



**Town of Ashland**  
M A S S A C H U S E T T S

*Smart. Safe. Sustainable.*

**WARRANT ARTICLES, INFORMATION AND  
RECOMMENDATIONS  
OF THE  
FINANCE COMMITTEE  
FOR THE  
December 9, 2020  
SPECIAL TOWN MEETING  
ASHLAND HIGH SCHOOL  
6:00 PM**

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### Warrant Article Index

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### **Moderator's Motions**

1. That this meeting dispense with the reading of the warrant and of the Constable's return of service of that warrant and that the Moderator not be required to read warrant articles verbatim, but may refer to them by number and subject matter.
2. That the moderator may extend the floor to Town management and staff and other non-voters provided that they must first be recognized by the Moderator.
3. That the Moderator, pursuant to G.L. c. 39 § 15 be allowed to declare a two-thirds vote rather than taking a standing count.
4. That once final action has been taken on an article and the next order of business has been taken up, or the session of the meeting has been adjourned, the matter may not again be taken under consideration at that town meeting unless, in the best judgment of the Moderator, a significant error or omission occurred in the language or the process of the original action on the article, or a significant change of circumstances has occurred, such that there is a clear likelihood that the outcome could change upon reconsideration or that reconsideration would be in the Town's best interest.

**SPECIAL TOWN MEETING WARRANT  
DECEMBER 9, 2020**

**Article 1: Free Cash Transfer**

**Sponsor: Town Manager/Finance Director**

To see if the Town will vote to transfer from Free Cash, a sum of money to be placed in the Stabilization Fund, OPEB Trust Fund, Special Education Special Purpose Stabilization Account, Capital Account, Capital Stabilization Account and/or FY21 budgetary line items as proposed, or pass any vote or take any action relative thereto.

**FinCom Recommendation: The Finance Committee recommends the Town vote to transfer from Free Cash the following; the sum of \$1,234,004 to the General Stabilization Fund; and the sum of \$305,667 to the OPEB Trust Fund; and the sum of \$517,003 to the Capital Account.**

**MOTION: That the Town votes to transfer from Free Cash the following; the sum of \$1,234,004 to the General Stabilization Fund; and the sum of \$305,667 to the OPEB Trust Fund; and the sum of \$517,003 to the Capital Account.**

**Article 2: Adjust 2021 Budget**

**Sponsor: Town Manager/Finance Director**

To see if the town will vote to raise and appropriate or transfer from available funds in the treasury a sum of money to be added to or to make adjustments to Article 2 of the June 2020 annual town meeting (fiscal year 2021 budget), or pass any vote or take any action relative thereto.

**FinCom Recommendation: The Finance Committee recommends the Town vote to add to or make adjustments to Article 2 of the June 2020 Annual Town Meeting as outlined in table included in the motion.**

**MOTION: That the Town votes to add to or make adjustments to Article 2 of the June 2020 Annual Town Meeting as outlined in the following table:**

Department	Account Number	6/30/20 Annual Town Meeting Appropriation	12/8/20 Special Town Meeting Proposed Appropriation	Additional Appropriation
School	0130880	\$34,075,363.00	\$34,843,573.10	\$768,210.10
Inspections	01241	\$191,080.00	\$211,080.00	\$20,000.00
Health	01510	\$176,149.00	\$226,149.00	\$50,000.00
Town Manager	01123	\$584,398.00	\$643,630.90	\$59,232.90
Facilities	01192	\$513,637.00	\$713,637.00	\$200,000.00
General Stabilization Fund	8400	\$0	\$400,608.24	\$400,608.24

**Article 3: Property Tax Exemptions**  
**Sponsor: Board of Selectmen/Board of Assessors/Town Manager**

To see if the Town will vote to adjust (the exemption amount and eligibility factors) for the property tax exemption for senior citizens under MGL Chapter 59, Section 5 Clause 41C½, to be effective for exemptions granted for any fiscal year beginning July 1, 2020, or pass any vote or take any action relative thereto.

