

**TOWN OF CHARLTON  
BY-LAW APPROVAL**

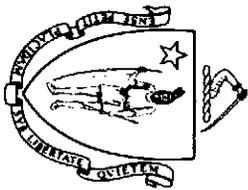
**TOWN BULLETIN**

**BY-LAWS VOTED AT  
October 20, 2015  
SPECIAL TOWN MEETING**

**WARRANT ARTICLES  
10, 11, 12 & 13**

**POSTED: January 5, 2016  
By:  
Darlene L. Tully  
Town Clerk**

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THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION  
10 MECHANIC STREET, SUITE 301  
WORCESTER, MA 01608

MAURA HEALEY  
ATTORNEY GENERAL

(508) 792-7600  
(508) 795-1991 fax  
[www.mass.gov/ago](http://www.mass.gov/ago)

January 5, 2016

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

RE: **Charlton Special Town Meeting of October 20, 2015 - Case # 7760**  
**Warrant Articles # 10, 11, 12 and 13 (Zoning)**

Dear Ms. Tully:

Articles 10, 11, 12 and 13 - We approve Articles 10, 11, 12 and 13, and the map amendments related to Articles 10, 12 and 13, from the October 20, 2015 Charlton Special Town Meeting. We will return the approved maps to you by regular mail.

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

A handwritten signature in cursive script, appearing to read "Nicholas B. Caprioli".

By: Nicole B. Caprioli  
Assistant Attorney General  
Municipal Law Unit  
10 Mechanic Street, Suite 301  
Worcester, MA 01608  
(508) 792-7600 ext. 4418  
[nicole.caprioli@state.ma.us](mailto:nicole.caprioli@state.ma.us)

cc: Town Counsel James Cosgrove



Forms # 2  
pub # 2

## VOTE CERTIFICATE

### TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of  
Charlton, held October 20, 2015 the following  
business was transacted under Article 10.

#### ARTICLE 10. ZONING MAP AMENDMENT-VILLAGE DISTRICT BOUNDARY EXPANSION

To see if the Town will vote to revise the Charlton Zoning By-Law as follows:

To see if the Town will amend the Charlton Zoning Map by extending the boundaries of the Village District by re-zoning the following properties from their current Agricultural (A) District designation and/or Low-Density Residential (R-40) District designation to Village District Zoning designation:

- Assessors Map 34, Block A, Parcels 14 & 15.1
- Assessors Map 34B, Block A, Parcels 37.1, 37.2, 37.3, 37.4, 37.5, 37.6, 37.7A & 37.7B
- Assessors Map 35, Block A, Parcels 1 & 1.1
- Assessors Map 35, Block D, Parcels 5 & 6
- Assessors Map 42, Block B, Parcel 1.1
- Assessors Map 42A, Block C, Parcels 1, 2 & 3

#### SPONSOR: PLANNING BOARD

Motion and second that Article 10 be accepted as printed.

Planning Board and Board of Selectmen support this motion. 2/3rds vote needed.

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

A true copy, Attest

  
Darlene L. Tully

Town Clerk

Town Seal

SECTION 3. This act shall take effect upon its passage.”

Finance Committee and Board of Selectmen support this motion. Majority vote needed.  
Motion passes by Majority Voice Vote.

NOTES:

- *The proposed gas tax will be a new funding source for the present Highway Department Budget and thus will free up monies in the General Fund. Those monies will be allocated as recommended by the Board of Selectmen and Finance Committee and approved by Town Meeting based on town priorities.*
- *The Board of Selectmen voted to propose .03 cents. An estimate of revenue: Gallons sold per year- (MA Pike East 6,412,675), (MA Pike West 5,801,083) and (2 station of Rt 20 est. 2,000,000) Total Charlton gallons sold per year 14,213,758 x .03= \$426,412; MassPike-86% & Rt. 20 Stations-14%*

\*\*\*\*\*  
 No vote shall be taken on any motion relating to Articles 10 thru 13 below until the Planning Board has submitted a report with recommendations thereon to the Town Meeting, if 21 days have not elapsed since the public hearing before the Planning Board was held on the proposed amendment to the Zoning By-law set forth in said Article. (Gen. Laws Chapter 40A, Section 5, paragraph 3).  
 \*\*\*\*\*

FORM 2 Sub.

