

***TOWN OF ASHBURNHAM  
ANNUAL TOWN MEETING WARRANT ARTICLES***



***Saturday, May 3, 2003  
10:00 a.m.  
Fairbanks Memorial Town Hall  
32 Main Street  
Ashburnham, MA 01430***

*Please bring this warrant with you to the Annual Town Meeting.*

**The following is a list of warrant articles and the recommendations for the Board of Selectmen and the Advisory Board for the May 3, 2003 Annual Town Meeting.**

		<b>Selectmen</b>	<b>Advisory</b>	<b>Tax Rate Impact</b>
Art. 1	Reports of town officers and committees	Y	Y	--
Art. 2	Budget with Gen. Gov Override of \$421,795.76	Y	Y	\$1.18
Art. 3	Transfer available funds to reduce tax rate	Y	Y	--
Art. 4	Transfer from available funds to Stabilization	Y	Y	--
Art. 5	Transfer from available funds to Capital Fund	Y	Y	--
Art. 6	\$40,000 from Light Plant	Y	Y	--
Art. 7	Light income to support Light Plant	Y	Y	--
Art. 8	Treasurer and compensating balance agreement	Y	Y	--
Art. 9	Enter into contracts with Mass. Highway	Y	Y	--
Art. 10	Allow use of Chapter 90 money for roads	Y	Y	--
Art. 11	\$130,000 for town road and sidewalks	Y	Y	\$0.36
Art. 12	Revolving fund for half of boat excise tax	Y	Y	--
Art. 13	Revolving fund for demolition of hazardous properties	Y	Y	--
Art. 14	Revolving account for disposal of hazardous materials	Y	Y	--
Art. 15	\$711.17 for bills of a prior year from free cash	Y	Y	--
Art. 16	\$25,000 for revaluation real estate & personal property from free cash	Y	N	--
Art. 17	\$18,000 for feasibility study on J.R. Briggs School & Town Hall from Capital Improvement Fund	Y	Y	--
Art. 18	\$50,000 Town's 10% share Federal Fire Act Grant from Capital Improvement fund	Y	Y	--
Art. 19	\$120,000 for purchase of ambulance by borrowing, subject to debt exclusion	Y	Y	\$0.34
Art. 20	To accept Ch. 653, Sec. 40 of the Acts of 1989 re: assessment of improved real estate	Y	Y	--
Art. 21	To adopt change in schedule of income and asset limits allowable under Ch. 184, Sec. 51 of the Acts of 2002	Y	Y	--
Art. 22	To accept MGL Ch. 148, Sec. 26I relative to sprinkler system, multiple dwelling units	Y	Y	--
Art. 23	Unregistered Motor Vehicle or Trailer Regulation	Y	Y	--
Art. 24	Conveyance of portion of Platts Road	Y	Y	--
Art. 25	School Budget Override of \$844,953	N	Y	\$2.36
Art. 26	Acquisition of a percentage fee interest of Mt. Watatic	Y	N	--
Art. 27	\$250,000 for purchase of percentage fee interest in Mt. Watatic	Y	N	--
Art. 28	Tax Amnesty Program	Y	Y	--
Art. 29	Zoning Bylaws changes	Y	Y	--
	<b>Total increase for tax rate if all passes:</b>			<b>\$4.24</b>

**Current Tax Rate for FY'01 is \$15.42**

**For every \$100,000 voted to be spent, \$.28 will be added to the tax rate**

**ANNUAL TOWN MEETING WARRANT  
TOWN OF ASHBURNHAM  
COMMONWEALTH OF MASSACHUSETTS**

WORCESTER, SS

TO THE CONSTABLES OF THE TOWN OF ASHBURNHAM, IN WORCESTER COUNTY,

GREETINGS:

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, YOU ARE HEREBY DIRECTED TO NOTIFY AND WARN THE INHABITANTS OF SAID TOWN QUALIFIED TO VOTE IN ELECTIONS AND TOWN AFFAIRS TO MEET AT FAIRBANKS MEMORIAL TOWN HALL, 32 MAIN STREET, ASHBURNHAM, MASSACHUSETTS ON

**SATURDAY, THE THIRD OF MAY, 2003  
BEGINNING AT 10:00 A.M.**

THEN AND THERE TO VOTE ON THE FOLLOWING ARTICLES AND RESOLUTIONS:

**ARTICLE 1:** To receive the reports of several town officers and all outstanding committees, or act in relation thereto. *(Requested by the Board of Selectmen)*

**SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A**

**ARTICLE 2:** To raise and appropriate and/or transfer from available funds such sums of money as may be necessary to defray the expenses of the Town for the fiscal year commencing July 1, 2003 and to set the salary of elected officials, to appropriate any and all funds received from the Commonwealth for Chapter 70 Aid for the operating budget of the Ashburnham-Westminster Regional School District and the Montachusett Regional Vocational School District; provided that no funds shall be spent and no bonds shall be issued unless the Town has voted at an election to exempt the amount of \$421,796 from the provisions of Proposition 2 ½, so called, or act in relation thereto. *(Requested by the Board of Selectmen and Advisory Board)*

**SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: \$1.18**

<u>LINE</u>	<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>FY02 SPENT</u>	<u>FY03 ACTUAL</u>	<u>FY04 REQUEST</u>	<u>FY04 RECOMMEND W/O OVERRIDE</u>	<u>FY04 OVERRIDE</u>
<b>GENERAL GOV'T</b>							
1	<b>Moderator</b>						
1A		Personnel	\$100	\$100	\$100	\$100	\$0
		<b>TOTAL:</b>	<b><u>\$100</u></b>	<b><u>\$100</u></b>	<b><u>\$100</u></b>	<b><u>\$100</u></b>	<b><u>\$0</u></b>
2	<b>Bd of Selectmen</b>						
2A		Personnel	\$3,500	\$3,500	\$3,500	\$0	\$3,500
2B		Expenses	\$4,895	\$4,537	\$5,320	\$4,120	\$600
		<b>TOTAL:</b>	<b><u>\$8,395</u></b>	<b><u>\$8,037</u></b>	<b><u>\$8,820</u></b>	<b><u>\$4,120</u></b>	<b><u>\$4,100</u></b>
3	<b>Town Administrator</b>						
3A		Personnel	\$83,292	\$91,011	\$91,359	\$90,333	\$3,767
3B		Expenses	\$46,730	\$39,350	\$48,510	\$25,000	\$13,010
		<b>TOTAL:</b>	<b><u>\$130,022</u></b>	<b><u>\$130,361</u></b>	<b><u>\$139,869</u></b>	<b><u>\$115,333</u></b>	<b><u>\$16,777</u></b>
4	<b>Advisory Bd.</b>						
4A		Expenses	\$0	\$0	\$635	\$0	\$0
4B		Reserve Fund	\$64,674	\$97,847	\$65,000	\$88,392	\$0
		<b>TOTAL:</b>	<b><u>\$64,674</u></b>	<b><u>\$97,847</u></b>	<b><u>\$65,635</u></b>	<b><u>\$88,392</u></b>	<b><u>\$0</u></b>
5	<b>Town Accountant</b>						
5A		Personnel	\$24,910	\$26,442	\$26,543	\$27,340	\$0
5B		Expenses	\$10,000	\$16,000	\$16,000	\$15,500	\$500
		<b>TOTAL:</b>	<b><u>\$34,910</u></b>	<b><u>\$42,442</u></b>	<b><u>\$42,543</u></b>	<b><u>\$42,840</u></b>	<b><u>\$500</u></b>
6	<b>Bd of Assessors</b>						
6A		Personnel	\$32,233	\$33,867	\$33,996	\$32,428	\$3,285
6B		Expenses	\$7,360	\$6,150	\$6,350	\$4,700	\$1,450
		<b>TOTAL:</b>	<b><u>\$39,593</u></b>	<b><u>\$40,017</u></b>	<b><u>\$40,346</u></b>	<b><u>\$37,128</u></b>	<b><u>\$4,735</u></b>
7	<b>Treasurer/Collector</b>						
7A		Personnel	\$59,802	\$59,083	\$61,361	\$55,318	\$6,664
7B		Expenses	\$20,600	\$23,500	\$25,850	\$22,800	\$1,650
7C		Tax Title	\$12,000	\$0	\$14,500	\$0	\$14,500
		<b>TOTAL:</b>	<b><u>\$92,402</u></b>	<b><u>\$82,583</u></b>	<b><u>\$101,711</u></b>	<b><u>\$78,118</u></b>	<b><u>\$22,814</u></b>
8	<b>Town Clerk</b>						
8A		Personnel	\$28,200	\$29,268	\$29,336	\$26,626	\$3,657
8B		Expenses	\$8,025	\$11,025	\$8,825	\$7,525	\$1,300
		<b>TOTAL:</b>	<b><u>\$36,225</u></b>	<b><u>\$40,293</u></b>	<b><u>\$38,161</u></b>	<b><u>\$34,151</u></b>	<b><u>\$4,957</u></b>

