

***TOWN OF ASHBURNHAM
SPECIAL TOWN MEETING WARRANT ARTICLES***

WITH RESULTS ADDED (in red)



***Thursday, January 19, 2006
7:00 p.m.
Overlook Middle School
10 Oakmont Drive
Ashburnham, MA 01430***

Please bring this warrant with you to the Special Town Meeting.

The following is a list of warrant articles and the recommendations for the Board of Selectmen and the Advisory Board for the January 19, 2006 Special Town Meeting.

[illegible]

**SPECIAL 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 OVERLOOK MIDDLE SCHOOL, 10 OAKMONT DRIVE, ASHBURNHAM, MASSACHUSETTS ON

**THURSDAY, THE NINETEENTH OF JANUARY 2006
BEGINNING AT 7:00 P.M.**

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

Article 1. To see if the Town will vote to raise and appropriate, by borrowing, **\$100,000** for the design and construction of a water line and all appurtenances thereto, in the Page's Beach area, including but not limited to replacement of existing water lines, and all engineering, legal and grant administration costs associated with such water line, and any acquisitions by purchase, eminent domain or otherwise of any fee or easement or other interest in land necessary for said design and construction, said funds to be added to the sums previously approved under Article 1 of the October 20, 2005 special town meeting, where such land acquisitions were also approved, or act in relation thereto.
(Requested by the Board of Selectmen) **PASSED - UNANIMOUS**

SELECTMEN RECOMMENDATION: **YES** ADVISORY RECOMMENDATION: **YES**

Article 2. To see if the Town will vote to raise and appropriate, by borrowing, **\$2,595,000** for the design and construction of a new public safety building, including but not limited to all engineering, legal, architectural, project management, testing and construction costs associated with the construction of the building and appurtenances thereto, and any acquisitions by purchase, eminent domain or otherwise of any fee or easement or other interest in land necessary for said design and construction, said funds to be added to the sums previously approved under Article 15 of the May 1 & 5, 2004 Annual Town Meeting and Question 5 of the June 15, 2004 Special Election, and further 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 1/2, so called, or act in relation thereto.
(Requested by the Public Safety Building Committee) **PASSED BY 2/3 MAJORITY (122 – 12)**

SELECTMEN RECOMMENDATION: **YES** ADVISORY RECOMMENDATION: **YES**

Article 3. To see if the Town will vote to appropriate by transfer from **THE STABILIZATION** fund, **\$30,000** to pay for the costs associated with preparing engineering analysis and drawings for the proposed Ashburnham Rail trail between Willard Road and Williams Road, and to authorize the Town Administrator to apply for, accept and expend any grant funds available for additional engineering or acquisition of land associated with the rail trail project, or act in relation thereto.
(Requested by the Rail Trail Committee) **PASSED - UNANIMOUS**

SELECTMEN RECOMMENDATION: **YES** ADVISORY RECOMMENDATION: **YES**

Article 4. To see if the Town will vote to appropriate by transfer from **FREE CASH, \$30,000** for the purpose of funding the acquisition, including any legal, surveying and engineering costs associated with such acquisition, a section of the Ashburnham railroad property from the Boston and Maine Corporation, Guilford Transportation Industries, Inc., consisting of approximately 4.73 acres of rail bed from Williams Road to Turnpike Road, being the portion of railroad property offered to the Town of Ashburnham shown on a drawing provided to the Town and dated November 10, 2004 and to authorize the Board of Selectmen to so acquire said property on such terms and conditions as they deem to be in the best interest of the Town, or act in relation thereto.

(Requested by the Rail Trail Committee)

PASSED - UNANIMOUS

SELECTMEN RECOMMENDATION: **YES**

ADVISORY RECOMMENDATION: **YES**

Article 5. To see if the Town will vote to amend the Town's zoning map entitled "Zoning Map of Ashburnham, Massachusetts", dated March 2004, and on file as subsequently amended, and referenced in section 2.21 of the Town's Zoning By-Laws by changing the boundaries thereon so that the I Zoning District and the LI-A Light Industrial overlay district shall not include a certain area which shall be rezoned Residential-A in the Murray Road area, as follows:

