

ANNUAL TOWN MEETING WARRANT

WORCESTER, SS.

To either of the Constables of the TOWN OF WESTMINSTER in the County of Worcester,
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 in Town affairs, to meet at the

**WESTMINSTER ELEMENTARY SCHOOL
9 ACADEMY HILL ROAD
WESTMINSTER, MASSACHUSETTS
on
SATURDAY, MAY 2, 2015
AT 1:00 P.M.**

then and there to vote on the following articles:

CUSTOMARY ARTICLES

ARTICLE 1. To see if the Town will vote to authorize the Board of Selectmen to enter into a contract with the Massachusetts Department of Transportation or other appropriate state agency for the construction and maintenance of public highways for the ensuing fiscal year, or act in relation thereto.

ARTICLE 2. To see if the Town will vote pursuant to Chapter 40, section 4 of the General Laws to authorize the Board of Selectmen to enter into any and all contracts on behalf of the Town for the ensuing fiscal year unless otherwise provided by law, on such terms and conditions as it deems to be in the best interests of the Town, or act in relation thereto.

ARTICLE 3. To hear reports of any committees appointed to act on Town affairs or in its behalf.

ARTICLE 4. To see if the Town will vote to authorize the establishment of a Hazardous Materials Recovery Revolving Account as provided for under section 53E1/2 of Chapter 44 of the Massachusetts General Laws, into which account receipts for charges to responsible parties for the disposal of hazardous materials collected pursuant to Chapter 251, section 8 of the Town Bylaws shall be deposited, and to authorize the Fire Chief to expend funds received and deposited into said account for the purpose of paying expenses incurred by the Fire Department for the recovery and disposal of hazardous materials, and that the total amount which may be expended in the current fiscal year for this purpose shall not exceed \$12,000, or act in relation thereto.

ARTICLE 5. To see if the Town will vote to authorize the establishment of an Agricultural Commission Programs Revolving Account as provided for under section 53E1/2 of Chapter 44 of the Massachusetts General Laws, into which account shall be deposited receipts received as payment for all programs and activities of the Agricultural Commission and from which account expenditures reasonably related to the programs and activities may be made by the Agricultural Commission; the total amount which may be expended in the current fiscal year for this purpose shall not exceed \$10,000, or act in relation thereto.

DATED April 7, 2015

Worcester, s.s.

PURSUANT TO THE WITHIN WARRANT, I HAVE NOTIFIED AND WARNED THE
INHABITANTS OF THE TOWN OF WESTMINSTER BY POSTING ATTESTED COPIES OF THE
SAME AT:

TOWN HALL, 11 SOUTH STREET
U.S. POST OFFICE, NICHOLS STREET

7 DAYS BEFORE THE DATE OF THE TOWN MEETING, AS WITHIN DIRECTED.


CONSTABLE

ARTICLE 6. To see if the Town will vote to authorize the establishment of a Board of Health Public Health Clinic and Emergency Response Revolving Account as provided for under section 53E1/2 of Chapter 44 of the Massachusetts General Laws, into which account shall be deposited receipts received by the Board of Health as payment for purchasing and administering flu and other vaccines and medications, and from which account expenditures reasonably related to the administering of such programs by the Board of Health may be made; the total amount which may be expended in the current fiscal year for this purpose shall not exceed \$25,000, or act in relation thereto.

OPERATING BUDGETS

ARTICLE 7. To see if the Town will vote to fix the compensation of officers, provide for a Reserve Fund, and determine what sums of money the Town will raise and appropriate, including appropriations from available funds, to defray charges and expenses of the Town, including debt and interest, for the ensuing fiscal year, or act in relation thereto.

(Amount requested: \$ tbd)

ARTICLE 8. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Sewer Enterprise, or act in relation thereto.

(Amount requested: \$1,139,635)

ARTICLE 9. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Water Enterprise, or act in relation thereto.

(Amount requested: \$779,261)

ARTICLE 10. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Solid Waste Transfer Facility Enterprise, or act in relation thereto.