<u>LINE</u>	<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>FY02 SPENT</u>	<u>FY03 ACTUAL</u>	<u>FY04 REQUEST</u>	<u>FY04 RECOMMEND W/O OVERRIDE</u>	<u>FY04 OVERRIDE</u>
9	Land Use						
9A		Personnel	\$24,800	\$26,309	\$27,196	\$23,575	\$3,627
9B		Expenses	\$1,515	\$1,525	\$1,525	\$500	\$1,025
		<b><u>TOTAL:</u></b>	<b><u>\$26,315</u></b>	<b><u>\$27,834</u></b>	<b><u>\$28,721</u></b>	<b><u>\$24,075</u></b>	<b><u>\$4,652</u></b>
10	Town Hall/Stevens						
10A		Personnel	\$25,344	\$26,896	\$34,710	\$30,527	-\$1,908
10B		Expenses	\$25,000	\$28,000	\$28,000	\$23,500	\$4,500
		<b><u>TOTAL:</u></b>	<b><u>\$50,344</u></b>	<b><u>\$54,896</u></b>	<b><u>\$62,710</u></b>	<b><u>\$54,027</u></b>	<b><u>\$2,592</u></b>
11	Non-Departmental						
11A		Personnel	\$0	\$0	\$0	\$0	\$0
11B		Expenses	\$67,501	\$95,942	\$106,331	\$89,480	\$14,052
11C		Sewer Assess.	\$31,150	\$31,150	\$31,150	\$31,150	\$0
		<b><u>TOTAL:</u></b>	<b><u>\$98,651</u></b>	<b><u>\$127,092</u></b>	<b><u>\$137,481</u></b>	<b><u>\$120,630</u></b>	<b><u>\$14,052</u></b>
	<b>GENERAL GOV'T</b>	<b><u>TOTAL:</u></b>	<b><u>\$581,630</u></b>	<b><u>\$651,502</u></b>	<b><u>\$666,098</u></b>	<b><u>\$598,913</u></b>	<b><u>\$75,179</u></b>
	<b>PUBLIC SAFETY</b>						
12	Police						
12A		Personnel	\$401,891	\$450,822	\$545,758	\$373,328	\$112,211
12B		Expenses	\$24,708	\$25,679	\$36,319	\$22,200	\$7,669
		<b><u>TOTAL:</u></b>	<b><u>\$426,599</u></b>	<b><u>\$476,500</u></b>	<b><u>\$582,076</u></b>	<b><u>\$395,528</u></b>	<b><u>\$119,879</u></b>
13	Fire						
13A		Personnel	\$184,585	\$245,667	\$287,141	\$183,714	\$69,318
13B		Expenses	\$41,250	\$61,378	\$98,000	\$69,270	\$4,700
		<b><u>TOTAL:</u></b>	<b><u>\$225,835</u></b>	<b><u>\$307,045</u></b>	<b><u>\$385,141</u></b>	<b><u>\$252,984</u></b>	<b><u>\$74,018</u></b>
14	EDC						
14A		Personnel	\$99,887	\$135,126	\$144,203	\$144,203	\$0
14B		Expenses	\$8,477	\$7,037	\$7,800	\$6,440	\$1,360
		<b><u>TOTAL:</u></b>	<b><u>\$108,364</u></b>	<b><u>\$142,163</u></b>	<b><u>\$152,003</u></b>	<b><u>\$150,643</u></b>	<b><u>\$1,360</u></b>
15	Weights/Measures						
15A		Personnel	\$2,000	\$2,500	\$2,500	\$2,000	\$500
15B		Expenses	\$900	\$900	\$900	\$900	\$0
		<b><u>TOTAL:</u></b>	<b><u>\$2,900</u></b>	<b><u>\$3,400</u></b>	<b><u>\$3,400</u></b>	<b><u>\$2,900</u></b>	<b><u>\$500</u></b>
16	Inspections						
16A		Personnel	\$30,000	\$30,962	\$31,939	\$32,704	\$0
16B		Expenses	\$3,275	\$3,375	\$3,975	\$2,900	\$1,075
		<b><u>TOTAL:</u></b>	<b><u>\$33,275</u></b>	<b><u>\$34,337</u></b>	<b><u>\$35,914</u></b>	<b><u>\$35,604</u></b>	<b><u>\$1,075</u></b>

<u>LINE</u>	<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>FY02 SPENT</u>	<u>FY03 ACTUAL</u>	<u>FY04 REQUEST</u>	<u>FY04 RECOMMEND W/O OVERRIDE</u>	<u>FY04 OVERRIDE</u>
17	<b>Dog Officer</b>						
17A		Personnel	\$11,183	\$15,499	\$19,149	\$12,944	\$3,082
17B		Expenses	\$2,550	\$3,694	\$3,894	\$3,024	\$870
		<b><u>TOTAL:</u></b>	<b><u>\$13,733</u></b>	<b><u>\$19,193</u></b>	<b><u>\$23,043</u></b>	<b><u>\$15,968</u></b>	<b><u>\$3,952</u></b>
	<b>PUBLIC SAFETY</b>	<b><u>TOTAL:</u></b>	<b><u>\$810,707</u></b>	<b><u>\$982,638</u></b>	<b><u>\$1,181,577</u></b>	<b><u>\$853,626</u></b>	<b><u>\$200,785</u></b>
	<b>EDUCATION</b>						
18	<b>Monty Tech</b>						
18A		Contribution	\$334,935	\$365,052	\$367,185	\$367,185	\$0
18B		Fixed Assets	\$8,810	\$4,736	\$0	\$0	\$0
18C		Transportation	\$39,181	\$38,927	\$28,631	\$28,631	\$0
18D		Expansion	\$9,446	\$9,291	\$9,053	\$9,053	\$0
		<b><u>TOTAL:</u></b>	<b><u>\$392,372</u></b>	<b><u>\$418,006</u></b>	<b><u>\$404,869</u></b>	<b><u>\$404,869</u></b>	<b><u>\$0</u></b>
19	<b>AWRSD</b>						
19A		Contribution	\$3,945,375	\$3,957,064	\$4,349,600	\$3,504,647	\$0
19B		Fixed Assets	\$3,124	\$0	\$0	\$0	\$0
19C		Comm. Service	\$10,210	\$1,435	\$1,433	\$1,433	\$0
19D		Transportation	\$135,631	\$311,543	\$535,788	\$535,788	\$0
19E		Debt Assess	\$125,530	\$112,625	\$112,186	\$112,186	\$0
19F		Capital Outlay	\$347,306	\$562,582	\$551,611	\$551,611	\$0
		<b><u>TOTAL:</u></b>	<b><u>\$4,567,176</u></b>	<b><u>\$4,945,249</u></b>	<b><u>\$5,550,618</u></b>	<b><u>\$4,705,665</u></b>	<b><u>\$0</u></b>
	<b>EDUCATION</b>	<b><u>TOTAL:</u></b>	<b><u>\$4,959,548</u></b>	<b><u>\$5,363,255</u></b>	<b><u>\$5,955,487</u></b>	<b><u>\$5,110,534</u></b>	<b><u>\$0</u></b>
	<b>PUBLIC WORKS</b>						
20	<b>Highway</b>						
20A		Personnel	\$200,956	\$250,575	\$256,648	\$198,962	\$59,127
20B		Expenses	\$115,263	\$129,400	\$149,400	\$126,500	\$22,900
		<b><u>TOTAL:</u></b>	<b><u>\$316,219</u></b>	<b><u>\$379,975</u></b>	<b><u>\$406,048</u></b>	<b><u>\$325,462</u></b>	<b><u>\$82,027</u></b>
21	<b>Snow &amp; Ice</b>						
21A		Miscellaneous	\$82,000	\$82,000	\$82,000	\$82,000	\$0
		<b><u>TOTAL:</u></b>	<b><u>\$82,000</u></b>	<b><u>\$82,000</u></b>	<b><u>\$82,000</u></b>	<b><u>\$82,000</u></b>	<b><u>\$0</u></b>
22	<b>Waste Collection &amp; Disposal</b>						
22A		Personnel	\$0	\$0	\$0	\$0	\$0
22B		Expenses	\$26,200	\$15,300	\$15,300	\$130	\$15,000
		<b><u>TOTAL:</u></b>	<b><u>\$26,200</u></b>	<b><u>\$15,300</u></b>	<b><u>\$15,300</u></b>	<b><u>\$130</u></b>	<b><u>\$15,000</u></b>

