

**TOWN OF CHARLTON
BY-LAW APPROVAL**

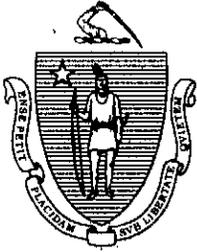
TOWN BULLETIN

**BY-LAWS VOTED AT
MAY 17, 2010
ANNUAL TOWN MEETING**

**WARRANT ARTICLES
26 & 28**

POSTED Oct. 18, 2010
By
Darlene L. Tully
Town Clerk

**TOWN HALL
LIBRARY
POST OFFICE-01507
POST OFFICE-01508**



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
WESTERN MASSACHUSETTS DIVISION
1350 MAIN STREET
SPRINGFIELD, MASSACHUSETTS 01103-1629

MARTHA COAKLEY
ATTORNEY GENERAL
www.mass.gov/ago

TEL: (413) 784-1240
FAX: (413) 784-1244

October 14, 2010

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

RE: **Charlton Annual Town Meeting of May 17, 2010 - Case # 5553**
Warrant Articles # 26 and 28 (General)

Dear Ms. Tully:

Articles 26 and 28 - On August 24, 2010, our Office sent a written request to you for additional information deemed essential for a complete review of the amendments adopted under the above Articles and at that time we placed the packet on "hold" until such information was received. We received the requested information on September 1, 2010.

We now return with the approval of this Office the amendments to the Town by-laws adopted under Articles 26 and 28 on the warrant for the Charlton Annual Town Meeting that convened on May 17, 2010.

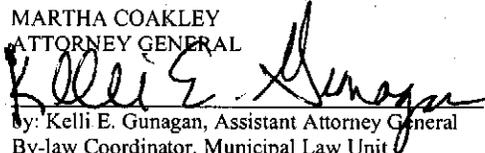
Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing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

If the Attorney General has disapproved and deleted one or more portions of any by-law or by-law amendment submitted for approval, only those portions approved are to be posted and published pursuant to G.L. c. 40, § 32. We ask that you forward to us a copy of the final text of the by-law or by-law amendments reflecting any such deletion. It will be sufficient to send us a copy of the text posted and published by the Town Clerk pursuant to this statute.

Nothing in the Attorney General's approval authorizes an exemption from any applicable state law or regulation governing the subject of the by-law submitted for approval.

Very truly yours,

MARTHA COAKLEY
ATTORNEY GENERAL


by: Kelli E. Gunagan, Assistant Attorney General
By-law Coordinator, Municipal Law Unit
1350 Main Street, 4th Floor
Springfield, MA 01103
(413) 784-1240, x. 7717

enc.

cc: Town Counsel (via email)





VOTE CERTIFICATE

TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of Charlton, held May 17, 2010 the following business was transacted under Article 26.

ARTICLE 26. AMEND TOWN BYLAW REGARDING WHO MAY SPEAK AT TOWN MEETING

To see if the Town will vote to amend its General Bylaws, Article I, Section 7, by deleting the present section in its entirety and replacing it with the following:

"A person who is neither a registered voter of the Town, nor the town administrator, town counsel, a town department head, or the superintendent of a regional school district of which the town is a member or such superintendent's designee, may not address the town meeting unless so authorized by majority vote of the registered voters present and voting at such meeting."

, or take any action relative thereto or thereon.

SPONSOR: MODERATOR

Motion and second that the town vote to adopt the bylaw amendment set forth in article 26 as printed.

Board of Selectmen support this motion. Majority vote needed.

Motion passes by Majority 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 17, 2010 the following business was transacted under Article 28.

ARTICLE 28. PRE-EXISTING NON-CONFORMING STRUCTURE OR USE ZONING BY-LAW REVISION

To see if the Town will vote, to amend Section 3.4.3.5 of the Charlton Zoning By-Law by adding to the existing language of the By-Law, the language which has been set forth below in bold font (such to appear in regular font in the bylaw itself if such amendment is adopted):

3.4.3.5 Pre-existing non-conforming structures or uses may be extended, altered, or changed by special permit, provided that the Zoning Board of Appeals finds that the extension, alteration, or change will not be substantially more detrimental than the existing non-conforming use of the structure. **Notwithstanding any other provisions of these bylaws, the alteration, reconstruction, extension or structural change (collectively "alteration") of a pre-existing, non-conforming single-family or two-family residential structure will be deemed not to increase the non-conforming nature of such a structure, and shall be permitted as of right, if the structure is non-conforming solely because of insufficient frontage or lot area, or both, and the proposed change shall meet all dimensional requirements for front setback, side and rear setbacks, building coverage, lot coverage, maximum floors and maximum height.**

or take any action relative thereto or thereon.

SPONSOR: PLANNING BOARD

Motion and second that Article 28 be accepted as printed. Planning Board recommends passage of the motion. 2/3rds vote needed.

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

On motion duly made and seconded Meeting adjourned at 9:45PM

A true copy, Attest

Darlene L. Tully
Town Clerk

Town Seal