ARTICLE 10. ZONING MAP AMENDMENT-VILLAGE DISTRICT BOUNDARY EXPANSION

To see if the Town will vote to revise the Charlton Zoning By-Law as follows:

To see if the Town will amend the Charlton Zoning Map by extending the boundaries of the Village District by re-zoning the following properties from their current Agricultural (A) District designation and/or Low-Density Residential (R-40) District designation to Village District Zoning designation:

- Assessors Map 34, Block A, Parcels 14 & 15.1
- Assessors Map 34B, Block A, Parcels 37.1, 37.2, 37.3, 37.4, 37.5, 37.6, 37.7A & 37.7B
- Assessors Map 35, Block A, Parcels 1 & 1.1
- Assessors Map 35, Block D, Parcels 5 & 6
- Assessors Map 42, Block B, Parcel 1.1
- Assessors Map 42A, Block C, Parcels 1, 2 & 3

SPONSOR: PLANNING BOARD

Motion and second that Article 10 be accepted as printed.

Planning Board and Board of Selectmen support this motion. 2/3rds vote needed.

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

ARTICLE 11. ZONING BY-LAW REVISION: VEHICLE GARAGE STRUCTURE IN AG

To see if the Town will vote to revise the Charlton Zoning By-Law as follows:

To see if the Town will amend the Charlton Zoning By-law by adding to section 200-5 Special Regulations a new sub-section 200-5.19 Commercial Motor Vehicle Garage Structure On Residential Property, as follows:  
Section 200-5-Special Regulations

200-5.19. Commercial Motor Vehicle Garage Structure On Residential Property

A. Purpose and Intent

A TRUE COPY ATTESTE  
Dorcas L. Chubb  
TOWN CLERK

Aug. 20, 2015  
Town of  
Charlton  
Article 10



Produced by  
**CMWP/PCG**  
Aerial Photo Courtesy: Regional Office of the Commonwealth  
2 Washington Square, Union Station  
Worcester, MA 01604

**Legend**  
[Shaded Box] Proposed Expansion Area  
[Unshaded Box] VILLAGE DISTRICT

Information depicted on this map is for planning purposes only and does not constitute a final plan or any other official action of the planning department, or parcel, deed, or other information. For more information, contact the planning department.  
**Charlton Planning Board**  
37 Main Street  
Charlton, MA 01407  
(508) 248-2247

**Village District Expansion Map**  
August 26, 2015  
1 inch = 918 feet



Farem 2  
sub 2

## VOTE CERTIFICATE

### TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of Charlton, held October 30, 2015 the following business was transacted under Article 11.

#### ARTICLE 11. ZONING BY-LAW REVISION: VEHICLE GARAGE STRUCTURE IN AG

To see if the Town will vote to revise the Charlton Zoning By-Law as follows:

To see if the Town will amend the Charlton Zoning By-law by adding to section 200-5 Special Regulations a new sub-section 200-5.19 Commercial Motor Vehicle Garage Structure On Residential Property, as follows:  
Section 200-5-Special Regulations

#### 200-5.19. Commercial Motor Vehicle Garage Structure On Residential Property

##### A. Purpose and Intent

It is the purpose of this regulation to provide for the safe, effective and efficient design and use of structures for the garaging of a commercial motor vehicle on a residential property, in the instance of the person(s) residing at the property owning and operating a commercial motor vehicle and seeking on-site garaging on the residential property for the commercial vehicle.

##### B. General Requirements

- a. The garaging of a commercial motor vehicle on a residential property shall only be allowed in the Agricultural (A) zoning district on lots of not less than eight (8) acres.
- b. Any such building for the garaging of a commercial motor vehicle on a residential property shall be set back not less than one hundred (100) feet from the front, rear and/or side property lines.
- c. Upon written request of the applicant, the Planning Board may reduce the property line setback for any proposed building for the garaging of a motor vehicle under Section 200-5.19 to no less than fifty (50) feet from the front, rear and/or side property lines where the Board finds that such waiver or modification is consistent with the requirements of Section 200-5.19 and Section 200-7.1.4 of the Charlton Zoning Bylaw.
- d. No more than one (1) commercial motor vehicle shall be allowed to be garaged per residential parcel per the requirements of this Bylaw.



Form 2

Sub # 2

ps. 2.

## VOTE CERTIFICATE

### TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of  
Charlton, held October 20, 2015 the following  
business was transacted under Article 11.