<u>LINE</u>	<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>FY02 SPENT</u>	<u>FY03 ACTUAL</u>	<u>FY04 REQUEST</u>	<u>FY04 RECOMMEND W/O OVERRIDE</u>	<u>FY04 OVERRIDE</u>
23	<b>Municipal Grounds</b>						
23A		Personnel	\$82,024	\$94,260	\$92,421	\$79,183	\$14,622
23B		Expenses	\$36,400	\$40,090	\$67,760	\$27,910	\$19,850
		<b><u>TOTAL:</u></b>	<b><u>\$118,424</u></b>	<b><u>\$134,350</u></b>	<b><u>\$160,181</u></b>	<b><u>\$107,093</u></b>	<b><u>\$34,472</u></b>
	<b>PUBLIC WORKS</b>	<b><u>TOTAL</u></b>	<b><u>\$542,843</u></b>	<b><u>\$611,625</u></b>	<b><u>\$663,529</u></b>	<b><u>\$514,684</u></b>	<b><u>\$131,499</u></b>
24	<b>Water</b>						
24A		Personnel	\$100,501	\$109,100	\$108,955	\$108,094	\$0
24B		Expenses	\$195,650	\$284,150	\$186,550	\$186,550	\$0
		<b><u>TOTAL:</u></b>	<b><u>\$296,151</u></b>	<b><u>\$393,250</u></b>	<b><u>\$295,505</u></b>	<b><u>\$294,644</u></b>	<b><u>\$0</u></b>
25	<b>Sewer</b>						
25A		Personnel	\$42,050	\$44,331	\$44,251	\$44,525	\$0
25B		Expenses	\$90,500	\$167,500	\$181,000	\$181,000	\$0
		<b><u>TOTAL:</u></b>	<b><u>\$132,550</u></b>	<b><u>\$211,831</u></b>	<b><u>\$225,251</u></b>	<b><u>\$225,525</u></b>	<b><u>\$0</u></b>
	<b>PUBLIC WORKS</b>	<b><u>TOTAL:</u></b>	<b><u>\$428,701</u></b>	<b><u>\$605,082</u></b>	<b><u>\$520,755</u></b>	<b><u>\$520,169</u></b>	<b><u>\$0</u></b>
	<b>HUMAN SERVICES</b>						
26	<b>Board of Health</b>						
26A		Personnel	\$1,400	\$1,400	\$1,400	\$1,400	\$0
26B		Expenses	\$16,235	\$16,523	\$16,523	\$15,963	\$560
		<b><u>TOTAL:</u></b>	<b><u>\$17,635</u></b>	<b><u>\$17,923</u></b>	<b><u>\$17,923</u></b>	<b><u>\$17,363</u></b>	<b><u>\$560</u></b>
27	<b>Council on Aging</b>						
27A		Personnel	\$8,653	\$13,842	\$13,954	\$14,372	\$0
27B		Expenses	\$6,135	\$6,148	\$6,616	\$5,731	\$885
		<b><u>TOTAL:</u></b>	<b><u>\$14,788</u></b>	<b><u>\$19,990</u></b>	<b><u>\$20,570</u></b>	<b><u>\$20,103</u></b>	<b><u>\$885</u></b>
28	<b>Veteran's Services</b>						
28A		Personnel	\$2,479	\$2,479	\$2,479	\$2,479	\$0
28B		Expenses	\$5,200	\$5,200	\$5,200	\$4,000	\$1,200
		<b><u>TOTAL:</u></b>	<b><u>\$7,679</u></b>	<b><u>\$7,679</u></b>	<b><u>\$7,679</u></b>	<b><u>\$6,479</u></b>	<b><u>\$1,200</u></b>
	<b>HUMAN SERVICES</b>	<b><u>TOTAL:</u></b>	<b><u>\$40,102</u></b>	<b><u>\$45,592</u></b>	<b><u>\$46,172</u></b>	<b><u>\$43,945</u></b>	<b><u>\$2,645</u></b>
	<b>CULTURE &amp; REC.</b>						
29	<b>Library</b>						
29A		Personnel	\$75,781	\$80,071	\$98,916	\$0	\$87,617
29B		Expenses	\$43,847	\$46,983	\$53,871	\$8,050	\$41,303
		<b><u>TOTAL:</u></b>	<b><u>\$119,628</u></b>	<b><u>\$127,054</u></b>	<b><u>\$152,787</u></b>	<b><u>\$8,050</u></b>	<b><u>\$128,920</u></b>

<u>LINE</u>	<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>FY02 SPENT</u>	<u>FY03 ACTUAL</u>	<u>FY04 REQUEST</u>	<u>FY04 RECOMMEND W/O OVERRIDE</u>	<u>FY04 OVERRIDE</u>
30	<b>Historical Comm.</b>						
30A		Personnel	\$0	\$0	\$0	\$0	\$0
30B		Expenses	\$295	\$295	\$295	\$0	\$295
		<b><u>TOTAL:</u></b>	<b><u>\$295</u></b>	<b><u>\$295</u></b>	<b><u>\$295</u></b>	<b><u>\$0</u></b>	<b><u>\$295</u></b>
	<b>CULTURE &amp; REC.</b>	<b><u>TOTAL:</u></b>	<b><u>\$119,923</u></b>	<b><u>\$127,349</u></b>	<b><u>\$153,082</u></b>	<b><u>\$8,050</u></b>	<b><u>\$129,215</u></b>
31	<b>DEBT SERVICE</b>						
31A		Principal	\$163,185	\$130,800	\$130,800	\$130,800	\$0
31B		Interest	\$55,168	\$42,168	\$38,053	\$38,053	\$0
31C		Water Principal	\$214,611	\$210,537	\$219,457	\$219,457	\$0
31D		Water Interest	\$59,677	\$55,792	\$54,834	\$54,834	\$0
31E		Sewer Principal	\$100,658	\$92,070	\$105,148	\$105,148	\$0
31F		Sewer Interest	\$77,419	\$35,276	\$37,473	\$37,473	\$0
	<b>DEBT SERVICE</b>	<b><u>TOTAL:</u></b>	<b><u>\$670,718</u></b>	<b><u>\$566,643</u></b>	<b><u>\$585,766</u></b>	<b><u>\$585,766</u></b>	<b><u>\$0</u></b>
	<b>MISC.</b>						
32		Health Insurance	\$186,460	\$213,963	\$271,725	\$231,184	\$24,867
33		Life Insurance	\$900	\$814	\$1,072	\$959	\$113
34		Medicare	\$17,000	\$25,382	\$29,166	\$18,151	\$4,563
35		Worc Cty Retire	\$150,303	\$157,178	\$167,834	\$167,834	\$0
36		Ins Premiums	\$80,000	\$90,920	\$130,420	\$115,897	\$14,523
37		Unemployment	\$2,000	\$2,000	\$2,000	\$163,593	-\$161,593
	<b>MISC.</b>	<b><u>TOTAL:</u></b>	<b><u>\$436,663</u></b>	<b><u>\$490,257</u></b>	<b><u>\$602,217</u></b>	<b><u>\$697,617</u></b>	<b><u>-\$117,527</u></b>
	<b>ARTICLE 2</b>	<b><u>TOTAL:</u></b>	<b><u>\$8,590,834</u></b>	<b><u>\$9,443,943</u></b>	<b><u>\$10,374,682</u></b>	<b><u>\$8,933,306</u></b>	<b><u>\$421,796</u></b>

Setting of Elected Salaries under Article 2:

- a.) Town Moderator: \$100.00
- b.) \*Board of Selectmen: Chairman - \$1,300.00; Clerk - \$1,100.00; Member - \$1,100.00
- c.) Town Clerk: \$12,000.00
- d.) Board of Health: \$140.00 per member

\*Contingent upon passage of override.

