

CHARLTON HISTORIC DISTRICT BY-LAW

The Northside Historic District was created by a Charlton Annual Meeting vote on May 14, 1977. The purpose of the Charlton Historic District By-Law is to: "promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places significant in the history of the Town of Charlton or their architecture, and through the maintenance and improvement of settings for such buildings and places, the encouragement of designs compatible therewith." Chapter 40C, General Laws, as most recently amended by Chapter 168, Acts of 1975 established the Charlton Historic Commission and District.

SECTION I. DISTRICT BOUNDARIES AND MAP

Northside Historic District-Central: Beginning at a point on the northerly line of the Massachusetts Turnpike, it being the southwest corner of land of P. Dowski and the southeast corner of land of W. Eastman;

Thence N 62° 14' 48" E 75' ;

Thence S 27° 45' 12" E 25' ;

Thence N 62° 14' 48" E 894' to a bound;

Thence easterly 512 feet on a radius of 10,050 feet on the northerly line of the Massachusetts Turnpike;

Thence N 6° 12' W 429.40' to the property of L. Adams;

Thence N 75° E 415' ;

Thence N 15° W 82.5' ;

Thence N 75° E 241' ;

Thence N 23° W 480 feet, more or less, to the north line of Northside Turnpike, a.k.a. Stafford Street, these last five courses by old deed;

Thence by the Worcester Co. layout of Northside Turnpike W 57° 34' 55" W 985' by the north line of said street to the east line of Nuggett Drive;

Thence N 21° 40' W 600' ;

Thence crossing said drive S 65° 17' 24" W 800' to the property of J. Burlingame;

Thence S 21° 25' 51" E 480' ;

Thence S 81° 25' 55" W 418' ;

Thence N $8^{\circ} 34' 05''$ W 1200';
Thence S $81^{\circ} 25' 55''$ W 1650', more or less, or to a point 550 feet west of the west line of Cemetery Road;
Thence S $18^{\circ} 55' 05''$ E 700';
Thence N $88^{\circ} 00' 18''$ W 900';
Thence S $1^{\circ} 59' 47''$ W 530' to the north line of Northside Turnpike;
Thence crossing said road on the same bearing 498';
Thence S $88^{\circ} 00' 13''$ E 1430 feet, more or less, to property of L. Adams;
Thence northeasterly by Massachusetts Turnpike plan bearing N $66^{\circ} 20'$ E 515.44' on Adams south line to the west line of Northside Road;
Thence S $13^{\circ} 37' 18''$ W 146.35';
Thence S $15^{\circ} 40' 18''$ W 120.86';
Thence westerly by the #2 Schoolhouse yard S $68^{\circ} 16' 33''$ W 233.64';
Thence S $8^{\circ} 08' 47''$ E 43.71';
Thence S $7^{\circ} 26' 32''$ E 213.85';
Thence S $72^{\circ} 26' 32''$ E 155.5 feet, more or less, to the east line of Northside Road at property of C. W. Farr;
Thence S 16° W 20 feet, more or less, to property of W. Eastman;
Thence by magnetic bearings S $83^{\circ} 57'$ E 183 feet;
Thence S $3^{\circ} 43' 25''$;
Thence S $78^{\circ} 01'$ E 394';
Thence S $14^{\circ} 07'$ W 57' to the point of beginning.
Northside Historic District-East: Starting at station 20+ 36.53 on the center line of Northside Turnpike, a.k.a. Stafford Street as shown on Sheet 2 of 5, 1960 layout of Worcester County Highway;
Thence S $34^{\circ} 19' 40''$ W 611.12';
Thence by radius of 1000.0 length 348.82';
Thence S $54^{\circ} 18' 50''$ W 265.48';
Thence by radius of 1000.0 length 263.01';

Thence S $69^{\circ} 23'$ W 97.13';
Thence by radius 5000, length 462.39';
Thence S $64^{\circ} 05' 05''$ W 237.19';
Thence by radius 800.0 length 423.88';
Thence S $34^{\circ} 24'$ W 626.09';
Thence by radius 720.0, length 77283';
Thence N $84^{\circ} 06'$ W 145.01';
Thence N $5^{\circ} 54'$ E 33.0';
Thence N $32^{\circ} 02' 21''$ W 315.45';
Thence N $32^{\circ} 02' 21''$ W 33.0 feet, more or less, across Tucker Road;
Thence N $32^{\circ} 02' 21''$ W 439', more or less, by an old way to the north line of Smith Road;
Thence by the north line of Smith Road;
Thence by the north line of Smith Road 2000 feet;
Thence N $2^{\circ} 43' 42''$ W 250';
Thence easterly parallel 250 feet to the north line of Smith Road to the property N/F Smith estate;
Thence S $12^{\circ} 45' 23''$ E 25.85';
Thence N $85^{\circ} 57' 48''$ E 38.73';
Thence S $2^{\circ} 43' 42''$ E 151.40';
Thence S $8^{\circ} 24' 10''$ E 72.75' to the north line of Smith Road;
Thence crossing said road 50 feet, more or less, to the wall;
Thence S $10^{\circ} 31' 29''$ E 285.93';
Thence S $12^{\circ} 40' 25''$ E 14.07';
Thence southwesterly parallel 300 feet to the south line of Smith Road;
Thence N $86^{\circ} 27' 57''$ E 283';
Thence S $88^{\circ} 47' 41''$ E 387';
Thence N. $34^{\circ} 24'$ E 419.59';
Thence N $48^{\circ} 55' 25''$ E 591.06';
Thence N $64^{\circ} 05' 05''$ E 237.19';

Thence N 66° 44' 03" E 492.73';

Thence N.69° 23' E 97.13';

Thence N 61° 50' 55" E 175.71';

Thence N 54° 18' 50" E 265.48';

Thence N 44° 19' 15" E 232.53';

Thence N 34° 19' 40" E 611.12';

Thence S 55° 40' 20" E 330' to the centerline of Northside Turnpike, and the place of beginning.