(Amount requested: \$273,300)

ARTICLE 11. To see if the Town will vote to raise and appropriate a supplemental sum of money for the operating budget of the Ashburnham-Westminster Regional School District, in addition to the sum voted under Article 7 for said operating budget, provided that approval of this supplemental appropriation shall be contingent upon the Town of Ashburnham also appropriating a supplemental sum over and above its approval of the Fiscal Year 2015 District operating budget, or act in relation thereto.

(Amount requested: tbd)

CUSTOMARY MONEY ARTICLES

ARTICLE 12. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money for the Conservation Fund as provided for in Section 8C of Chapter 40 of the General Laws, or act in relation thereto.

(Amount requested: \$1,000)

ARTICLE 13. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money for the Westminster Cultural Council, or act in relation thereto.

(Amount requested: \$2,000)

ARTICLE 14. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to fund a portion of the cost of retaining a professional consultant to perform the revaluation of real and personal property in the Town as required under Massachusetts General Laws, or act in relation thereto.

(Amount requested: \$50,000)

ARTICLE 15. To see if the Town will vote to transfer a sum of money from Free Cash to reduce the Fiscal Year 2015 tax rate, or act in relation thereto.

(Amount requested: \$250,000)

NON-CAPITAL MONEY ARTICLES

ARTICLE 16. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Town Planner to hire a professional planning consultant to assist the Planning Board in drafting standards for a new Village Center Zoning District for the Town Center, or act in relation thereto.

(Amount requested: \$7,000)

ARTICLE 17. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be spent under the direction of the Historical Commission to hire an architectural preservationist to research and prepare applications to list homes on the State Register of Historical Places, or act in relation thereto.

(Amount requested: \$2,000)

ARTICLE 18. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be spent under the direction of the Police Chief for the purchase and installation of a commercial grade air conditioner for the 911/server room at the Police station, or act in relation thereto.

(Amount requested: \$10,500)

ARTICLE 19. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be spent under the direction of the Police Chief to provide Juvenile Specialist training and services, or act in relation thereto.

(Amount requested: \$30,000)

ARTICLE 20. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be spent under the direction of the Fire Chief to replace the pump on Tower 1 (ladder truck), or act in relation thereto.

(Amount requested: \$8,000)

ARTICLE 21. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be spent under the direction of the Town Administrator to replace a set of air conditioning compressors at the Town Hall, or act in relation thereto.

(Amount requested: \$12,000)

ARTICLE 22. To see if the Town will vote to raise and appropriate a sum of money for the OPEB Stabilization Account, or act in relation thereto. (2/3 Vote required)

(Amount requested: tbd)

ARTICLE 23. To see if the Town will vote to transfer a sum of money from the "Giles Fund" for the purpose of funding an Emergency Home Heating Assistance program for the 2015-2016 heating season, with any unused balance from this transfer reverting to the Fund at the end of the fiscal year, or act in relation thereto.

(Amount requested: \$3,200)

ARTICLE 24. To see if the Town will vote to appropriate a sum of money to be spent under the direction of the Forbush Memorial Library Board of Trustees for the improvement of the library building and grounds; said amount to be transferred from the balance remaining in Article 19 of the May 5, 2012 Annual Town Meeting (insurance appraisals for library items), or act in relation thereto.

(Current amount in article: \$1,295)

CAPITAL ARTICLES

ARTICLE 25. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be spent under the direction of the Public Works Commission for oiling, sealing, resurfacing, installing drainage and guardrail, removing trees/brush, or other such activities related to the reconstruction of town roads, or act in relation thereto.

(Amount requested: \$200,000)

ARTICLE 26. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or appropriate by borrowing a sum of money for engineering, design and construction services to improve Bathrick Road to include paving and applicable drainage from the intersection with Town Farm Road and the beginning of the paved area near Newcomb Road.
(SUBMITTED BY CITIZENS' PETITION)

(Amount requested: \$803,072)

ARTICLE 27. To see if the Town will vote to raise and appropriate, transfer from available funds, or appropriate by borrowing a sum of money to be spent under the direction of the Public Works Commission for engineering and designing improvements for Route 140, from Narrows Road to the Princeton town line, or act in relation thereto.