Transfers under Article 2:

- a.) Light Dept. receipts against Worc. County Retirement and insurance coverages: \$58,000
- b.) Water/Sewer Dept. receipts against line items 24A-25B and 31C-31F: \$937,081

**ARTICLE 3:** To see if the Town will vote to transfer from available funds a sum of money to be used by the Assessors for the purpose of reducing the tax rate for Fiscal Year 2004, so that the tax rate complies with the mandates of Proposition 2 ½ so called, or act in relation thereto. *(Requested by the Board of Assessors)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A



**ARTICLE 4:** To see if the Town will vote to transfer a sum of money from Free Cash into the Stabilization Account, or act in relation thereto. *(Requested by the Board of Selectmen)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 5:** To see if the Town will vote to transfer a sum of money from Free Cash into the Capital Improvement Fund, or act in relation thereto. *(Requested by the Board of Selectmen)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 6:** To see if the Town will vote to authorize the transfer of \$40,000 from any excess in the Municipal Light Plant funds to the town treasury, as authorized by its Light Board in accordance with Chapter 164 of the General Laws of the Commonwealth, or act in relation thereto. *(Requested by the Light Department)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 7:** To see if the Town will vote to authorize the use of the income from the sales of electricity and jobbing during the Municipal Light Plant's current year for the payment of expenses incurred by the Municipal Light Plant. The payment of these expenses will be made by the Municipal Light Plant Manager, under the direction and control of the Municipal Light Plant Board, as defined in Chapter 164 of the General Laws of the Commonwealth, or act in relation thereto. *(Requested by the Light Department)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 8:** To see if the Town will vote to authorize the Town Treasurer to enter into a compensating balance agreement or agreements for Fiscal Year 2004 pursuant to Chapter 44, Section 53F of the General Laws, or act in relation thereto. *(Requested by the Town Treasurer)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 9:** To see if the Town will vote to authorize the Board of Selectmen to enter into a contract or contracts with the Massachusetts Highway Department for the construction and maintenance of town roads in conformance with the Massachusetts General Laws, or act in relation thereto. *(Requested by the Board of Selectmen and the Highway Department)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 10:** To see if the Town will vote to appropriate from available funds a sum of money if they become available from the Commonwealth Department of Public Works Chapter 90 bond issue proceeds to be used by the Highway Department for the repair and maintenance of town roads in conformance with the Massachusetts General Laws, or act in relation thereto. *(Requested by the Board of Selectmen and the Highway Department)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 11:** To see if the Town will vote to raise and appropriate the sum of \$130,000 for the reconstruction of town roads and sidewalks with permanent pavement of a lasting character including necessary engineering and inspection fees, provided that no funds be spent and that no bonds or notes shall be issued unless the Town has voted at an election to exempt this expenditure from the provisions of Proposition 2 ½, so called, or act in relation thereto. *(Requested by the Highway Department)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: \$.36

**ARTICLE 12:** To see if the Town will vote to authorize a revolving fund, in accordance with G.L. c. 44, Sec. 53E ½, to receive one half of the boat excise revenues collected under G.L. c. 60B, Sec. 2 (i): Said funds to be expended for waterways improvement and maintenance by the Ashburnham Lakes Coalition without further appropriation; said expenditures shall not exceed \$3,000, unless an increase in such limitation is approved by the Board of Selectmen, or act in relation thereto. *(Requested by the Ashburnham Lakes Coalition)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 13:** To see if the Town will vote to authorize a revolving fund, in accordance with G.L. c. 44, Sec. 53E ½, to be expended by the Town Administrator, for the purpose of demolishing, removing, securing or otherwise remedying conditions on real property determined to be unsafe or dangerous under G.L. c. 143, Sec. 6, et. seq. or G.L. c. 139, Sec. 3A, including the costs of engineering and legal services related thereto; said fund to be established from money recovered from demolition liens; said expenditures not to exceed \$10,000 unless an increase in such limitation is approved by the Board of Selectmen, or act in relation thereto. *(Requested by the Board of Selectmen)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 14:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,000 to establish a Hazardous Materials Recovery Revolving Fund in accordance with G.L. c. 44, Sec. 53E 1/2, into which account receipt for charges to responsible parties for the disposal of hazardous materials collected pursuant to G.L. c. 21E, Sec. 4 shall be deposited and to authorize the Fire Chief to expend said funds, and that the total amount, which may be expended in the current fiscal year for this purpose, shall not exceed \$2,000.00 unless an increase in such limitation is approved by the Board of Selectmen; or act in relation thereto. *(Requested by the Fire Department)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 15:** To see if the Town will vote to transfer from free cash the sum of \$711.17 to pay the following bills of a prior year; or act in relation thereto. *(Requested by the Town Accountant)*

<u>Department</u>	<u>Vendor</u>	<u>Amount</u>
Fire	American Fire Equipment Co., Inc.	\$ 73.58
Fire	Newton Manufacturing Co.	\$637.59

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 16:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$25,000.00 for the revaluation of real estate and personal property in the town, or act in relation thereto. *(Requested by Board of Assessors)*

SELECTMEN RECOMMEND: **YES**      ADVISORY RECOMMEND: **NO**      TAX RATE IMPACT: **N/A**

**ARTICLE 17:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$18,000.00 to conduct a feasibility study on the J.R. Briggs Elementary School and the Jacob Fairbanks Memorial Town Hall, or act in relation thereto. *(Requested by the Board of Selectmen)*

SELECTMEN RECOMMEND: **YES**      ADVISORY RECOMMEND: **YES**      TAX RATE IMPACT: **N/A**

**ARTICLE 18:** To see if the Town will vote to transfer from the Capital Improvement Fund an amount not to exceed \$50,000 as the Town’s 10% share for the Federal Fire Act Grant for the purchase of fire apparatus and equipment; or act in relation thereto. *(Requested by the Fire Department)*

SELECTMEN RECOMMEND: **YES**      ADVISORY RECOMMEND: **YES**      TAX RATE IMPACT: **N/A**

**ARTICLE 19:** To see if the Town will vote to raise and appropriate by borrowing the sum of \$120,000 for the purchase of an ambulance including costs incidental and related thereto provided that no funds shall be spent and no bonds shall be issued unless the Town has voted at an election to exempt the amount of \$120,000 from the provisions of Proposition 2 ½, so called, or act in relation thereto. *(Requested by the Fire Department)*

SELECTMEN RECOMMEND: **YES**      ADVISORY RECOMMEND: **YES**      TAX RATE IMPACT: **\$.34**

**ARTICLE 20:** To see if the Town will vote to accept Chapter 653, Section 40 of the Acts of 1989 which provides that in any city or town which accepts the provisions of this sentence, buildings and other things erected on or affixed to land during the period beginning on January second and ending on June thirtieth of the fiscal year preceding that to which the tax relates shall be deemed part of such real property as of January first; or act in relation thereto. *(Requested by the Board of Assessors)*

SELECTMEN RECOMMEND: **YES**      ADVISORY RECOMMEND: **YES**      TAX RATE IMPACT: **N/A**

**ARTICLE 21:** To see if the Town will vote to adopt the following schedule of income and asset limits allowed by Chapter 184, Section 51 of the Acts of 2002, or act in relation thereto. *(Requested by the Board of Assessors)*

	CURRENT	PROPOSED CHANGE
Eligible Age	70	70
Income Limits		
▪ Single:	\$13,000	\$18,000
▪ Married:	\$15,000	\$22,500
Asset Limits		
▪ Single:	\$28,000	\$35,000
▪ Married:	\$30,000	\$42,500
Exemption Amount	\$500	\$750

SELECTMEN RECOMMEND: **YES**      ADVISORY RECOMMEND: **YES**      TAX RATE IMPACT: **N/A**

**ARTICLE 22:** To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 148, Section 26I relative to sprinkler systems for multiple dwelling units and new construction which provides that any building hereafter constructed or hereafter substantially rehabilitated so as to constitute the equivalent of new construction and occupied in whole or in part for residential purposes and containing not less than four (4) dwelling units including, but not limited to, lodging houses, boarding houses, fraternity houses, dormitories, apartments, townhouses, condominiums, hotels, motels, and group residences, shall be equipped with an approved code. In the event that adequate water supply is not available, the head of the fire department shall permit the installation of such other fire suppressant systems as are prescribed by the state building code in lieu of automatic sprinklers. Owners of buildings with approved and properly maintained installations may be eligible for a rate reduction in fire insurance; or act in relation thereto. *(Requested by the Fire Department)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 23:** To see if the Town will vote to amend the General Bylaws as set forth below, or act in relation thereto. *(Requested by the Board of Selectmen)*

### **UNREGISTERED MOTOR VEHICLE OR TRAILER REGULATION**

No more than two unregistered motor vehicles or trailers or any parts thereof may be stored on any property in town, except if such vehicles or parts thereof are stored inside a garage or other enclosed structure, or such vehicles are used for agricultural purposes, or such vehicles are on premises duly licensed under the provisions of Chapter 140 of the General Laws. Anyone who fails to remove or register such vehicles or parts thereof within ten (10) days of receipt of written notice by the Police Department shall be subject to a fine of one hundred dollars (\$100.00). Each day or part thereof on which such vehicle or part thereof remains and continues to exist on the property shall constitute a separate offense.