#### C. Procedure

- a. Application and Plans: Applicants for approval of garaging structures under Section 200-5.19 shall submit applications and site plans to the Planning Board as required by Section 200-7.1.4 of the Charlton Zoning Bylaw.
- b. Criteria: Approval of structures under Section 200-5.19 shall be granted upon Planning Board determination that the site plan complies with the requirements of this Bylaw and that due regard has been given to accessibility for emergency vehicles, driveway and turnaround design, vehicular access, screening, parking and loading areas and that the use is in harmony with the general purpose and intent of this Bylaw.

#### SPONSOR: PLANNING BOARD

Motion and second that Article 11 be accepted as printed.

Planning Board and Board of Selectmen support this motion. 2/3rds vote needed.  
Motion passes by a 2/3rds counted vote. Yes-36 No-18

A true copy, Attest

Darlene L. Tully  
Town Clerk

Town Seal

SECTION 3. This act shall take effect upon its passage.”

Finance Committee and Board of Selectmen support this motion. Majority vote needed.  
Motion passes by Majority Voice Vote.

NOTES:

- *The proposed gas tax will be a new funding source for the present Highway Department Budget and thus will free up monies in the General Fund. Those monies will be allocated as recommended by the Board of Selectmen and Finance Committee and approved by Town Meeting based on town priorities.*
- *The Board of Selectmen voted to propose .03 cents. An estimate of revenue: Gallons sold per year~ (MA Pike East 6,412,675), (MA Pike West 5,801,083) and (2 station of Rt 20 est. 2,000,000) Total Charlton gallons sold per year 14,213,758 x .03= \$426,412; MassPike-86% & Rr. 20 Stations-14%*

\*\*\*\*\*  
 No vote shall be taken on any motion relating to Articles 10 thru 13 below until the Planning Board has submitted a report with recommendations thereon to the Town Meeting, if 21 days have not elapsed since the public hearing before the Planning Board was held on the proposed amendment to the Zoning By-law set forth in said Article. (Gen. Laws Chapter 40A, Section 5, paragraph 3).  
 \*\*\*\*\*

ARTICLE 10. ZONING MAP AMENDMENT-VILLAGE DISTRICT BOUNDARY EXPANSION

To see if the Town will vote to revise the Charlton Zoning By-Law as follows:

To see if the Town will amend the Charlton Zoning Map by extending the boundaries of the Village District by re-zoning the following properties from their current Agricultural (A) District designation and/or Low-Density Residential (R-40) District designation to Village District Zoning designation:

- Assessors Map 34, Block A, Parcels 14 & 15.1
- Assessors Map 34B, Block A, Parcels 37.1, 37.2, 37.3, 37.4, 37.5, 37.6, 37.7A & 37.7B
- Assessors Map 35, Block A, Parcels 1 & 1.1
- Assessors Map 35, Block D, Parcels 5 & 6
- Assessors Map 42, Block B, Parcel 1.1
- Assessors Map 42A, Block C, Parcels 1, 2 & 3

SPONSOR: PLANNING BOARD

Motion and second that Article 10 be accepted as printed.

Planning Board and Board of Selectmen support this motion. 2/3rds vote needed.

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

ARTICLE 11. ZONING BY-LAW REVISION: VEHICLE GARAGE STRUCTURE IN AG *FDEM 2*  
 To see if the Town will vote to revise the Charlton Zoning By-Law as follows: *Sub. # 3*

To see if the Town will amend the Charlton Zoning By-law by adding to section 200-5 Special Regulations a new sub-section 200-5.19 Commercial Motor Vehicle Garage Structure On Residential Property, as follows:  
Section 200-5-Special Regulations

200-5.19. Commercial Motor Vehicle Garage Structure On Residential Property

A. Purpose and Intent

It is the purpose of this regulation to provide for the safe, effective and efficient design and use of structures for the garaging of a commercial motor vehicle on a residential property, in the instance of the person(s) residing at the property owning and operating a commercial motor vehicle and seeking on-site garaging on the residential property for the commercial vehicle.

#### B. General Requirements

- a. The garaging of a commercial motor vehicle on a residential property shall only be allowed in the Agricultural (A) zoning district on lots of not less than eight (8) acres.
- b. Any such building for the garaging of a commercial motor vehicle on a residential property shall be set back not less than one hundred (100) feet from the front, rear and/or side property lines.
- c. Upon written request of the applicant, the Planning Board may reduce the property line setback for any proposed building for the garaging of a motor vehicle under Section 200-5.19 to no less than fifty (50) feet from the front, rear and/or side property lines where the Board finds that such waiver or modification is consistent with the requirements of Section 200-5.19 and Section 200-7.1.4 of the Charlton Zoning Bylaw.
- d. No more than one (1) commercial motor vehicle shall be allowed to be garaged per residential parcel per the requirements of this Bylaw.