**FinCom Recommendation: The Finance Committee recommends that the property tax exemption percentage be set at 11.25% as recommended by the Board of Assessors.**

**MOTION: That the Town votes to adjust (the exemption amount and eligibility factors) for the property tax exemption for senior citizens under MGL Chapter 59, Section 5 Clause 41C½ to 11.25% to be effective for exemptions granted for any fiscal year beginning July 1, 2020**

**Article 4: Brave Act – Real estate tax exemption for surviving parents or guardians of certain soldiers, sailors, members of the National Guard and Veterans**  
**Sponsor: Board of Selectmen/Board of Assessors/Town Manager**

To see if the Town will vote to accept Clause Twenty-second H of M.G.L. ch. 59, sec. 5 to exempt from taxation certain real property of and occupied by parents or guardians of military personnel who were killed in action or injured in action that subsequently caused their death, or military personnel missing in action and presumed dead, subject to residency requirements, to be effective for exemptions granted for any fiscal year beginning July 1, 2020, or pass any vote or take any action relative thereto.

**FinCom Recommendation: The Finance Committee recommends the Town vote to accept the provisions of Clause Twenty-second H of M.G.L. ch. 59, sec 5 establishing property tax exemptions for certain relatives and survivors of military personnel residing in Ashland, Massachusetts.**

**MOTION: That the Town accept Clause Twenty-second H of M.G.L. ch. 59, sec 5 to exempt from taxation certain real property of and occupied by parents or guardians of military personnel who were killed in action or injured in action that subsequently caused their death, or military personnel missing in action and presumed dead, subject to residency requirements, to be effective for exemptions granted for any fiscal year beginning July 1, 2020**

**Article 5: Brave Act – Reduction of property tax obligation of veteran in exchange for volunteer services**

**Sponsor: Board of Selectmen/Board of Assessors/Town Manager**

To see if the Town will vote to accept M.G.L. ch. 59, sec 5N, regarding a program for reduction in Property Tax Obligations to allow veterans, or a spouse of a veteran in the case where the veteran is deceased or has a service-connected disability, in exchange for volunteer services up to \$1,500 in tax reduction to be effective for exemptions granted for any fiscal year beginning July 1, 2020, or pass any vote or take any action relative thereto.

**FinCom Recommendation: The Finance Committee recommends the Town vote to accept the provisions of M.G.L. ch. 59, sec 5N establishing a program reducing property tax obligations for veterans, or a spouse of a veteran, in exchange for volunteer services up to \$1,500 in tax reductions.**

**MOTION: That the Town accept M.G.L. ch. 59, sec 5N, regarding a Program for reduction in Property Tax Obligations to allow veterans, or a spouse of a veteran in the case where the veteran is deceased or has a service-connected disability, in exchange for volunteer services up to \$1,500 in tax reduction to be effective for exemptions granted for any fiscal year beginning July 1, 2020.**

**Article 6: Land Taking: Take by eminent domain 12-16 Union Street**

**Sponsor: Board of Selectmen**

To see if the Town will vote to purchase, take or otherwise acquire those certain parcels of land in Ashland, Middlesex County, Massachusetts, located on East Union Street and West Union Street, shown as Lot B and Lot C on a Plan of Land entitled: “Plan of Registered Land, 1 East Union Street and 12-16 Union Street (Route 135), Middlesex County, Ashland, Mass., Scale 1"=50', Date: December 5, 2019, Guerriere & Halnon, Inc. Engineering & Land Surveying” filed with the Middlesex South Registry District of the Land Court on February 24, 2020 and stamped 14371E and also in Book 2020 Plan 444 recorded on July 9, 2020 in Middlesex South Registry of Deeds including 3.82 acres as shown as Lot B on said Plan and 8.55 acres as shown as Lot C on said plan both on file with the Town Clerk; and to authorize the Board of Selectmen to enter into and negotiate all agreements necessary to effectuate same; and to pay for and fund said acquisition or taking along with all associated legal and engineering costs required to effectuate said taking, acquisition or purchase that the Town transfer sufficient funds from the Capital Stabilization account to the Capital Account account, 01930-58000, and take any other action relative thereto