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 24:** To see if the Town will vote to transfer custody for purposes of conveying and to authorize the Board of Selectmen to convey an easement to the heirs or beneficiaries, as the case may be, of Louise G. Kenyon in a certain portion of the right of way of Platts Road for purposes of maintaining an existing structure located thereon, with an address of 98 Platts Road, and further shown on Assessors Map 19, Lot 46, consisting of approximately 4,455 square feet bounded and described on a plan of land prepared for Robert Kenyon dated December 23, 2002 by Whitman & Bingham Associates, Inc., a copy of which is on file in the Town Clerk's office, which structure encroaches into the town's right of way, said easement to be conveyed on such terms and conditions as are in the best interests of the town, provided that the grantee(s) bear any and all costs, including legal costs to the town, associated with this conveyance; or act in relation thereto. *(Requested by the Board of Selectmen)*

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 25:** To see if the Town will vote to raise and appropriate the sum of \$844,953 to be added to the sum in line 19A of the budget approved under Article 2 for the Ashburnham-Westminster Regional School District, provided that no funds shall be spent and no bonds shall be issued unless the Town has voted at an election to exempt this expenditure from the provisions of Proposition 2 ½, so called, and further provided that the Town of Westminster also votes to approve and fund its proportional share of such

additional appropriation, or act in relation thereto. *(Requested by the Ashburnham-Westminster School District)*

SELECTMEN RECOMMEND: **NO**            ADVISORY RECOMMEND: **YES**            TAX RATE IMPACT: **\$2.36**

**ARTICLE 26:** To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase or otherwise as provided by the Massachusetts General Laws on such terms and conditions as are in the Town's best interest for conservation and passive recreational purposes, a one half of one percent fee interest in certain parcels of land together with any conservation easements and other interests thereon, located on Mt. Watatic, being all or a portion of the parcels shown on Ashburnham Assessors' Map 29, Lot 13 and Ashby Assessors' Map 1, Parcel 2 and further being all or a portion of the same land shown on a plan entitled "Compiled Plan of Land located in Ashby and Ashburnham, Massachusetts owned by David J. Fenton, Jr., Trustee of the Mt. Watatic Nominee Trust by Hub Survey Associates, Inc. dated March 9, 2000" consisting of 48.5 acres in Ashburnham and 231 acres in Ashby, together with structures and buildings thereon, and as further described in a deed recorded in Middlesex South District Registry of Deeds as Instrument No. 513, on July 10, 2002 and in the Northern Worcester County Registry of Deeds, Book 4251, Page 285; that said care, custody, management and control of the fee interest be transferred to the Ashburnham Conservation Commission as set forth in G.L. c. 40, Sec.8C, to the extent provided by a joint agreement for the administration of this land, under G.L. c. 21A, Sec. 20, which shall provide that said interest is to be controlled by the said Ashburnham Conservation Commission and to be managed by the aforesaid Conservation Commission, the Department of Environmental Management, and the Department of Fisheries and Wildlife; that said acquisition and all costs associated therewith to be paid for by gifts, reimbursements and/or grants to the Town or other funds dedicated to open space acquisition; that the Board of Selectmen and the Conservation Commission be authorized to apply for and accept on behalf of Ashburnham any and all grants, gifts and/or reimbursements, including but not limited to the so-called Self Help Act pursuant to G.L. c. 132A, Sec. 11, and the Land and Water Conservation Fund, as they deem appropriate to fund and carry out this acquisition; that the Board of Selectmen and the Conservation Commission be authorized to enter into any and all agreements and execute any and all instruments, in the best interests of the Town, as may be necessary on behalf of the Town of Ashburnham to fund and carry out this acquisition; that the Board of Selectmen be authorized to petition the General Court for special legislation authorizing the Town of Ashburnham to acquire such land in joint ownership with the Commonwealth, including by and through any agencies of the Commonwealth; that the Board of Selectmen be authorized to apply to the Massachusetts Secretary of Environmental Affairs to enter into an agreement, along with such agencies of the Commonwealth as may have an ownership interest, pursuant to G.L. c. 21A, Sec. 20, for the joint administration of this acquisition in accordance with the purposes and requirements of said law; and to authorize the Board of Selectmen and/or the Conservation Commission to convey a conservation restriction to appropriate state agencies or conservation land trusts in consideration of the purchase price; or act in relation thereto. *(Requested by the Board of Selectmen)*

SELECTMEN RECOMMEND: **YES**            ADVISORY RECOMMEND: **NO**            TAX RATE IMPACT: **N/A**

**ARTICLE 27:** To see if the Town will vote to raise by borrowing the sum of \$250,000 for the purpose of purchasing or otherwise acquiring as provided by the laws of Commonwealth of Massachusetts a one half of one percent fee interest in all or a portion of a certain parcel of land located on Mt. Watatic, provided that said purchase or acquisition is contingent upon the Town's receipt of grants, gifts, reimbursement or other funds awarded or provided to the Town totaling at least \$250,000, or take any action thereon. *(Requested by the Board of Selectmen)*

SELECTMEN RECOMMEND: **YES**            ADVISORY RECOMMEND: **NO**            TAX RATE IMPACT: **N/A**

**ARTICLE 28:** To see if the Town will vote to enact a temporary tax amnesty program during remainder of calendar year 2003, in accordance with Chapter 4, Section 73 of the Acts of 2003 with the following terms and conditions, or take any other action relative thereto. (*Requested by the Board of Selectmen*)

Section 1. Amnesty Period: The amnesty program shall begin on May 4, 2003 and end on December 31, 2003.

Section 2. Program Scope: A taxpayer who meets all eligibility requirements set forth in Section 3 shall receive a waiver of 50% of the total accrued interest, collection costs and penalties owed on any of the following types of tax liabilities upon full payment of the outstanding liability and all interest, collection costs and penalties not waived by the end of the amnesty period:

<u>TYPE OF LIABILITY</u>	<u>WAIVER PERCENTAGE</u>
1. Real Estate	50%
2. Personal Property	50%
3. Motor Vehicle Excise	50%
4. Boat Excise	50%

Section 3. Eligibility Requirements: To obtain the waiver set forth in Section 2, the taxpayer must meet all of the following requirements:

1. The taxpayer must apply for an amnesty waiver through the Tax Collector's Office.
2. The taxpayer must make full payment of the liability and the percentage of the amount not waived relative to interest, collection costs and penalties. Said payment may be made in a single installment or in multiple installments, provided that full payment of the liability is made before the end of the amnesty period.
3. The taxpayer must make payment in the form of cash, money order or certified check.
4. The taxpayer must pay all outstanding liabilities offered in this amnesty program in order to obtain any waiver.
5. The taxpayer must pay all delinquent water and sewer liens or charges in order to qualify for the waiver.

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

**ARTICLE 29:** To see if the Town will vote to amend the Town's Zoning Bylaws as set forth below, or act in relation thereto. (*Requested by the Board of Selectmen*)

SELECTMEN RECOMMEND: YES      ADVISORY RECOMMEND: YES      TAX RATE IMPACT: N/A

NOTE: All additions and changes are noted as bold and italicized text. Deletions or alterations to existing zoning bylaws are shown as crossed-out text. The existing zoning bylaws are shown in regular format.