#### C. Procedure

- a. Application and Plans: Applicants for approval of garaging structures under Section 200-5.19 shall submit applications and site plans to the Planning Board as required by Section 200-7.1.4 of the Charlton Zoning Bylaw.
- b. Criteria: Approval of structures under Section 200-5.19 shall be granted upon Planning Board determination that the site plan complies with the requirements of this Bylaw and that due regard has been given to accessibility for emergency vehicles, driveway and turnaround design, vehicular access, screening, parking and loading areas and that the use is in harmony with the general purpose and intent of this Bylaw.

#### **SPONSOR: PLANNING BOARD**

**Motion and second that Article 11 be accepted as printed.**

**Planning Board and Board of Selectmen support this motion. 2/3rds vote needed.**

**Motion passes by a 2/3rds counted vote. Yes-36 No-18**

#### **ARTICLE 12. PETITION**

To see if the Town of Charlton will amend its property zoning by re-zoning a parcel of land depicted as Parcel B15 shown on Town of Charlton Tax Map 27 from its current zoning designation of BEP (Business Enterprise Park) to IG (Industrial-General):

#### **SPONSOR: PETITION**

**Board of Selectmen and Planning Board support this petition. 2/3rds vote needed.**

**Motion and second that the article be approved as printed with the modification of changing the reference from Charlton Tax Map 27 to Town Zoning Map, Assessors Map 27, Block B, Parcel 15.**

**Motion passes by Unanimous Voice Vote.**



Form 2

page # 2

## VOTE CERTIFICATE

### TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of Charlton, held October 30, 2015 the following business was transacted under Article 12.

#### ARTICLE 12.

#### PETITION

To see if the Town of Charlton will amend its property zoning by re-zoning a parcel of land depicted as Parcel B15 shown on Town of Charlton Tax Map 27 from its current zoning designation of BEP (Business Enterprise Park) to IG (Industrial-General):

#### SPONSOR: PETITION

Board of Selectmen and Planning Board support this petition. 2/3rds vote needed.

Motion and second that the article be approved as printed with the modification of changing the reference from Charlton Tax Map 27 to Town Zoning Map, Assessors Map 27, Block B, Parcel 15.  
Motion passes by Unanimous Voice Vote.

A true copy, Attest

Darlene L. Tully

Town Clerk

Town Seal

It is the purpose of this regulation to provide for the safe, effective and efficient design and use of structures for the garaging of a commercial motor vehicle on a residential property, in the instance of the person(s) residing at the property owning and operating a commercial motor vehicle and seeking on-site garaging on the residential property for the commercial vehicle.

#### B. General Requirements

- a. The garaging of a commercial motor vehicle on a residential property shall only be allowed in the Agricultural (A) zoning district on lots of not less than eight (8) acres.
- b. Any such building for the garaging of a commercial motor vehicle on a residential property shall be set back not less than one hundred (100) feet from the front, rear and/or side property lines.
- c. Upon written request of the applicant, the Planning Board may reduce the property line setback for any proposed building for the garaging of a motor vehicle under Section 200-5.19 to no less than fifty (50) feet from the front, rear and/or side property lines where the Board finds that such waiver or modification is consistent with the requirements of Section 200-5.19 and Section 200-7.1.4 of the Charlton Zoning Bylaw.
- d. No more than one (1) commercial motor vehicle shall be allowed to be garaged per residential parcel per the requirements of this Bylaw.

#### C. Procedure

- a. Application and Plans: Applicants for approval of garaging structures under Section 200-5.19 shall submit applications and site plans to the Planning Board as required by Section 200-7.1.4 of the Charlton Zoning Bylaw.
- b. Criteria: Approval of structures under Section 200-5.19 shall be granted upon Planning Board determination that the site plan complies with the requirements of this Bylaw and that due regard has been given to accessibility for emergency vehicles, driveway and turnaround design, vehicular access, screening, parking and loading areas and that the use is in harmony with the general purpose and intent of this Bylaw.

#### SPONSOR: PLANNING BOARD

Motion and second that Article 11 be accepted as printed.

