

BOARD OF SELECTMEN  
221 MAIN STREET  
BOYLSTON, MA 01505

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**COMMONWEALTH OF MASSACHUSETTS**

**Town of Boylston, Massachusetts**

**Special Town Meeting**

**November 9, 2009**

**WARRANT FOR THE SPECIAL TOWN MEETING**

**November 9, 2009**

**COMMONWEALTH OF MASSACHUSETTS**

**WORCESTER: SS**

**BOYLSTON**

To either of the Constables of the Town of Boylston in the County of Worcester within the Commonwealth aforesaid:

**GREETING:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Boylston aforesaid, qualified to vote in elections and Town affairs, to meet at the following places and times for the following purposes:

1. **SPECIAL TOWN MEETING – November 9, 2009** on Monday the ninth (9th) day of November 2009 AD, at seven o'clock (7:00) P.M., at the Tahanto Regional High School Auditorium, 1001 Main Street, Boylston, MA, to take any action relative to the business of the Town as set forth in Articles one (1) through five (5) of this warrant; and if necessary, at its adjournment which shall be Tuesday, the tenth (10th) day of November 2009 AD at seven o'clock (7:00) P.M. at the Tahanto Regional High School Auditorium;

**ARTICLE 1.** To see if the town will vote to amend the Agreement entered into between the towns of Berlin and Boylston pursuant to Chapter 510 of the Acts of 1970 pursuant to which the Berlin-Boylston Regional School District was established and now operates so as to change the type of regional school district as follows, such change to be effective when all of the following have occurred: the approval of the amendment by the Boylston Town Meeting and; the approval of the amendment by the Berlin Town Meeting; and the approval of the construction of the new Tahanto Middle High School by each member town; and the final acceptance of the school by the Regional School committee from the contractor; and the opening of the new Tahanto Middle High School.

1. Delete the current text of the first sentence in Section II: Type of Regional District School in its entirety.
2. Insert the following text as the first sentence of Section II:  
“The regional district school shall be comprised of a middle school program, grades six through eight, and a high school program, grades nine to twelve.”
3. In the first sentence of Section X. (A), change the word “sixth” to “fifth” such that the first sentence reads, in its entirety:  
“The regional district school shall accept all children who reside in the District and who have completed the fifth grade.”

**Sponsor:** Berlin-Boylston Regional School Committee

**ARTICLE 2.** To see if the Town will vote to amend the Town of Boylston’s Zoning Bylaws as follows:

1) In Section 4 of the Zoning Bylaws, entitled “Use Regulations”, amend the table in Part 4.02 therein, entitled “Schedule of Use Regulations”, by inserting the following new designations at line 4.02.05, “Transportation, Communication, Utility,” Note 3, “Wireless Communication Facility”, and under the columns “H” and “RR”:

SP#

and

2) In Section 8 of the Zoning Bylaws, entitled “Wireless Communication”:

(a) Amend subparagraph A in Part 8.01, “Applicability,” to read as follows: (new text shown in bold):

A. Any Wireless Communication Facility to be constructed, installed, replaced, maintained and/or used in the Industrial Park (IP), and Industrial (I), **Heritage (H) and Rural Residential (RR)**, zoning districts as specifically provided for hereafter, in compliance with the provisions of this Wireless Communication By-law and upon the grant of Special Permit.

(b) Amend subparagraph B in Part 8.01 by deleting the following text (shown in bold/strikethrough):

B. Any Wireless Communication Facility to be constructed, installed, replaced, maintained and/or used on property owned by the Town of Boylston in the above ~~(I)~~ zoning districts as specifically provided for hereafter in compliance with the provisions of this By-law.

(c) Amend the second sentence in the first paragraph of Part 8.03, entitled “Jurisdiction”, by deleting the following words (shown in bold/strikethrough):

The Planning Board is further authorized to grant or modify Special Permit(s) for the construction, installation, replacement, maintenance and or use of a Wireless Communication Device(s) on already existing buildings or structures **in the Industrial Park (IP) and Industrial (I) zoning districts.**

(d) Amend subparagraph J in Part 8.04, entitled “Required Findings For a Special Permit,” by deleting the following words in the first sentence therein (shown in bold/strikethrough):

That any Wireless Communication Facility **in the Industrial Park (IP) or Industrial (I) zoning districts** is set back from:

or act in any other way thereon.

**Sponsor:** Board of Selectmen

**Planning Board Report and Recommendation:** Will be made at the Town Meeting

**ARTICLE 3.** To see if the Town will vote to authorize the Board of Selectmen to make available for lease portions of Town-owned parcels of land, known as and identified on the Assessors Maps as

Parcel 29-4 (599 Main Street) and Parcel 56-8 (located off of Mile Hill Road), for the purpose of locating wireless communications facilities, for lease terms of up to twenty years each and subject to any additional terms and conditions that the Board of Selectmen deem to be in the best interest of the Town;

or act in any other way thereon.

**Sponsor:** Board of Selectmen

**ARTICLE 4.** To see if the Town will vote to transfer from available funds in the Treasury and appropriate \$15,000.00 to the Police Department expense account (budget line item 210-5780) for the purpose of maintaining police cruisers for the Police Department.

or act in any other way thereon.

**Sponsor:** Police Dept.

**Finance Committee Comments:** Will be made at the Town Meeting

**ARTICLE 5.** To see if the Town will vote to accept the provisions of M.G.L. Chapter 41, Section 81U, which reads in relevant part: "In any town which accepts the provisions of this paragraph, the proceeds of any such bond or deposit shall be made available to the town for expenditure to meet the cost and expenses of the municipality in completing the work as specified in the approved plan. If such proceeds do not exceed one hundred thousand dollars, the expenditure may be made without specific appropriation under section fifty-three of chapter forty-four; provided, however, that such expenditure is approved by the board of selectmen."

or act in any other way thereon.

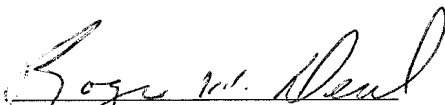
**Sponsor:** Planning Board

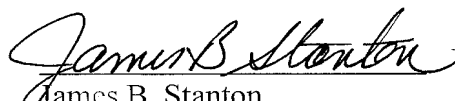
And you are hereby directed to serve this warrant by posting up attested copies thereof, one at the Municipal Office Building (Town Hall), one at the Boylston Post Office, one at the Public Library and one at the Boylston Light Department over fourteen (14) days and two (2) Sabbath days at least before the time of holding said meeting.

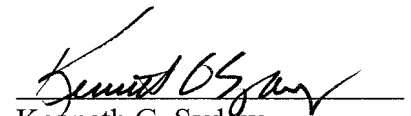
Hereof, fail not and make return of this Warrant with your doings thereon to the Town Clerk at the time and place of the meeting aforesaid.

**Given our hands this 19th day of October, in the year two-thousand and nine**

**Boylston Board of Selectmen**

  
Roger W. Deal

  
James B. Stanton

  
Kenneth G. Sydow