1.5 Definitions

*Assisted Elderly Housing – Private or private nonprofit elderly housing comprised of individual studio, one bedroom, and two bedroom dwelling units for residents over the age*

*of sixty-five (65). On-site services and facilities such as meals, cleaning, laundry, recreation, fitness, transportation, and social activities are an integral part of the development. Medical services may be offered but no long-term hospital or nursing home care is provided within the assisted elderly housing development. Town water and sewer must serve assisted elderly housing unit(s).*

*Supportive Housing – Facilities comprising personal and other supportive services with a nonmedical focus, limited to persons fifty-five (55) years and older, including but not limited to, assisted living, congregate care and independent living and specifically excluding skilled nursing facilities, intermediate care facilities, nursing facilities, custodial care facilities and continuing care retirement communities, or such facilities which provide multiple levels of care within a single facility. Town water and sewer must serve supportive housing facility(ies).*

2.1 Types of Districts

***V-C Village Center***

*The Village Center is intended to foster appropriate reuse of existing structures and new construction within the downtown area in harmony with the historic character and dense development pattern of the downtown.*

2.2 Location of Districts

*2.2.1 The V-C District is located and bounded as shown on a map entitled “Town of Ashburnham, Mass. Zoning; Proposed Village Center District Change as prepared by the Montachusett Regional Planning Commission”, dated March 2003 and on file as subsequently amended in the offices of the Town Clerk and the Zoning Enforcement Officer.*

*The Village Center District is the area described as follows:*

***South of Main Street:*** *The area bounded by Pleasant Street, Puffer/Academy Street, Maple Avenue and Main Street; Main Street from Lawrence Street to Corey Hill Road 300 feet on either side of the road; Main Street from Maple Avenue to River Styx Road 300 feet on either side of the road.*

***North of Main Street:*** *The area bounded by Lawrence Street, Park Street, Memorial Drive and Main Street; Water Street from Main Street to Cotton Mill Dam 300 feet on either side of the road.*

3.2 Schedule of Use Regulations

	Use	V-C
3.21 Public, Semi Public and Institutional		
a. Church or other place of worship parish house, rectory, convent, and other		

<b>Use</b>	<b>V-C</b>
religious institutions.	<b>Y</b>
b. Schools, public, private, religious, sectarian, or denomination.	<b>Y</b>
c. Colleges or junior colleges and buildings accessory thereto.	<b>Y</b>
d. Nursery school or other use for the care of children or a privately organized camp.	<b>Y</b>
e. Library, Museum or civic center.	<b>Y</b>
f. Public buildings and premises for government use.	<b>Y</b>
g. Public utility buildings and structures.	<b>Y</b>
h. Hospital, sanitarium, nursing, rest or convalescent home, charitable institution or other non-correctional use.	<b>SP</b>
i. Flood control or water supply use.	<b>Y</b>
j. Country or tennis club, or other non-profit social, civic or recreational lodge or club, but not including any use, the principal activity of which is one customarily conducted as a business.	<b>SP</b>
k. Conservation or preservation of land or water-bodies in an essentially natural condition.	<b>Y</b>
l. Cemetery.	<b>SP</b>
m. Road and/or railroad.	<b>Y</b>
<b>3.22 Residence</b>	
a. Single-family detached dwelling other than a mobile home.	<b>SP</b>
b. Conversion of a single-family dwelling existing prior to the adoption of this By-Law to accommodate not more than two (2) families.	<b>SP</b>
c. Cellar hole or basement area used as a dwelling for not more than two (2) years.	<b>N</b>
d. Two (2) family or semi-detached dwelling.	<b>N</b>
e. Mobile home park not including mobile home sales except to renters of lots within the park.	<b>N</b>
f. Family type camp ground.	<b>N</b>



Use	<i>V-C</i>
g. Mobile home used as a dwelling within a mobile home park.	<i>N</i>
h. Renting of one (1) or two (2) rooms with or without the furnishing of board by a resident family to not more than three (3) non-transient persons.	<i>SP</i>
i. Professional office or studio of a resident physician, dentist, attorney, architect, artist, musician, engineer, or other member of a recognized profession.	<i>Y</i>
j. Customary home occupation conducted on the premises by a resident of the premises provided that not more than one (1) full-time employee, or equivalent thereof, excluding immediate family, is employed therein in connection with such use and that there is no exterior storage of material or equipment and no display of products visible from the street.	<i>Y</i>
k. Accessory use, including storage of a recreational vehicle, trailer and boat on the premises.	<i>Y</i>
 3.23 Agriculture	
a. Farm-Including cultivation and tillage of the soil; the production, cultivation, growing, harvesting and preparation for market or storage of any agricultural floricultural, or horticultural commodities; the keeping of bees; and forestry or lumbering operations.	
Parcels less than five (5) acres	<i>SP</i>
Parcels of five (5) acres or larger	<i>Y</i>
b. Farm-Including dairying, the raising, breeding, keeping and preparing for market or storage of livestock, cattle, poultry, swine, and other domesticated animals used for food purposes, and fur-bearing animals.	
Parcel less than five (5) acres	<i>SP</i>
Parcels of five (5) acres or larger	<i>Y</i>
c. Sales room or stand for the display or sale of agricultural or horticultural products, the major portion of which is grown or produced on the premises by a resident proprietor.	<i>Y</i>
 3.24 Business	
a. Retail store distributing merchandise to the general public.	<i>Y</i>
b. Craft, consumer, professional or commercial service establishment dealing directly with the general public.	<i>Y</i>

Use	<i>V-C</i>
c. Office or agency for non-resident business or professional use.	<i>Y</i>
d. Bank or other financial institution.	<i>Y</i>
e. Restaurant or other establishment providing food and beverages within a building.	<i>Y</i>
f. Restaurant or other establishment providing food, beverages, and live entertainment within a building.	<i>Y</i>
g. Drive-in or open air restaurant or other establishment providing food and beverages with no live or mechanical entertainment.	<i>SP</i>
h. Sales facility for motor vehicles, trailers, mobile homes, boats, farm implements or machinery with repair services and storage permitted.	<i>SP</i>
i. Service station and/or repair garage for motor vehicles, not including autobody, welding or soldering shop.	<i>SP</i>
j. Autobody, welding or soldering shop.	<i>N</i>
k. Commercial greenhouse.	<i>SP</i>
l. Undertaking establishment or funeral home.	<i>Y</i>
m. Animal or veterinary hospital.	<i>N</i>
n. Commercial sale, care, breeding or boarding of dogs, cats, or other domestic pets.	<i>N</i>
o. Drive-in or open air business other than a restaurant and appurtenant buildings or structures.	<i>SP</i>
p. Storage of construction equipment and building material.	<i>SP</i>
q. Tourist home, but not including a hotel, motel or overnight cabins.	<i>SP</i>
r. Hotel, motel, or overnight cabins.	<i>Y</i>
s. Commercial indoor amusement or recreation place, or place of assembly.	<i>SP</i>
t. Commercial outdoor amusement or recreation place not including an outdoor movie theatre.	<i>SP</i>
u. Wireless Communication Facilities & Towers	<i>SP</i>

Use	<i>V-C</i>
3.25 Wholesale and Industry	
a. Freight terminal or storage warehouse.	<i>N</i>
b. Wholesale warehouse including office or showroom facilities.	<i>N</i>
c. Passenger station.	<i>Y</i>
d. Airport or heliport.	<i>N</i>
e. Light industrial use including <del>research and development</del> , manufacturing, processing, fabrication, assembly, packaging and storage.	<i>N</i>
f. Excavation, processing and storage of soil, loam, sand, gravel, rock and other mineral deposits.	<i>N</i>
g. Reclamation, processing, storage and sale of scrap materials.	<i>N</i>
3.26 Scientific Research and Development	
a. Activities connected with scientific research or scientific development or related production.	<i>Y</i>
b. Accessory use necessary in connection with scientific research, scientific development, or related production.	<i>Y</i>

**Change under 3.21 (Schedule of Use Regulations, Public, Semi Public and Institutional) the following section:**

<b>f. Public buildings and premises for government use.</b>	<del><b>SP</b></del> <b><u>B</u></b> <i>Y</i>
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**Change under 3.24 (Schedule of Use Regulations, Business) the following section:**

<b>c. Office or agency for non-resident business or professional use.</b>	<del><b>R</b></del> <b><u>R-A</u></b> <i>SP</i>
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**Add under 3.22 (Schedule of Use Regulations, Residence), the following new section:**

