defined by the Americans with Disabilities Act or regulations promulgated thereunder.**

§ 87-9. Kennel Registration and Fees.

- (A) Any person maintaining a Commercial Boarding or Training Kennel, Commercial Breeder Kennel, Domestic Charitable Corporation Kennel, Personal Kennel, or Veterinary Kennel, upon application shall be issued a kennel license. Prior to the issuance of a kennel license, the Animal Control Officer may inspect the proposed facilities to insure they comply with any rules and regulations as they may relate to Kennels.
- (B) An owner or keeper of ~~less~~ **more** than four (4) dogs, three (3) months old or older, ~~who does not~~ **must** maintain a Kennel ~~may elect to secure a Kennel license in lieu of~~ **addition to** licensing each dog individually, ~~provided however that such owner or keeper shall be subject to all provisions of this bylaw relating to the maintenance, operation and licensing of Kennels as if he or she were maintaining a Kennel.~~
- (C) The Animal Control Officer may at any time inspect any Kennel located in the Town of Ashland, **and shall inspect each Kennel located in the Town at least once per year.**
- (D) Petitions or complaints against any such Kennel shall be filed with the Select Board. The Board, as well as the Town Manager, shall have investigatory powers over any such petitions or complaints. Said investigation shall be conducted by the Town Manager who, within seven days after the filing of such petition or complaint, shall give notice to all parties of interest of a public hearing to be held before the Select Board within fourteen (14) days after the date of such notice. After such public hearing the Board may make an order either revoking or suspending such kennel license or otherwise regulating such Kennel, or dismissing said petition. Within ten days after receipt of such

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

order, the holder of such license may bring a petition in the district court as outlined in G.L. c. 140, § 137C. Any person maintaining a Kennel after the license has been revoked, or while such license is suspended shall be punished as set forth in the penalty provision of this bylaw.

- (E) ~~A kennel license shall be in lieu of any other license for a dog kept at a Kennel during any portion of the period for which the kennel license is valid.~~ **A kennel license may not be used in lieu of individual dog licenses.** A kennel licensee shall cause each dog kept in its Kennel to wear, while it is at large, a collar or harness of leather or other suitable material, to which a tag shall be securely attached. Such tags shall be provided to the kennel licensee by the Licensing Authority and shall state "Town of Ashland," the year of issue and kennel license number. **The Licensing Authority shall specify on the kennel license the maximum number of animals that may be maintained by a licensee following an initial inspection, or the kennel's first inspection after this policy becomes effective, and each annual inspection thereafter.**
- (F) Failure to comply with this Section 87-9 shall result in a fine of not less than \$50.00 for the first offense and not less than \$100.00 for each offense thereafter in any twelve (12) month period **except a person maintaining a Kennel after a Kennel license has been revoked or suspended shall be assessed a fine by the Licensing Authority a fine of not more than \$250 for a first offense, by a fine of not less than \$500 for a second offense and by a fine of not more than \$1,500 for a third or subsequent offense.**
- (G) Kennel owners/operators shall be subject to § 87-10 (Failure to License) of this bylaw.
- (H) List. The Licensing Authority shall keep a list of all kennels and their addresses. The Licensing Authority shall submit said list to the Department of Agricultural Resources prior to June 1st annually.**

§ 87-12. Non-Criminal Disposition of Violation (Ch. 140, section 173A).

Violations of any provision of this bylaw, or of any duly adopted and filed rules and regulations applicable to the control of animals, may be processed pursuant to G.L. c. 40, § 21D of the general laws of the commonwealth. Fines for violations shall be assessed according to the schedule listed in section 87-21 hereunder.

If the owner of a dog fails to respond to a citation within twenty-one days, the Animal Control Officer shall forward a copy of the citation to the District Court where it shall be handled under the provisions of G.L. c. 40, § 21 D.

Enforcement of this bylaw under the Non-Criminal Disposition process shall be carried out by the Animal Control Officer, members of the Board of Health when so designated by the Board, any person having police powers, or other person so designated by the Town Manager shall have enforcement powers under this paragraph.

Each day or part thereof of violation of any provision of this bylaw or such rules and regulations, whether such violation is continuous or intermittent, shall constitute a separate and succeeding offense.

§ 87-21. Fees (license/kennel), Penalties and/or Fines.

The Licensing Authority shall determine fees for dog and kennel licenses pursuant to G.L. c. 40, § 22F, provided:

- i. the license fee for unneutered males/unspayed females shall be more than the license fee for neutered males/spayed females;
- ii. no fee shall be charged for a license issued for a service animal as defined by the

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

Americans with Disabilities Act or regulation promulgated thereunder; and

iii. no fee shall be charged for a kennel license issued to a Domestic Charitable Corporation Kennel.

(B) Non-criminal Disposition Fines for violations of any provision of this bylaw, except where otherwise indicated shall be:

First offense in any twelve (12) month period	\$25.00
Second and each subsequent offense in any twelve (12) month period	\$50.00
Each day of all said violations shall constitute a separate offense.	
Failure to obtain dog license (§ 87-10)	\$50.00 per license year
<u>Failure to obtain kennel license</u>	<u>\$500 for first offense</u> <u>\$1,000 for subsequent offenses</u>

(C) Exemption(s)
Residents over seventy (70) years of age shall be exempt from the fees set forth in section (A) above **for individual dog licenses**.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee defers to Town Meeting

WITHDRAWN: No action needed.

The Moderator announced that we had concluded all of the warrant articles for the Town Meeting. A motion to dissolve The May 7, 2025 Annual Town Meeting was made and seconded. It was so voted.

Town Meeting dissolved at 10:00 PM.

True Copy Attest:

Cynthia T. Livingstone, Town Clerk

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

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

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 1st of each year and ends June 30th 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

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

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.

TOWN OF ASHLAND
Annual Town Meeting
May 7, 2025

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.