Beginning at point at the northwest corner of Map 18 Parcel 5, as shown on the FY 2005 Assessor's Maps; thence northeasterly 563.11 feet to intersection of southwest corner of Lot 1, as shown on Plan of Land in Ashburnham, Mass, prepared for Richard & Margaret Sisson, October 20, 2005, prepared by Whitman & Bingham Associates LLC; thence southeasterly 717.27 feet alongside the southerly property line of Lot 1 on Said Plan; thence continuing southeasterly 639.59 feet alongside said property line of Lot 1 to the southeast corner of Lot 1; thence northwesterly 750 feet alongside eastern property line of Lot 1; thence southwesterly 426.54 feet to the southwest corner of Map 18 Parcel 3; thence northwesterly 366.51 feet to the southeast corner of Map 18 Parcel 4; thence continuing northwesterly alongside the westerly property line of Map 18 Parcel 3 to the northwest corner of said Parcel; thence northeasterly along the northern property line of Map 18 Parcel 3 to the southeast corner of Map 17 Parcel 46; thence southeasterly alongside westerly property line of Map 17 Parcel 45 to southwest corner of said Parcel; thence northeasterly along the northern property line of Map 18 Parcel 3; continuing northeasterly across Murray Road to Map 18 Parcel 6; thence generally north to the northwest corner of Map 18 Parcel 6; thence northeasterly to the southeast corner of Map 58 Lot 107; thence southeasterly to the northeast corner of Map 18 Parcel 6; thence alongside the easterly property line of Map 18 Parcel 6; thence continuing in a general southeasterly direction along the easterly property lines of Map 18 Parcels 7, 7A, 13, and 13A to the southeast corner of Map 18 Parcel 13A; thence southwesterly along the town line of Ashburnham and Gardner to the southwest corner of Map 18 Parcel 1; thence northwesterly along the town line of Ashburnham and Gardner to the point of beginning.

Explanation: Given the residential characteristics of Murray Road, the fact that to access Murray Road, vehicles have to utilize So. High Street, an existing residentially zoned area, and the fact that access to the rear portion of Map 18 Parcel 4 is difficult due to significant wetland presence, the Planning Board proposes to rezone the area of Murray Road from industrial to residential. This new residentially zoned area would include everything on the easterly side of Murray Road to the railroad property and all lands west of Murray Road and south of Gardner Road (Route 101) except 22.43 acres of existing Map 18 Parcel 5 and all of Map 18 Parcel 4. See the proposed zoning map amendment for detail of the properties affected by the proposed rezoning, or act in relation thereto.

(Requested by the Planning Board))

PASSED OVER - MAJORITY

SELECTMEN RECOMMENDATION: **YES**

ADVISORY RECOMMENDATION: **YES**

Article 6. To see if the Town will vote to appropriate by transfer from the **CAPITAL IMPROVEMENT FUND, \$41,300** to pay for the acquisition of a 4-wheel drive vehicle for the Police Department, or act in relation thereto.

(Requested by the Town Administrator)

PASSED BY MAJORITY

SELECTMEN RECOMMENDATION: **YES**

ADVISORY RECOMMENDATION: **YES**

Article 7. To see if the Town will vote to appropriate by transfer from **FREE CASH, \$15,000** to pay for engineering and related land-use or consulting studies for the possible re-location of the Highway Department from its present location to a new suitable site, or act in relation thereto.

(Requested by the Ashburnham Focus Committee)

PASSED BY MAJORITY

SELECTMEN RECOMMENDATION: **YES**

ADVISORY RECOMMENDATION: **YES**

Article 8. To see if the Town will vote to appropriate by transfer from **FREE CASH, \$15,000** to pay all costs associated with a Hazardous Waste Collection Day, or act in relation thereto.

(Requested by the Fire Department)

PASSED - UNANIMOUS

SELECTMEN RECOMMENDATION: **YES**

ADVISORY RECOMMENDATION: **YES**

Article 9. To see if the Town will vote to authorize the signing of an inter-municipal agreement between the Town and any other community for the purposes of sharing the services of a Conservation Agent, or act in relation thereto.

(Requested by the Conservation Commission/Town Administrator) **PASSED - UNANIMOUS**

SELECTMEN RECOMMENDATION: **YES**

ADVISORY RECOMMENDATION: **YES**

Article 10. To see if the Town will vote to appropriate by transfer from the **SEWER SURPLUS ACCOUNT, \$25,000** to pay for the cost of new sewerage pumps, appurtenances thereto, and for all related engineering and installation costs, or act in relation thereto.

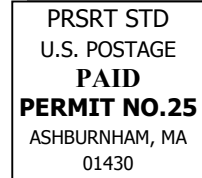
(Requested by the Water/Sewer Commissioners)

PASSED - UNANIMOUS

SELECTMEN RECOMMENDATION: **YES**

ADVISORY RECOMMENDATION: **YES**

**Town of Ashburnham
32 Main Street, Town Hall
Ashburnham, MA 01430**



***To: POSTAL PATRON
ASHBURNHAM, MA 01430***

Please bring this warrant with you to the Special Town Meeting on January 19, 2006 at 7:00 p.m. in the Overlook Middle School. Please make every effort to attend this important meeting. Thank-you.