**FinCom Recommendation: The Finance Committee recommends the Town vote to authorize the Board of Selectmen to purchase, acquire, or take by eminent domain, and to transfer \$500,000 from the Capital Stabilization account to the Capital account to enter into and negotiate all agreements**

necessary to effectuate same; and to pay for and fund said acquisition or taking along with all associated legal and engineering costs required to effectuate said taking, acquisition or purchase, land located in Ashland as described in the article.

**MOTION:** That the Board of Selectmen is authorized to purchase, take or otherwise acquire those certain parcels of land or portions thereof in Ashland, Middlesex County, Massachusetts, located on East Union Street and West Union Street, shown as Lot B and Lot C on a Plan of Land entitled: “Plan of Registered Land, 1 East Union Street and 12-16 Union Street (Route 135), Middlesex County, Ashland, Mass., Scale 1"=50', Date: December 5, 2019, Guerriere & Halnon, Inc. Engineering & Land Surveying” filed with the Middlesex South Registry District of the Land Court on February 24, 2020 and stamped 14371E and also in Book 2020 Plan 444 recorded on July 9, 2020 in Middlesex South Registry of Deeds including 3.82 acres as shown as Lot B on said Plan and a portion of the 8.55 acres as shown as Lot C, in an amount as determined by the Board of Selectmen in the best interest of the Town; and to authorize the Board of Selectmen to enter into and negotiate all agreements necessary to effectuate same; and to pay for and fund said acquisition or taking along with all associated legal and engineering costs required to effectuate said taking, acquisition or purchase that the Town transfer \$500,000 from the Capital Stabilization account to the Capital Account 01930-58000 the acquisition of said land having been determined to be necessary for the health and welfare of the inhabitants of Ashland and to be used for public safety and general municipal purposes under the care custody and control of the Board of Selectmen.

**Article 7: Zoning Bylaw Change: Create a Valentine Property Overlay District  
Sponsor: Planning Board**

To see if the Town will vote to amend section 282 of the Town of Ashland Zoning Bylaw as follows:

**A. Add a new section 8.9:**

**SECTION 8.0 OVERLAY AND SPECIAL DISTRICT REGULATIONS  
8.9 VALENTINE OVERLAY DISTRICT (VOD)**

8.9.1. Purpose. The purpose of establishing the "Valentine Overlay District" (VOD) Zoning Bylaw is to promote economic development and the vitality of the corridor, preserve the historical and agricultural character of the district and foster a sense of community through its commercial uses. The benefits of the VOD accrue only to those parcels located entirely within the boundaries of the VOD. The VOD shall hereby be established as designated on the Zoning Map, dated December 3, 2020.

8.9.2. Relationship to Underlying District. The Valentine Overlay District shall overlay the underlying districts so that any parcel of land lying in the VOD also lies in one or more of the other zoning districts



in which it was previously classified, as provided for in the Ashland Zoning Bylaws. The underlying zoning district permitted or allowed uses remain permitted or allowed. Any development proposed under the VOD bylaw shall not be subject to the regulations of the underlying zoning district, but shall adhere to the requirements herein.

8.9.3. Definitions. The definitions of terms used in this section shall be as set forth in Section 10 of this Bylaw.

8.9.4. Special Permit Granting Authority. The Planning Board is hereby designated as the Special Permit Granting Authority (SPGA) in the VOD. All Special Permit applications made pursuant to the VOD by-law shall conform to the standards and criteria and procedural provisions of the VOD by-law and all relevant procedural provisions in the current Ashland zoning by-laws. Said Special Permit may be issued subject to such conditions as the Planning Board may deem appropriate to protect the public interest and to ensure that development to the VOD will be consistent with the purpose of this Section and the controls set forth herein.