Planning Board and Board of Selectmen support this motion. 2/3rds vote needed.  
Motion passes by a 2/3rds counted vote. Yes-36 No-18

#### ARTICLE 12.

#### PETITION

To see if the Town of Charlton will amend its property zoning by re-zoning a parcel of land depicted as Parcel B15 shown on Town of Charlton Tax Map 27 from its current zoning designation of BEP (Business Enterprise Park) to IG (Industrial-General):

#### SPONSOR: PETITION

Board of Selectmen and Planning Board support this petition. 2/3rds vote needed.

Motion and second that the article be approved as printed with the modification of changing the reference from Charlton Tax Map 27 to Town Zoning Map, Assessors Map 27, Block B, Parcel 15.  
Motion passes by Unanimous Voice Vote.

*Form 2  
sub #3*

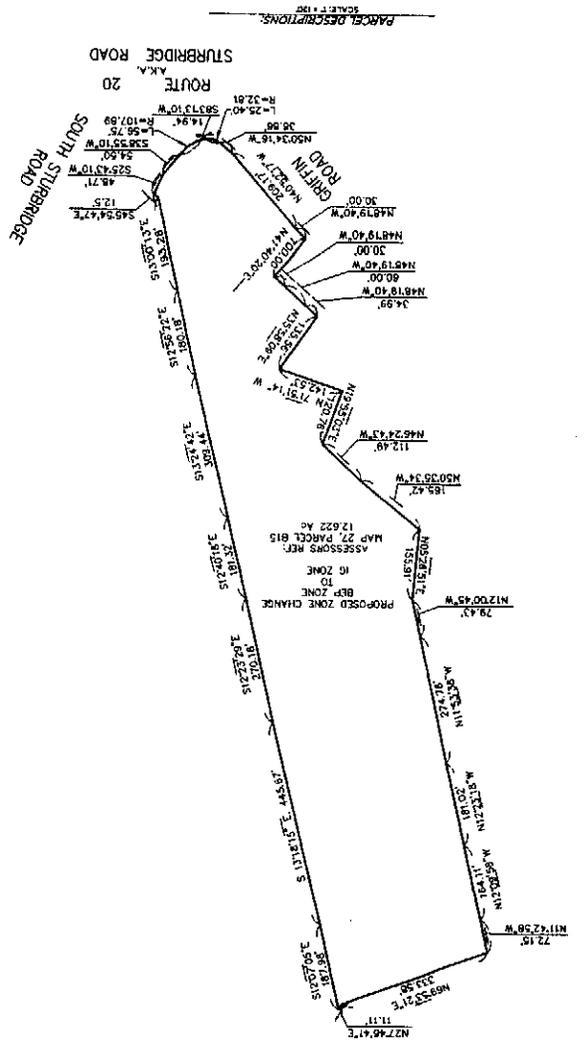
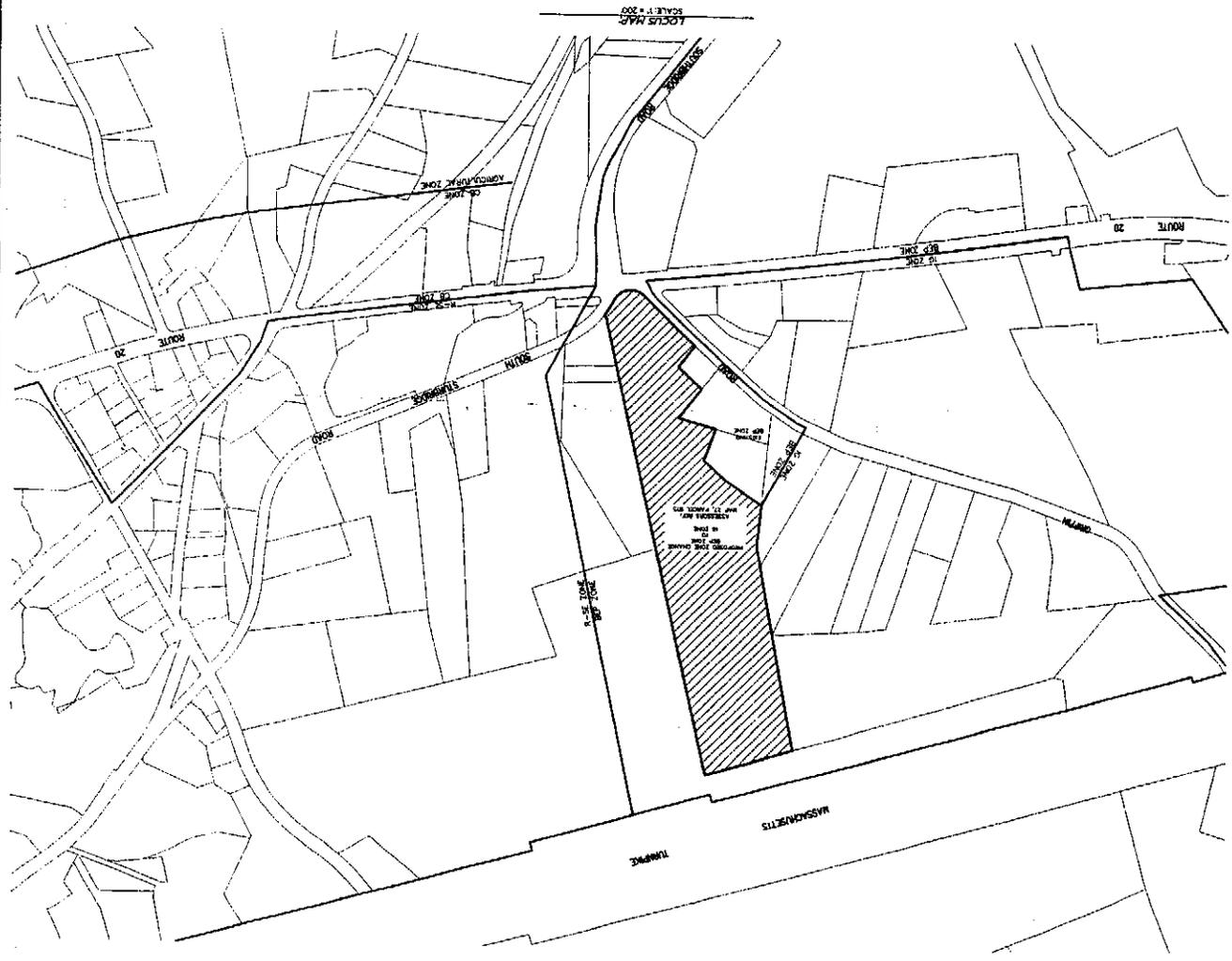
A TRUE COPY ATTEST  
 Dated & Signed  
 TOWN CLERK