(Amount requested: \$615,000)

ARTICLE 28. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Public Works Director for the purchase of a 6-wheel truck and related equipment for the Highway Department, said appropriation to include the trade-in of a 1997 Ford 6-wheel truck, or act in relation thereto.

(Amount requested: \$175,000)

ARTICLE 29. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Public Works Director to purchase a new pickup truck with related equipment for the Water and Sewer Departments, said appropriation to include the trade-in of a 2006 Chevrolet 2500 pickup truck, or act in relation thereto.

(Amount requested: \$45,000)

ARTICLE 30. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Police Chief to purchase a police vehicle with related equipment, said appropriation to include the trade-in of one Police Department vehicle, or act in relation thereto.

(Amount requested: \$35,000)

ARTICLE 31. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Police Chief to purchase a police vehicle with related equipment, said appropriation to include the trade-in of one Police Department vehicle, or act in relation thereto.

(Amount requested: \$43,000)

ARTICLE 32. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Fire Chief to refurbish Engine 1, or act in relation thereto.

(Amount requested: \$25,000)

ARTICLE 33. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Fire Chief to purchase a new vehicle with related equipment, said appropriation to include the trade-in of a 2008 Ford Explorer, or act in relation thereto.

(Amount requested: \$45,000)

ARTICLE 34. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Fire Chief to purchase a new ambulance with related equipment, said appropriation to include the trade-in of a 2007 Ford ambulance, or act in relation thereto.

(Amount requested: \$250,000)

ARTICLE 35. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for ongoing computer system updates and technology-related items for the various town departments; said amount to be expended under the direction of the Town Administrator, or act in relation thereto.

(Amount requested: \$31,000)

ARTICLE 36. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to create a public safety communications network connection using microwave radio technology, or act in relation thereto.

(Amount requested: \$75,000)

ARTICLE 37. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Ashburnham-Westminster Regional School District to make roof repairs at Westminster Elementary School, or act in relation thereto.

(Amount requested: \$40,000)

MISCELLANEOUS ARTICLES

ARTICLE 38. To see if the Town will vote to amend the Agreement between the Towns of Ashburnham and Westminster, Massachusetts as pertains to the Ashburnham-Westminster Regional School District, a copy of which has been placed on file with the Town Clerk, or act in relation thereto.

ARTICLE 39. To see if the Town will vote to amend the vote taken under Article 26 of the May 1, 2007 Annual Town Meeting to create a Bylaw Review Committee, by increasing the number of citizens-at-large on the committee, or act in relation thereto.

ARTICLE 40. To see if the Town will vote to transfer the care, custody, management and control of the town-owned tax possession property located on Fitchburg Road identified on Assessors' Map 115 Lot 1 (Sawmill Pond) from the Board of Selectmen for the general purposes for which it is currently held, to the Conservation Commission to be held for conservation purposes, or act in relation thereto.

(2/3 vote required)

ARTICLE 41. To see if the Town will vote to amend the Westminster Zoning Bylaw (Chapter 205 of the Code of the Town of Westminster, Massachusetts) by adding a definition for "loading area" to Article II, "Definitions," and by replacing the current Article VIII, "Off-Street Parking," with a newly titled Article VIII, "Off-Street Parking and Loading Requirements," as follows, or act in relation thereto:

Add to Article II (Definitions):

LOADING AREA: An off-street area for the loading and unloading of goods and materials from a vehicle.

New Article VIII (changes denoted by underlining):

ARTICLE VIII

Off-Street Parking and Loading Requirements

§ 205-27. Requirements to be met

Parking and loading standards for the Commercial-III Downtown District shall be determined by the appropriate permitting authority on a case by case basis. For all other zoning districts, the following parking and loading standards shall apply.