8.9.5. Special Permit Criteria. In addition to the general special permit criteria set forth in section 9.3.2 of this Bylaw the following criteria shall apply to any Special Permit application filed for development within the VOD hereunder:

1. Preservation and sympathetic design to the historic buildings and uses of the site;
  - a. This shall mean that the historical structures on the site are preserved, and the uses of the site have been informed by the historical uses including agriculture. Incorporating multiple uses from section 8.9.6.2 is encouraged.
2. Impact on pedestrian flow and safety and access for emergency vehicles;
  - a. This shall mean that access for pedestrian and vehicular visitors to the site, dependent on approved uses, is shown on plans, and creates a safe, welcoming community space.
3. Impact on the visual character of the neighborhood;
  - a. This shall mean that any expansion or addition of structures conforms to both the historical character of the district, as well as the residential character of the surrounding area.
4. No land shall be used or occupied in the district in any manner as to create any dangerous, noxious, injurious, or otherwise objectionable fire, explosion, radioactive or other hazard; noise, or vibration, smoke, dust or other form of air pollution; electrical or other disturbance; glare, liquid or solid, refuse or wastes; conditions conducive to the breeding of insects, rodents, or other substance, conditions or element in a manner or in an amount as to affect adversely the surrounding areas. However, any use may be undertaken and maintained if it conforms to the VOD regulations in substance and intent.
5. The proposed use and any new construction shall preserve the rural character of the area as follows:
  - a. The landscape shall be preserved in its natural state insofar as practicable by minimizing tree and soil removal.
  - b. Proposed buildings shall be related harmoniously to the terrain and to other buildings in the vicinity.
  - c. The distance between buildings shall be sufficient to provide adequate light and air in conformance with the State Building Code.
  - d. Landscaping shall be in conformance to the Landscaping and screening requirements of Section

5.4.

8.9.6. Permitted Uses.

8.9.6.1 Permitted Uses		
<b>Principal Uses: Residential Uses</b>		
Single-family dwelling	Y	Minimum lot size of 80,000 square feet
Two – family dwellings	N	
Multi-family dwellings	N	
Assisted Living Facility	N	
Cluster Development	N	
Senior Residential Community	N	
<b>Commercial Uses</b>		
Non-exempt educational uses	SP	
Animal clinic or hospital; kennel	N	
Bed and Breakfast	SP	Not to exceed 8 rooms
Restaurant and catering services	SP	
Golf Course	N	
Boat Rental	N	
Commercial Kitchen	SP	
Function Hall	SP	
Wireless Communication Facility	SP	
<b>Accessory Uses</b>		
Accessory scientific uses	SP	
Rooming and boarding not more than 2 persons	SP	
Home occupation	SP	
Adult day care	SP	
Child day care, small	SP	
Child day care, large	SP	
Accessory family dwelling unit	SP	

8.9.7 Dimensional Requirements. Notwithstanding any provision to the contrary contained in the Zoning By-Law, the following dimensional requirements shall be the sole dimensional restrictions governing a Valentine Overlay District District (VOD):

1. Minimum Lot Size
  - a. Minimum Lot Size for non-residential, commercial use is 3 acres.
  - b. No portion of a street, as defined by the by-law may be included in computing the minimum lot size.
2. Lot Frontage. Minimum frontage shall be one hundred and fifty (150) feet.

3. Front Yard. The minimum front yard shall be twenty (20) feet.
4. Side Yard. The minimum side yard shall be twenty-five (25) feet.
5. Rear Yard. The minimum rear yard within any parcel shall be twenty-five (25) feet except where the rear lot line is contiguous to a residential area, in which case the buffer zone shall apply as noted in Buffering and Screening below.
6. Building/Structure Height. Except as otherwise specifically provided herein, the maximum height of any structure shall be thirty five (35) feet.
  - a. The SPGA may allow structures over thirty five (35) feet, if the developer can demonstrate to the SPGA's satisfaction, that the increased height is necessary for the historic preservation of the structure.

