

**TOWN OF CHARLTON
BY-LAW APPROVAL**

TOWN BULLETIN

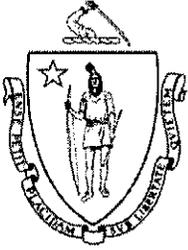
**BY-LAWS VOTED AT
May 16, 2016
ANNUAL TOWN MEETING**

**WARRANT ARTICLES
17,18,20,21,22 & 24(Zoning)**

POSTED: August 3, 2016

By:
Darlene L. Tully
Town Clerk

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THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

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MAURA HEALEY
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August 2, 2016

Darlene L. Tully, Town Clerk
Town of Charlton
37 Main Street
Charlton, MA 01507

**RE: Charlton Annual Town Meeting of May 16, 2016 - Case # 7979
Warrant Articles # 17, 18, 20, 21, 22 and 24 (Zoning)**

Dear Ms. Tully:

Articles 17, 18, 20, 21, 22 and 24 - We approve Articles 17, 18, 20, 21, 22 and 24 from the May 16, 2016 Charlton Annual Town Meeting.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) **general** by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) **zoning** by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,

MAURA HEALEY
ATTORNEY GENERAL

Kelli E. Gunagan

by: Kelli E. Gunagan, Assistant Attorney General
By-law Coordinator, Municipal Law Unit
Ten Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 x 4406

cc: Town Counsel James F. Cosgrove



VOTE CERTIFICATE

TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of Charlton, held MAY 16, 2016 the following business was transacted under Article 17.

ARTICLE 17. ZONING BYLAW AMENDMENT- COMMERICAL STORAGE FACILITY
 To see if the Town will amend the Charlton Zoning By-Law by adding to Section 200-3.2 Use Regulations, Subsection (5) Business Uses the following line item (y):

Principal Uses	Districts							
	A	R-40	R-SE	NB	V	CB	I-G	BEP
(y) Commercial Storage Facilities	N	N	N	N	N	P	P	N

, or take any other action relative thereto or thereon.

SPONSOR: PLANNING BOARD

Motion and second that Article 17 be accepted as printed.

Planning Board approves this motion. 2/3rds vote needed.

Motion passes by more than 2/3rds voice vote as determined by the moderator.

A true copy, Attest

Darlene L. Tully
 Town Clerk

Town Seal

ARTICLE 17. ZONING BYLAW AMENDMENT- COMMERCIAL STORAGE FACILITY
To see if the Town will amend the Charlton Zoning By-Law by adding to Section 200-3.2 Use Regulations, Subsection (5) Business Uses the following line item (y):

Principal Uses	Districts							
	A	R-40	R-SE	NB	V	CB	I-G	BEP
(y) Commercial Storage Facilities	N	N	N	N	N	P	P	N

, or take any other action relative thereto or thereon.

SPONSOR: PLANNING BOARD

Motion: I move that Article 17 be accepted as printed.

RECOMMENDATION OF THE PLANNING BOARD: Planning Board approves this motion.

2/3s Vote Needed.

ARTICLE 18. ZONING BYLAW AMENDMENT- VILLAGE DISTRICT ZONE CHANGE
To see if the Town will amend the zoning by-law by adding the following two (2) revisions pertaining to the Village District Zone:

1. Amend the Charlton Zoning By-law by adding to Section 200-3.2 Use Regulations, Subsection (5) Business Uses the following revision to line item (c) as highlighted in bold:

Principal Uses	Districts							
	A	R-40	R-SE	NB	V	CB	I-G	BEP
(5) (c) Auction galleries	P	P	Y	Y	P	Y	SP	N

2. Amend the Charlton Zoning By-law by revising the first sentence in Section 200-5.7 Flexible Development, Subsection B. Applicability as highlighted in bold:

200-5.7 Flexible Development

B. Applicability. Flexible development special permit shall be permitted on parcels of ten (10) acres or more in A, R-40, R-SE and V Districts upon the issuance of a special permit for flexible development from the Planning Board upon a finding that the proposed flexible development will be superior to a conventional subdivision plan in: allowing for greater flexibility and creativity in the design of residential developments; encouraging the permanent preservation of open space, agricultural land, forests and woodland, historic or archaeological sites, or other natural resources; maintaining the Town's traditional New England rural character and land use patterns in which small villages contrast with open spaces, farmland and forests; preserving scenic vistas; providing for the most efficient use of municipal and other services; preserving unique and significant natural, historical and archaeological resources; and encouraging a less sprawling form of development, but not to the extent that such development will visually and environmentally overwhelm the land.

, or take any other action relative thereto or thereon.

SPONSOR: PLANNING BOARD



VOTE CERTIFICATE

TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of Charlton, held MAY 16, 2016 the following business was transacted under Article 18.