	<b><u>R-A</u></b>	<b><u>R-B</u></b>	<b><u>B</u></b>	<b><u>V-C</u></b>	<b><u>I</u></b>	<b><u>W</u></b>	<b><u>WSP</u></b>
<i>l. Assisted Elderly or Supportive Housing</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>N</i>	<i>N</i>	<i>N</i>
<i>m. Use of part of a residence as an apartment for next of kin, to the second degree, reverting to single family use upon sale of the property</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>N</i>	<i>N</i>	<i>N</i>

**Add under 3.24 (Schedule of Use Regulations, Business), the following new section:**

	<b><u>R-A</u></b>	<b><u>R-B</u></b>	<b><u>B</u></b>	<b><u>V-C</u></b>	<b><u>I</u></b>	<b><u>W</u></b>	<b><u>WSP</u></b>
<i>a(1). Adult Entertainment Establishments, as defined in Section 5.12</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>
<i>v. Commercial sale of domestic pets other than dogs &amp; cats.</i>	<i>N</i>	<i>N</i>	<i>Y</i>	<i>Y</i>	<i>N</i>	<i>N</i>	<i>N</i>

**Add under 3.25 (Schedule of Use Regulations, Wholesale and Industry), the following new section:**

	<b><u>R-A</u></b>	<b><u>R-B</u></b>	<b><u>B</u></b>	<b><u>V-C</u></b>	<b><u>I</u></b>	<b><u>W</u></b>	<b><u>WSP</u></b>
<i>h. Research and development within a building.</i>	<i>SP</i>	<i>N</i>	<i>SP</i>	<i>SP</i>	<i>Y</i>	<i>N</i>	<i>N</i>

## 5.2 Signs

**5.23 Village Center Districts – In the Village Center District, only the following signs only are permitted in addition to those permitted in Residential Districts.**

**a. Two (2) non-flashing signs per establishment. Such signs may include any of the following:**

**(1) Wall sign, attached parallel to the exterior surface of a building or structure and projecting not more than fifteen (15) inches from the building surface. Such sign shall not exceed thirty (30) square feet in area; shall not obscure architectural features of the building, not limited to features such as arches, sills, mouldings, cornices, and transoms, and shall not extend above the lowest point of the roof, nor beyond the ends of the wall to which it is attached.**

**(2) Projecting sign, mounted to a wall and perpendicular to the building surface. Such sign shall be flat, shall not exceed ten (10) square feet in area on each side, and shall have a minimum clearance of eight (8) feet above grade when located adjacent to or projecting over a pedestrian way, and thirteen (13) feet when projecting over an alley or driveway. A**

*sign which overhangs a public way (including a sidewalk) shall not project closer than two (2) feet to the curb line and shall be covered by a public liability insurance policy which names the Town as the insured party.*

*(3) Awning sign, painted on or attached to the cover of a moveable metallic frame, of the hinged, roll or folding type of awning. Such sign must be painted on or attached flat against the surface of the awning, but not extend beyond the valance or be attached to the underside; and shall have a minimum clearance of eight (8) feet above grade for pedestrian clearance. Lettering on an awning sign shall not extend ten (10) inches in height, and the total area of an awning sign shall not exceed twenty (20) square feet.*

*(4) Window sign, painted or mounted onto a windowpane, or hung directly inside the window, with the purpose or effect of identifying any premises from the sidewalk or street. The area of such signs shall not exceed thirty per cent (30%) of the window area in which they are displayed.*

*(5) Non-flashing, freestanding sign not to exceed 10 square feet in area. The building must have a 25 ft. setback from the street for the allowance of this type of sign. Placement shall not be less than 10 feet from the street's edge.*

- b. One (1) wall-mounted, non-flashing directory sign per building, not exceeding twelve (12) square feet, plus one (1) square foot for the name of each establishment in the building.*
- c. Notwithstanding the above, the total area of all signs on any building or parcel shall not exceed one and one-half square feet (1.5 sq. ft.) per linear foot of storefront.*
- d. All signs shall be made of wood or metal or other natural material. Colors should be chosen to complement the façade color of the building and dark backgrounds with light-colored lettering shall be preferred.*
- e. Signs shall be illuminated only with steady, stationary, shielded light sources directed solely onto the sign without causing glare. Internal illumination of signs is prohibited. Signs shall not be illuminated directly or indirectly between the hours of 11:00 p.m. and 7:00 a.m. unless the premises are open during such hours.*

### 5.3 Off-Street Parking and Loading Requirements

#### 5.3.2 Schedule of Minimum Off-Street Parking Requirements

- a. Two (2) spaces per dwelling unit in all housing except that constructed for elderly persons of low income which shall have ~~one (1)~~ *one and a quarter (1.25)* spaces per dwelling unit.

- b. One (1) space for each sleeping room in a tourist home, boarding or lodging house, motel or hotel, **plus required spaces for facilities used for eating, drinking, and assembly, as outlined in section h below.**
- f. One (1) space for each ~~one hundred fifty (150)~~ **two hundred (200)** square feet or fraction thereof, of floor area of any retail, **retail/wholesale**, wholesale, or service establishment ~~or office or professional building.~~
- g. **One (1) space for each eight hundred (800) square feet, or fraction thereof, of floor area of any wholesale establishment, but not less than five (5) spaces per enterprise.**
- ~~g.~~ h. One (1) space for each two (2) employees and one (1) space for three (3) seats, permanent or otherwise, for patron use for restaurants, and other places servicing food or beverage ~~and for theaters, auditoriums, and other places of amusement or assembly.~~
- ~~h.~~ i. One (1) space for each two (2) persons employed or anticipated to be employed on the largest shift for all types of business, industrial, professional or other permitted uses.
- j. **One (1) space for each two hundred fifty (250) square feet, or fraction thereof, of floor area of any office or professional building; except that one (1) space per one hundred fifty (150) square feet shall be provided for medical offices.**
- k. **One (1) space for each one hundred fifty (150) square feet, or fraction thereof, of floor area of any bank, plus one (1) space for each two hundred fifty (250) square feet of area not devoted to customer service.**
- l. **One (1) space for each eight hundred (800) square feet of floor area, or one (1) space per employee, whichever is greater, for any industrial use.**
- m. **One (1) space for each four (4) persons capacity for any theater, auditorium or other place of amusement or assembly.**
- n. **Adequate spaces to accommodate customers, patrons and employees of other business and professional uses not specified, but not less than one (1) space per two hundred (200) square feet of area devoted to customer service..**
- ~~i.~~ o. Adequate spaces to accommodate customers, patrons, and employees at automobile service stations, drive-in establishments, open air retail business and amusements and other permitted uses not specifically enumerated herein shall be provided.

5.34 *Special Regulations for Village Center District – The following regulations are intended to support commercial development in the Village Center District by establishing a mechanism for provision of public off-street parking facilities in lieu of private off-street parking.*

- a. *Except for buildings or parts of buildings designed, intended to be used, used or occupied for residential use, all or a portion of the required off-street parking may be*

*waived by the Zoning Board by special permit when the property is located within the Village Center District, provided that:*

- (1) The Board finds that there are sufficient publicly-owned parking spaces in the vicinity of the property to justify the waiver without detriment to the public health, welfare and safety; and*
  - (2) The owner or occupant of the property on which the waiver is to be applied pays to the Town a fee equal to the fair market value of the waived parking spaces (the area of which shall be determined by the number of waived spaces times 300 square feet) plus the cost of converting such spaces into a parking lot, as estimated by the Planning Board with the advice of the Highway Superintendent.*
- b. If the property owner donates to the Town a public right-of-way providing an important pedestrian or vehicular linkage in accordance with a downtown circulation plan adopted by the Planning Board, the Board may reduce the fee specified in paragraph 5.34 a(2) above by an amount equal to the value of the donation, up to the total amount of the fee.*
  - c. All fees collected under this Section, [and all interest earned thereon, shall be deposited in a separate Parking Facilities Fund established by the Board of Selectmen,] and shall be used for the acquisition of land, improvement, or maintenance of municipally owned off-street parking facilities for the benefit of those buildings, structures and uses in the Village Center District and adjacent areas.*
  - d. Any waiver of off-street parking approved under this Section shall run with the land, and any subsequent changes of use that requires more parking shall require subsequent action to satisfy the additional parking requirement. No refund of any payment shall be made when there is a change to a use requiring less parking. Such payment and/or donation shall be made to the Town in total prior to the issuance of a building permit*