8.9.8. Buffering and Screening. In order to provide screening to the view of adjacent parcels outside of the Valentine Overlay District (VOD), no less than a distance of fifty (50) feet, from any structures shall be maintained and landscape greenery or other screening method(s) existing at the time of development shall remain undisturbed and/or shall be landscaped in accordance with a plan approved by the Planning Board. Remaining areas that support parking, internal drives, accessory structure building needs and emergency vehicle access, as approved by the Planning Board during the Site Plan Review process, shall have a twenty (20) foot buffer from the adjoining property line as described above.

8.9.9. Parking and Loading Requirements. Parking and loading requirements shall be in conformance with Sections 5.1 and 5.2. Special attention shall be given to location and number of access points to the streets, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and do not detract from the design of the existing historic buildings, proposed buildings(s) or neighboring properties.

8.9.10 Administrative Procedures. All applications made pursuant to the VOD by-law shall be subject to Site Plan Review by the SPGA.

**B. Amend section 10, Definitions, by inserting in the appropriate alphabetical order, as follows:**

**Section 10: Definitions**

**COMMERCIAL KITCHEN**

A food preparation facility that satisfies the health code provision for places that prepare food for consumption by the general public.

**FUNCTION HALL**

A building or portion thereof generally available to the public for hire or loan for the purpose of catering to banquets, weddings, receptions or similar functions. Such establishments may include full kitchen facilities and a catering use as defined in this section and may serve/dispense alcoholic beverages subject to the provisions of MGL c. 138.

**C. Amend the Town of Ashland Zoning Map to show the Valentine Overlay District, covering the following parcels or portions of parcels as shown on the Assessor's Map 19 Lot 101, Map 19 Lot 103 and Map 19 Lot 104 and which said zoning map amendment is on file with the Town Clerk.**

**FinCom Recommendation: Recommends that the Town adopt the amendment to the Zoning Bylaw printed in Article 7 of the warrant.**

**MOTION: That the Town adopt the amendment to the Zoning Bylaw as printed in Article 7 of the warrant.**

**Article 8: Authorization to sell or enter into lease agreement 125-139 West Union Street (Valentine Property) for Adaptive Reuse**

**Sponsor: Board of Selectmen/Valentine Committee**

To see if the Town will vote to change the use, which is currently general municipal, of 125-139 West Union Street, more fully set forth on that certain plan by Guerriere and Hanlon dated December 2, 2014 and which is on file with the Town Clerk, to the purpose of conveyance and/or transfer and to authorize the Board of Selectmen to sell or enter into a lease agreement the length of which they deem appropriate, transfer or otherwise convey same, and take any legal action necessary to effectuate said conveyance, lease or transfer and to further authorize the Board of Selectmen to negotiate and execute any and all documents necessary to effectuate same including entering into a Development Deed Restriction, Historic Preservation and Conservation Restriction on portions of or all of the Property, as well as a restriction to prohibit development which would allow a Comprehensive Permit under G. L. c. 40B, or related multifamily development, as they deem appropriate, or pass any vote or take any action relative thereto.