Dec. 30, 2015

Town of Charlton, Grav 13

ORIGINAL

LOCATION: Charlton, Grav 13 PROPOSED ZONE CHANGE		PROJECT NO.: 4222 CLIENT: BERTIN ENGINEERING ADDRESS: 100 SOUTH STURBRIDGE ROAD, CHARLTON, MA 02627	PREPARED BY: FRANK W. BERTIN, P.E. CHECKED BY: J. CALISTO DATE: 12/22/15	SCALE: 1" = 200' NORTH
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Form 2  
pub. H 2

# VOTE CERTIFICATE

## TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of  
Charlton, held October 30, 2015 the following  
business was transacted under Article 13.

### ARTICLE 13. PETITION

To see if the Town of Charlton will amend its property zoning by re-zoning a parcel of land depicted as Parcel A3 shown on Town of Charlton Tax Map 37 and its rear portion of a parcel A2 as shown on Town of Charlton Tax Map 37 from its current zoning designation of BEP (Business Enterprise Park) to A (Agricultural):

#### SPONSOR: PETITION

Board of Selectmen and Planning Board support this petition. 2/3rds vote needed.

Motion and second that the article be approved as printed with the modification of changing the reference from Charlton Tax Map 37 to Town Zoning Map, Assessors Map 37, Block A, Parcels 2 and 3.

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

A true copy, Attest

*Darlene L. Tully*

Darlene L. Tully  
Town Clerk

Town Seal

Form 2  
Sub. # 3

**ARTICLE 13. PETITION**

To see if the Town of Charlton will amend its property zoning by re-zoning a parcel of land depicted as Parcel A3 shown on Town of Charlton Tax Map 37 and its rear portion of a parcel A2 as shown on Town of Charlton Tax Map 37 from its current zoning designation of BEP (Business Enterprise Park) to A (Agricultural):

**SPONSOR: PETITION**

**Board of Selectmen and Planning Board support this petition. 2/3rds vote needed.**

**Motion and second that the article be approved as printed with the modification of changing the reference from Charlton Tax Map 37 to Town Zoning Map, Assessors Map 37, Block A, Parcels 2 and 3.**

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

**On motion duly made and seconded meeting adjourned at 9:16 PM.**

\* \* \* \*

And you are directed to serve this Warrant by posting attested copies thereof, one at each of the Post Offices, one in Dexter Memorial Hall and one in the Charlton Municipal Offices (George C. McKinstry, III Building) in said Town, fourteen days at least before the time and place of holding meeting.