ARTICLE 18. ZONING BYLAW AMENDMENT- VILLAGE DISTRICT ZONE CHANGE

To see if the Town will amend the zoning by-law by adding the following two (2) revisions pertaining to the Village District Zone:

1. Amend the Charlton Zoning By-law by adding to Section 200-3.2 Use Regulations, Subsection (5) Business Uses the following revision to line item (c) as highlighted in bold:

Principal Uses	Districts							
	A	R-40	R-SE	NB	V	CB	I-G	BEP
(5) (c) Auction galleries	P	P	Y	Y	P	Y	SP	N

2. Amend the Charlton Zoning By-law by revising the first sentence in Section 200-5.7 Flexible Development, Subsection B. Applicability as highlighted in bold:

200-5.7 Flexible Development

B. Applicability. Flexible development special permit shall be permitted on parcels of ten (10) acres or more in A, R-40, R-SE and V Districts upon the issuance of a special permit for flexible development from the Planning Board upon a finding that the proposed flexible development will be superior to a conventional subdivision plan in: allowing for greater flexibility and creativity in the design of residential developments; encouraging the permanent preservation of open space, agricultural land, forests and woodland, historic or archaeological sites, or other natural resources; maintaining the Town's traditional New England rural character and land use patterns in which small villages contrast with open spaces, farmland and forests; preserving scenic vistas; providing for the most efficient use of municipal and other services; preserving unique and significant natural, historical and archaeological resources; and encouraging a less sprawling form of development, but not to the extent that such development will visually and environmentally overwhelm the land.

, or take any other action relative thereto or thereon.



VOTE CERTIFICATE

TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of Charlton, held MAY 16, 2016 the following business was transacted under Article 18.

SPONSOR: PLANNING BOARD

Motion and second Article 18 be accepted as printed.

Planning Board supports this motion. 2/3rds vote needed.

Motion passes by more than 2/3rds counted vote. Yes-128 No-32

A true copy, Attest

Darlene L. Tully
Town Clerk

Town Seal



VOTE CERTIFICATE

TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of Charlton, held May 16, 2016 the following business was transacted under Article 20.

ARTICLE 20. Citizens Petition

To see if the Town will vote to change the following words to Zoning Bylaw 200-3. 4. B (2), from 12 months to 24 months and 24 months to 36 months. The current State Law allows 24 months.

SPONSOR: PETITION- Rob Lemansky

Motion and second that Article 20 be accepted as printed.

Planning Board supports this motion. 2/3rds vote needed.

Motion passes by more than 2/3rds Voice Vote as determined by the Moderator.

A true copy, Attest

Darlene L. Tully
Town Clerk

Town Seal



VOTE CERTIFICATE

TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of Charlton, held May 16, 2016 the following business was transacted under Article 21.

ARTICLE 21. Citizens Petition

To see if the Town will vote to insert the following words to Zoning 200-3.4 A (2), single and two family, so to read *(1) may thereafter be built upon for single and two family residential use, if...* This is the current language within Chapter 40A Section 6 of MGL.

SPONSOR: PETITION- Rob Lemansky

Motion and second that Article 21 be accepted as printed.

Planning Board supports this motion. 2/3rds vote needed.

Motion passes by more than 2/3rds counted vote: Yes-107 No-49

A true copy, Attest

Darlene L. Tully
Town Clerk

Town Seal



VOTE CERTIFICATE

TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of Charlton, held May 16, 2016 the following business was transacted under Article 22.

ARTICLE 22. Citizens Petition

To see if the Town will vote to change the definition 200-2.1 B, of Accessory Building. An accessory building is one which is subordinate or incidental to the main use of a building lot, and they shall not be limited in size. The term "accessory building" when used in connection with a farm shall include all structures customarily used for farm purposes and they shall not be limited in size.

SPONSOR: PETITION- Rob Lemansky

Motion and second to amend the portion of the Zoning Bylaw referenced in the article so as to delete the present definition and substitute in lieu of same the following: "An accessory building is one which is subordinate or incidental to the main use of a building on a lot. Accessory buildings on lots 80,000 square feet or larger shall not be limited in size with the exception of conformance to maximum building coverage requirements in each zone as required in section 200-3.2-D. Intensity of Use Schedule. The term "accessory building" when used in connection with a farm shall include all structures customarily used for farm purposes and they shall not be limited in size."

Motion passes by more than 2/3rds counted vote. Yes-126 No-49

A true copy, Attest

Darlene L. Tully
Town Clerk

Town Seal



VOTE CERTIFICATE

TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of Charlton, held May 16, 2016 the following business was transacted under Article 24.

ARTICLE 24. Citizens Petition

To see if the Town will vote to revise the definition 200-2.1 B, Accessory Apartment, by increasing the maximum size limitation to 1,250 square feet.

SPONSOR: PETITION- Rob Lemansky

Motion and second that Article 24 be accepted as printed.

Planning Board supports this motion. 2/3rds vote needed.

Motion passes by more than 2/3rds Voice Vote as determined by the Moderator.

A true copy, Attest

Darlene L. Tully
Town Clerk

Town Seal