**Article 9: Accept boundary changes for 433 Chestnut**

**Sponsor: Board of Selectmen**

To see if the Town will vote to authorize the Board of Selectmen to;

- a. purchase, acquire, or take by eminent domain, and to raise and appropriate, either by appropriation, borrowing or otherwise, a sum of money to fund said acquisition along with all associated legal and engineering costs necessary, of approximately 2,326 square feet of land +/- located along Chestnut Street, indicated as "Parcel A" as more fully set forth on the plan by JD Marquandant & Associates, dated January 21, 2020, on file in the Town Clerk's office, the acquisition of said land having been determined to be necessary for the health and welfare of the inhabitants of Ashland and to be used for general municipal purposes under the care, custody and control of the Board of Selectmen;
- b. And further, to thereafter authorize the Board of Selectmen, to change the use of said parcel for the purpose of transfer or sale and thereafter to sell or transfer or otherwise dispose of said Parcel A as part of the sale of 433 Chestnut Street in furtherance of Article 7 of the November 20, 2019 Special Town Meeting, and take any legal action necessary to effectuate said conveyance or transfer and to further authorize the Board of Selectmen to negotiate and execute any and all documents necessary to effectuate same including entering into a Historic Preservation Restriction on the Property, or pass any vote or take any action relative thereto.

**FinCom Recommendation:** The Finance Committee recommends the town vote to purchase, acquire, or take by eminent domain the land described in the article and authorize the Board of Selectmen to change the use of said parcel for the purpose of transfer or sale or otherwise dispose of said parcel and execute any and all documents necessary to enter into a Historic Preservation Restriction on the Property.

**MOTION:** That the Select Board is authorized to;

- a. purchase, acquire, or take by eminent domain approximately 2,326 square feet of land +/- located along Chestnut Street, indicated as “Parcel A” as more fully set forth on the plan by JD Marquandant & Associates, dated January 21, 2020, on file in the Town Clerk’s office, the acquisition of said land having been determined to be necessary for the health and welfare of the inhabitants of Ashland and to be used for general municipal purposes under the care, custody and control of the Select Board and that no funds be appropriated as said parcel shall be transferred in exchange for a piece of what is formerly 433 Chestnut Street of which the Town has previously authorized disposition;
- b. And further, to thereafter authorize the Board of Selectmen, to change the use of said parcel for the purpose of transfer or sale and thereafter to sell or transfer or otherwise dispose of said Parcel A as part of the sale of 433 Chestnut Street in furtherance of Article 7 of the November 20, 2019 Special Town Meeting, and take any legal action necessary to effectuate said conveyance or transfer and to further authorize the Select Board to negotiate and execute any and all documents necessary to effectuate same including entering into a Historic Preservation Restriction on the Property, or pass any vote or take any action relative thereto.

**Article 10: Land Taking: Accept an Easement at Independence Lane to Install a Boost Pump Station**

**Sponsor: Board of Selectmen**

To see if the Town will vote to authorize the Board of Selectmen 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 said purchase or taking along with all associated legal and engineering costs necessary, an easement for the purpose of installation, construction and maintenance of a water booster pump station in that parcel of land located at Independence Lane including the land or a portion thereof shown as Parcel B on a plan by GLM Engineering and Consulting Services dated August 11, 1997 and recorded as Plan 763 of 1999 in the Middlesex Registry of Deeds, sheet 2 of 6 and Lot 10 on Land Court Plan 27039B, and which is on file with the Town Clerk, the acquisition of said easement having been determined to be necessary for the health and welfare of the inhabitants of Ashland and to be used for municipal purposes under the care custody and control of the Board of Selectmen ; or pass any vote or take any action relative thereto.

**FinCom Recommendation:** The Finance Committee recommends the town Vote to accept the easement as described in the article.

**MOTION:** That the Town will vote to authorize the Board of Selectmen to purchase, acquire or take by eminent domain, an easement for the purpose of installation, construction and maintenance of a water booster pump station and existing sewer and stormwater utilities in that parcel of land or a portion of the parcel of land located at Independence Lane including the land or a portion thereof

shown as Parcel B on a plan by GLM Engineering and Consulting Services dated August 11, 1997 and recorded as Plan 763 of 1999 in the Middlesex Registry of Deeds, sheet 2 of 6 and Lot 10 on Land Court Plan 27039B, and which is on file with the Town Clerk, the acquisition of said easement having been determined to be necessary for the health and welfare of the inhabitants of Ashland and to be used for municipal purposes under the care custody and control of the Board of Selectmen and further that the Board of Selectmen may accept same as a gift from the owners thereof and/or pay no consideration therefore ; or pass any vote or take any action relative thereto.