Hereof, fail not, and make due returns of the Warrant with your doings thereon to the Town Clerk at the time and place of holding meeting.

Given under our hands this 29<sup>th</sup> day of September, in the Year of Our Lord Two Thousand and Fifteen (2015).

**Board of Selectmen**

Frederick C. Swensen, Chairperson

Joseph J. Szafarowicz, Vice-Chairperson

Cindy B. Cooper, Clerk

David M. Singer, Member

John P. McGrath, Member

A true copy:

Attest:

Posted as directed:

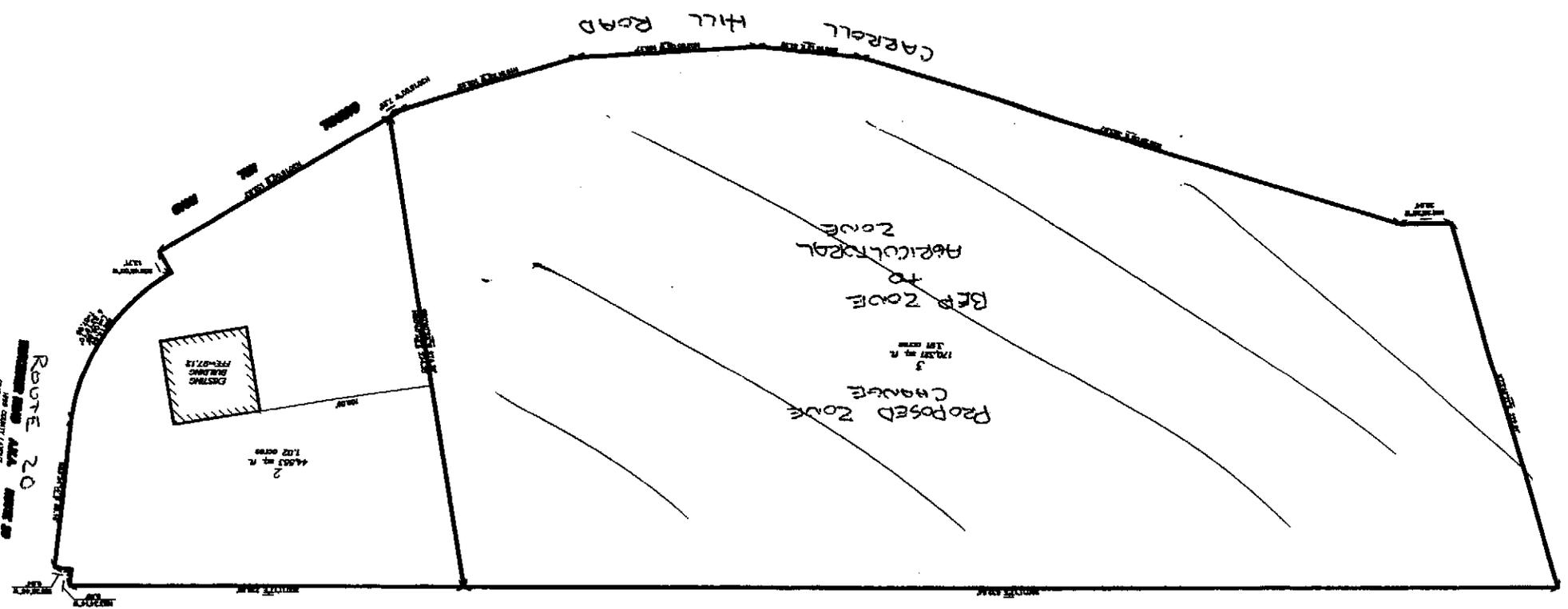
Constable/Police Officer of Charlton, Massachusetts



EXHIBIT A-1

Dec. 20, 2015  
Township Cluster  
Part B

APPLICANT'S NAME  
ADDRESS  
CITY



ROUTE 20  
AAA  
AAA

AAA  
AAA