No land shall be used and no building or structure shall be erected, enlarged or used unless the off-street parking and loading space requirements are provided as specified in this section. For the purpose of this section, an enlargement of any building shall require the provision of off-street parking and loading for the existing building as if it were newly constructed if the floor area of any building existing upon adoption of this chapter is increased by more than 5%.

§ 205-28. Computation of required spaces

Where the computation of required parking space results in a fractional number, only the fraction of one-half (1/2) or more shall be counted as one.

§ 205-29. Location of spaces

With the exception of approved shared parking arrangements for uses within the commercial zoning districts, required off-street parking facilities shall be provided on the same lot as the principal use they are designed to serve.

Parking areas for commercial uses shall be located in the rear of the primary building, unless the owner can demonstrate that this is not reasonably feasible owing the shape of the building, shape of the lot or other factors approved by the Planning Board.

For commercial zoning districts, shared parking areas may be permitted by the Planning Board subject to Site Plan Approval, for the purpose of servicing two (2) or more principle uses on separate lots provided that:

A. Evidence is submitted that parking is available within four hundred (400) feet of the premises if the lot satisfies the parking requirements of this Bylaw and has excess capacity during all or part of the day.

B. A proposed contract, agreement or suitable legal instrument acceptable to the Planning Board shall be filed specifying the location of all spaces to be jointly used, the number of such spaces, the hours during the day that such parking is available, and the duration of limit, if any on such parking.

C. Any reduction in area required for parking because of these joint use provisions may be required to be reserved for landscaped open space.

D. Nothing in this section shall relieve the owner from providing parking facilities in accordance with this Bylaw if subsequently the joint use of parking facilities shall terminate.

§ 205-30. Abutting Commercial Districts; Access to Parking

For two commercial uses that abut each other within a commercial zoning district, the Planning Board may require that the parking lots for both uses be linked by a paved strip of land twenty feet (20) wide located between each lot's parking area and shared lot line that will enable customers to enter the abutting commercial property without having to use the road providing frontage to the two lots.

§ 205-31. Size of spaces; paving

A. Each required car space shall be not less than nine (9) feet in width and eighteen (18) feet in length, exclusive of drives and maneuvering space.

B. Handicapped parking: Parking spaces for the exclusive use of handicapped individuals shall be provided in accordance with the most recent rules and regulations of the Architectural Access Board, 521 CMR 23.00.

§ 205-32. Buildings containing multiple uses

Where one building is used for more than one use, parking requirements shall be computed for each use (a motel with a restaurant would be required to provide parking for both rental units and for seating capacity of the restaurant; (a professional office in a residence must provide the space for the office use in addition to the residential requirement) unless the applicant provides adequate information through the site plan review process showing that the peak demand for the proposed uses is not at the same time and, therefore, additional parking is not necessary.

§ 205-33. Number of required spaces

A. The minimum number of required parking spaces shall be as follows:

Principal Use	Minimum Number of Spaces
1- and 2-family dwellings	2 per dwelling unit
Apartments	2 per dwelling unit
Apartments built under housing for the elderly	1 per dwelling unit
Rooming houses and lodging houses	4, plus 1 for each rental unit over 2
Nursing homes	1 for each 2 beds
Motels, hotels and inns	2, plus 1 1/4 for each rental unit, plus 1 for each 20 square feet of floor area available for meetings or functions
Permitted offices in residences	3, plus 1 for each nonresident employee
Retail stores and services	In districts other than Commercial III Districts, 1 for each <u>250</u> square feet of gross floor area

Principal Use

Restaurants, theaters and other places of assembly exclusive of churches

Bowling alleys

Offices

Warehouses and other commercial or industrial buildings

Minimum Number of Spaces

In districts other than Commercial III Districts, 1 for each 4 seats

4 for each alley

In districts other than Commercial III Districts, 1 space for each 500 square feet of gross floor area

1 for each 900 square feet of gross floor area

B. For accessory uses not listed above there shall be provided adequate off-street parking as determined by the Planning Board.