**Article 11: Amend General Bylaws: Stormwater Fee Lien**  
**Sponsor: Stormwater Advisory Committee**

To see if the Town will vote to amend the Town of Ashland General Bylaws section 26-6, Municipal Charges Liens, by adding a new subparagraph (d) to section 26-6.C, as follows:

- d. Charges, fines, penalties, and/or fees including interest and all costs to record said lien(s) in the Middlesex South Registry of Deeds for failure to pay stormwater fees.

**FinCom Recommendation: The Finance Committee recommends the Town vote to amend the Town of Ashland General Bylaw as printed in Article 11.**

**MOTION: To amend the bylaw as presented in Article 11 of the Warrant.**

**Article 12: Construction of the Trolley Brook Trail**  
**Sponsor: Community Preservation Committee**

To see if the Town will vote to appropriate up to \$120,000 in Community Preservation Act Open Space funds to allow the construction of the Trolley Brook Trail section of the Ashland Upper Charles Trail; and that to meet this appropriation, the sum of up to \$120,000 be transferred from the Community Preservation Fund, Open Space Account with the following stipulations: the Upper Charles Trail Committee shall obtain all required town board and town department permits and approvals prior to the disbursement of any funds, the Upper Charles Trail Committee shall enter into a grant agreement with the Community Preservation Committee prior to disbursement of any funds and unexpended funds as of December 31, 2022 being returned to their funding sources, or pass any vote or take any other action thereon.

**FinCom Recommendation: The Finance Committee recommends the Town vote to appropriate up to \$120,000 in Community Preservation Act Open Space funds to allow for the construction of the Trolley Brook Trail section of the Ashland Upper Charles Trail, and that the Upper Charles Trail Committee enter into a grant agreement with the Community Preservation Committee prior to disbursement of any funds and unexpended funds as of December 31, 2022 are returned to their funding sources.**

**MOTION: That the Town will vote to appropriate up to \$120,000 in Community Preservation Act Open Space funds to allow the construction of the Trolley Brook Trail section of the Ashland Upper Charles Trail; and that to meet this appropriation, the sum of up to \$120,000 be transferred from the Community Preservation Fund, Open Space Account with the following stipulations: the Upper Charles Trail Committee shall obtain all required town board and town department permits and approvals prior to the disbursement of any funds, the Upper Charles Trail Committee shall enter into a grant agreement with the Community Preservation Committee prior to disbursement of any funds and unexpended funds as of December 31, 2022 being returned to their funding sources, or pass any vote or take any other action thereon.**

**Article 13: Town Forest Enhancement Project  
Sponsor: Community Preservation Committee**

To see if the Town will vote to appropriate up to \$9,700 in Community Preservation Act Open Space funds to allow the Town Forest Committee to complete enhancement of the Town Forest including installing boundary markers, deer enclosures, and purchase and install additional rain garden plantings to preserve the overall health of the forest and create a model rain garden for the community; and that to meet this appropriation, the sum of up to \$9,700 be transferred from the Community Preservation Fund, Open Space Account with the following stipulations: the Town Forest Committee shall obtain all required town board and town department permits and approvals prior to the disbursement of any funds, the Town Forest Committee shall enter into a grant agreement with the Community Preservation Committee prior to disbursement of any funds and unexpended funds as of December 31, 2022 being returned to their funding sources, or pass any vote or take any other action thereon.