## **5.10 SITE PLAN REVIEW AND APPROVAL**

### *5.104 Design Review Principles and Standards in the Village Center District.*

*The Planning Board shall establish and adopt design review principles and standards intended to guide the applicant in the development of site and building design and consider these principles and standards in its review of proposed actions. These principles and standards shall not be regarded as inflexible requirements and they are not intended to discourage creativity, invention or innovation. The Planning Board is specifically precluded from mandating any official aesthetic style for Ashburnham or for imposing the style of any particular historical period. The design review principles and standards shall apply to all actions requiring building permit in the Village Center.*

**Add this to Section 5.10 (Site Plan Review and Approval). This is to be applicable for the Village Center District.**

- a. No off-street parking area, except for one required driveway, shall be located between the street line and the front line of the building.*
- b. All off-street parking areas shall be screened from adjacent properties by provision within the required side and/or rear yard of:*
  - Dense plantings with a minimum height of four feet; or*
  - Appropriate low fencing as permitted by Section 4.37 of the By-Laws.*

**Add as New Section 5.12**

## *5.12 Adult Entertainment Establishments*

### *5.12.1 Purpose*

*It is the intent and purpose of this section to regulate adult entertainment establishments to promote the health, safety and general welfare of the citizens of Ashburnham and to guard against adverse secondary effects on the youth of the town. Furthermore, it is the intent and purpose to establish reasonable and uniform regulations to prevent any deleterious location and concentration of adult entertainment establishments within the town, thereby reducing the adverse secondary effects from such adult entertainment establishments. The provisions of this chapter have neither the purpose nor effect of imposing limitations or restrictions on the content of any communicative materials. Similarly, it is not the intent nor effect of this chapter to condone or legitimize the distribution of obscene material.*

### *5.12.2 Definitions*

*Adult Entertainment Uses: Shall include the following uses:*

- (1) Adult Bookstores, as defined by G.L., Ch. 40A, Sec. 9A;*
- (2) Adult Motion Picture Theaters, as defined by G.L., Ch. 40A, Sec. 9A;*
- (3) Adult Paraphernalia Store, as defined by G.L., Ch. 40A, Sec.9A;*
- (4) Adult Video Store, as defined by G.L., Ch. 40A, Sec. 9A;*
- (5) Establishment Which Displays Live Nudity for Its Patrons, as defined by G.L. Ch. 40A, Sec. 9A.*

### *5.12.3 Adult Entertainment Overlay District*

*The Adult Entertainment Overlay District is established over all the zoning districts of the Town of Ashburnham. The Adult Entertainment Overlay District use regulations shall be as herein described in the Adult Entertainment District.*



#### 5.12.4 Spacing Requirements

*A. Special permits shall not be granted for an adult entertainment establishment if it is to be located less than 1,000 feet from the following uses. Measurement of distances shall be from the lot line of the proposed adult entertainment use to any of the uses described herein.*

- (1) Another adult entertainment establishment.*
- (2) Residential users.*
- (3) Public or private nursery schools.*
- (4) Public or private day-care centers.*
- (5) Public or private kindergartens.*
- (6) Public or private elementary schools.*
- (7) Public or private secondary schools*
- (8) Playgrounds, parks or athletic fields.*
- (9) Religious institutions.*
- (10) Governmental buildings.*

*B. Reduction of distance requirement: The Board of Appeals may waive the one-thousand foot restriction contained in subsection A by special permit; provided, however, that the Board of Appeals shall not, under any circumstances, grant a special permit for an adult entertainment establishment which shall be closer than 750 feet to any of the uses listed in subsection A. To grant a special permit reducing the spacing requirement, the Board shall find that:*

- (1) The proposed use will not be contrary to the public intent or injurious to nearby properties and that the spirit of this chapter will be observed;*
- (2) The proposed use will not enlarge or encourage the development of a "skid row" area;*
- (3) The establishment of an additional regulated use in that area will not be contrary to any program of neighborhood conservation nor will it interfere with any program or urban renewal;*
- (4) All applicable regulations of this chapter will be observed; and*
- (5) No portion of the establishment shall be located on the ground level of any building.*

#### 5.12.5 Special Permit Required; Conditions

*A. Special Permit: No adult entertainment establishment shall commence operations without first applying for and receiving a special permit from the Board of Appeals.*

*B. Conditions. The following conditions shall be attached to any special permit for adult entertainment establishments:*

- (1) *Adult entertainment establishments shall not be allowed within a building containing other retail, consumer or residential uses.*
- (2) *No adult entertainment establishment shall be located within 60 feet of a public or private way.*
- (3) *Any adult entertainment establishment shall cease its operations between the hours of 11:00 p.m. and 11:00 a.m. each day.*
- (4) *No adult entertainment establishments may have visible from the exterior of the premises any flashing lights.*
- (5) *At all times when an adult entertainment establishment is open for business, the entire area of the premises must be continually illuminated to the degree of not less than one footcandle (measured 30 inches from the floor), except those portions of the room covered by furniture.*

*C. Statutory prohibition. No special permit for an adult use shall be issued to any person convicted of violating GL Ch. 119, Section 63 or GL Ch. 272, Section 28.*

**4.2 SCHEDULE OF DIMENSIONAL REGULATIONS (TABLE)**

District	Minimum Lot Dimension		Minimum Yard Dimensions (3) (feet)			Maximum Building Height		Maximum Lot Coverage
	Area (sq. ft.)	Frontage (feet)	Front	Side	Rear	(stories)	(feet)	(%)
V-C	25,000 (6)	125	20 (5)	10	10	3	40	40 50

(5) *In the Village Center District, the following additional front yard provisions shall apply:*

- (a) *The maximum front yard setback permitted shall be thirty (30) feet.*
- (b) *A minimum of 80 per cent of the front yard shall be landscaped open space; excluding, in the opinion of the Zoning Board of Appeals, that access is limited due to the grade of level being greater than ten percent (10%).*
- (c) *The Zoning Board may, by special permit, reduce the required size of a front yard setback in the V-C District.*

(6) *The minimum lot area for assisted elderly or supportive housing developments shall be 12,000 square feet or 1,000 square feet multiplied by the number of sleeping rooms, whichever is greater.*

## MUNICIPAL FINANCE TERMS - GLOSSARY

1. **Excess and Deficiency (E&D) – Surplus Revenue**  
The amount by which the cash accounts receivable and other floating assets exceed liabilities and reserve funds.
2. **Free Cash or Available Fund**  
Surplus revenue less outstanding taxes owed from prior years.
3. **Overlay Fund**  
Amount raised by the assessors by setting the tax rate, creating a fund to cover abatements granted.
4. **Overlay Reserve or Surplus**  
Unused accumulated amount of the overlay for various years, which may be VOTED by the town for extraordinary or unforeseen purposes.
5. **Reserve Fund**  
Amount transferred from overlay surplus or appropriated for unforeseen or emergency purposes. Controlled exclusively by the Advisory (Finance Committee) Board.
6. **Available Funds**  
Free cash reserves and unexpected balances from other years available for appropriation. This affects the tax rate indirectly as any money spent other than that reimbursed by the County, State or Federal government must be raised by taxes and fees.
7. **Estimated Receipts**  
Estimate of miscellaneous receipts based on previous years receipts deducted by the assessors from the gross amount to be raised by taxation.
8. **Matching Funds**  
Amounts made available by special State and Federal acts to supplement appropriations for specific types of projects.
9. **Cherry Sheet**  
Details of State and County charges and reimbursements used in determining the tax rate. Name comes from the color of paper used.
10. **Override Vote**  
An override vote becomes a permanent increase in the levy limit (the amount the community can raise through the property tax). Override requests must be presented in dollar terms and specify the purpose. A majority vote of approval by the electorate is required.
11. **Debt Exclusion and Capital Outlay Expenditure Exclusion**  
A community can vote to assess taxes in excess of its levy limit or levy ceiling for the payment of certain capital projects, *a capital outlay expenditure exclusion*; or for the payment of specified debt service costs, *a debt exclusion*. The additional amount for the payment of the debt service or capital project cost is added to the levy limit for the life of the debt only. Unlike overrides, exclusions do not become part of the base upon which the levy limit is calculated for future years. A majority vote of approval by the electorate is required for both types of exclusions.