§ 205-34. Location of Parking and Loading Spaces

No parking or loading space shall be located within ten (10) feet of any property line or road right-of-way.

A. Parking and loading areas for non-residential uses (excluding customary home occupations) shall be setback twenty-five (25) feet of any property line when the property abuts a residential district or residentially used property, and the Planning Board may require landscaping and/or fencing to be installed within the setback areas.

B. Parking and loading areas for non-residential uses (excluding customary home occupations) that are supported by retaining walls shall have an additional setback requirement equal to the height of the retaining wall and applied to the nearest lot line abutting said retaining wall.

§ 205-35. Screening of Parking and Loading Areas

Parking and loading areas for non-residential uses (excluding customary home occupations) shall be effectively screened on each side which adjoins or faces the side or rear lot line of a lot located in a residential zoning district or a residentially used property, through the use of landscaping and/or fencing. Fencing shall consist of a solid fence or wall not less than three (3) feet, or more than six (6) feet in height at the time of occupancy of such lot.

§ 205-36. Loading Requirements

A. General: Off-street loading spaces or loading areas shall be provided and maintained by the owner of the property for each non-residential building or use which is erected, enlarged or altered after the effective date of this Bylaw, according to the following provisions.

B. Same Lot: All loading spaces or loading areas required by this Bylaw shall be located on the same lot as the building or use which they are intended to serve, and in no case shall any required loading area be part of an area used to satisfy the off-street parking requirements of this Bylaw.

C. No Queues or Backing onto Street: No loading facility shall be designed to require trucks to queue on a public way while waiting to be off-loaded. No loading facility shall be

designed to require vehicles to back onto a public way; all turning maneuvers shall be accommodated on the premises.

Planner's Note: This section of the Zoning Bylaw has been amended to expand the parking options for non-residential uses while protecting the interests of nearby residential abutters. Also added were some standards for loading areas.

ARTICLE 42. To see if the Town will vote to amend the Westminster General Bylaw at Chapter 104, "Firearms," by adding the Crocker Pond Recreation Area to Section 104-2, "Use in parks," as follows, or act in relation thereto:

"Hunting and firearms are prohibited in Hager Park, the Rambler Recreation Area, and the Crocker Pond Recreation Area."

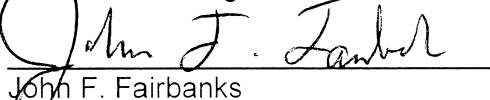
ARTICLE 43. To see if the Town will vote to authorize the Board of Selectmen to enter into Tax Agreements pursuant to M.G.L. Chapter 59, Section 38H(b), and Chapter 164, Section 1, and/or any other enabling authority and related regulations, for personal property taxes associated with the following proposed solar facility projects, each to be located on privately owned land, upon such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town, and to take all actions necessary to implement and administer such agreements, or act in relation thereto:

Entity	Location	Size	Term	Rate
Theodore Drive Solar, LLC	Theodore Drive (Lot I-4C)	1.9 MW	20 yrs.	\$15k/MW 2% esc.
Westminster Solar, LLC	So. Ashburnham Rd. (Whitmanville Farm)	1.3 MW	20 yrs.	\$15k/MW 2% esc.
Housatonic Solar 1, LLC	So. Ashburnham Rd.	.55 MW	20 yrs.	\$16.5k/MW 1% esc.
Solar MA Project Management LLC, Series III, a subsidiary of Seaboard Solar Holdings, LLC	100 Simplex Drive	.78 MW	20 yrs.	tbd

AND YOU ARE DIRECTED to serve this warrant by posting attested copies thereof at the Town Hall and the U.S. Post Office in said Town, seven days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid. Given under our hands this 6th day of April in the year of our Lord two thousand and fifteen.


Heather M. Billings


John F. Fairbanks


Wayne R. Walker
BOARD OF SELECTMEN