**FinCom Recommendation: The Finance Committee recommends the town vote to appropriate up to \$9,700 in Community Preservation Act Open Space funds to allow the Town Forest Committee to complete enhancement of the Town Forest described in the article and the Town Forest Committee enter into a grant agreement with the Community Preservation Committee prior to disbursement of any funds and unexpended funds as of December 31, 2022 are returned to their funding sources**

**MOTION: That the Town appropriate up to \$9,700 in Community Preservation Act Open Space funds to allow the Town Forest Committee to complete enhancement of the Town Forest including installing boundary markers, deer enclosures, and purchase and install additional rain garden plantings to preserve the overall health of the forest and create a model rain garden for the community; and that to meet this appropriation, the sum of up to \$9,700 be transferred from the Community Preservation Fund, Open Space Account with the following stipulations: the Town Forest Committee shall obtain all required town board and town department permits and approvals prior to the disbursement of any funds, the Town Forest Committee shall enter into a grant agreement with the Community Preservation Committee prior to disbursement of any funds and unexpended funds as of December 31, 2022 being returned to their funding sources, or pass any vote or take any other action thereon.**

**Article 14: Zoning Bylaw: Correct the Section that Outlines the Requirements for Design Review  
Sponsor: Planning Board**

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

Section 9.6.3

#4. Properties with projects requiring design review per section 9.4.**1**.7 of Chapter 282 (Zoning) of the Town of Ashland Code.

**FinCom Recommendation: The Finance Committee defers to Town Meeting.**

**MOTION: That the Town adopt the amendment to the Zoning Bylaw as printed in Article 14 of the warrant.**



## TOWN MEETING VOCABULARY

<b>Abatement</b>	A reduction or elimination of a real or personal property tax, motor vehicle excise, a fee, charge, or special assessment imposed.
<b>Available Funds</b>	Balances in the various fund types that represent non-recurring revenue sources. Examples include free cash, stabilization funds, overlay surplus, and enterprise retained earnings.
<b>Bond</b>	A means to raise money through the issuance of debt.
<b>Bond Authorization</b>	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.
<b>Cherry Sheet</b>	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.
<b>Citizens' Petitions</b>	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.
<b>Community Preservation Act</b>	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.
<b>Community Preservation Fund</b>	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.
<b>Debt Exclusion</b>	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.
<b>Enterprise Fund</b>	An enterprise fund is a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for goods or services. With an enterprise fund, all costs of service delivery--direct, indirect, and capital costs—are identified. This allows the community to recover total service costs through user fees if it chooses. Enterprise accounting also enables communities to reserve the "surplus" or net assets unrestricted generated by the

operation of the enterprise rather than closing it out to the general fund at year-end. We have sewer, water and trash enterprise accounts.

<b>Exemption</b>	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.
<b>Fiscal Year</b>	The Fiscal Year starts July 1 <sup>st</sup> of each year and ends June 30 <sup>th</sup> the following year.
<b>Free Cash</b>	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.
<b>Levy Limit</b>	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.
<b>Local Receipts</b>	Income derived by the Town from Motor Vehicle excise taxes, fees, licenses and permits, penalties & interest on taxes, etc.
<b>New Construction</b>	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.
<b>Omnibus Budget</b>	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.
<b>Overlay</b>	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.
<b>Override</b>	A vote by a community at an election to permanently increase the levy limit. An override question on the election ballot must state a purpose for the override and the dollar amount.
<b>Raise and Appropriate</b>	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.
<b>Reserve Fund</b>	A fund, established by each Town Meeting, for extraordinary or unforeseen expenses in the upcoming fiscal year. The Finance Committee alone may transfer money from this fund, thus eliminating the need for frequent Special Town Meetings. The fund may not exceed 5% of the preceding year's tax levy.

**Revolving Account** Allows a community to raise revenues from a specific service and use those revenues without appropriation to support the service.

**Stabilization Fund** A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose. It retains its own investment income. A two-thirds vote is required on any vote relative to this Fund. This fund serves as the Town’s primary “rainy day” fund.

## **Town of Ashland Selected Town Meeting Procedures**

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

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

### **Necessary Majorities \***

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

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

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

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

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

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