Northside Village Historic District-South: Beginning at a bound on the westerly side of Northside Road, being a corner of property of O. & W. Hultgren;

Thence N 65° 01' W 159.92';

Thence north by the wall N 24° 30' 15" E 717.12';

Thence S 63° 52' E 183.65' to the west line of the road;

Thence N 53° 09' 30" E 190 feet, more or less;

Thence N 44° 13' E 320 feet, more or less;

Thence N 47° 59' 30" E 130 feet, more or less;

Thence N 29° 51" E 135.87', more or less;

Thence N 30° 47' 30" E 106.56';

Thence N 32° 32' E 103.53';

Thence N 37° 01' 30" E 143.04';

Thence N 41° 57' E 362.5' to a corner, the last eight courses being on the west line of said road;

Thence S 79° 34' 10" W 359' by land of S. Eastman and J. L. Cook;

Thence S 36° 45' W 951.43' to land of O. & W. Hultgren;

Thence S 6° 22' 30" W 276.21';

Thence S 4° 38' W 174.03';

Thence S 5° 39' W 225.57';

Thence S 6° 41' W 224.40' to land of J. Ryder;

Thence S 4° 50' 50" W 166.83';

Thence S 2° 01' 33" W 154.16';

Thence S 0° 28' 15" W 279.10';

Thence S 0° 20' 40" W 284.03' to a corner;

Thence N 64° 51' 11" E 1264.17' by land of Ryder and Soucy to the west line of Northside Road;

Thence N 22° 50' E 405', more or less, to the bound first mentioned.

SECTION II GENERAL DESCRIPTION OF THE DISTRICT

The Northside Historic District is composed of three segments (1) Northside Historic District-Central, (2) Northside Historic District-East, and (3) Northside Historic District-South. The District is a unique combination of many important architectural styles, histories and features; which have been preserved in a remarkably coherent state and its preservation and restoration are important goals. The Northside Historic District is located in north Charlton. Agriculture continues to be important in the area. During its most prosperous time (1750-1840) the Village was the predominate economic, social, and religious center in Charlton. The Worcester and Stafford Turnpike opened through the Village in 1806. It brought additional business to the Village. The coming of the railroad in 1829 signaled a decline in the prosperity of business in the Northside. The typical architecture of the District is predominately early nineteenth century in date and is Federal or Greek Revival in style. All the buildings in the District are of wood-frame construction. The Rider Tavern, a three story structure, is the largest domestic-type building. Most of the buildings are set back from the roads with adjoining fields behind, and some have sheds and barns that relate to the agricultural environment. Most of the structures are residential. The District contains: sites of stores, schools, a tannery, blacksmith shop, distillery, an Indian burial ground, a shoe shop, a hat shop, a whip shop, and military training ground. The rural character of the District exhibits a greater harmony between building groups and the surrounding land than exists in more

densely settled areas. Similarly, a greater diversity of buildings result from the rural character, and it is important that new construction be appropriate to its immediate surroundings as well as the District generally.

SECTION III. PROCEDURES

1. Any person wishing to: construct, alter, repair, move, demolish or otherwise change the exterior appearance of a natural or built feature within the District must, before a Building Permit can be issued, acquire a Certificate of Appropriateness from the Commission that the proposed work is in conformance with standards for the District.
2. In applying to the Commission for approval of the work to be undertaken within the District, the work shall be described with sufficient thoroughness to insure conformance with the Guidelines to facilitate the Commission with the issuance of the Certificate. The Commission may also require for existing and proposed structures additional information about the proposed site, land use, materials, exterior appearance, topographical plans, floor plans, building elevations, views and a written text.
3. Applications for certificates shall be made in triplicate, one copy being filed with the Historic District Commission, one with the Building Inspector and one with the Town Clerk. Applications shall be in the form specified by the Commission, to include plans and elevations signed by an architect or draftsman, drawn to scale, detailed enough to show architectural design of the structure and its relation to the existing building, and other materials deemed necessary by the Commission. Plot and site plans should be filed when application for certificates are made for improvements affecting appearances, such as walls, fences, steps and paving. In the case of demolition or removal, the application must include a statement of the proposed condition and appearance of the property thereafter.

4. Within 14 days of the filing of an application for any certificate, the Commission shall determine whether the application involves any features which are subject to approval by the Commission.
5. If the application requires the Commission's review, or at the request of the applicant, the Commission shall hold a public hearing, unless waived according to the provisions of Chapter 40C of the General Laws amended. Public notice of the time, place and purposes of the hearing shall be given at least 14 days in advance and the Commission must notify by mail affected parties as provided in Chapter 40C or the General Laws as amended.
6. The Commission shall decide upon the determination of any application within 60 days of its filing or within such further time as the applicant may allow in writing.
7. A Certificate of Appropriateness shall be issued to the applicant if the Commission determines that the proposed construction or alteration will be appropriate for or compatible with the preservation or protection of the historic district. In the case of a disapproval of an application for a Certificate of Appropriateness, the Commission shall place upon its records for such determination and shall forthwith cause a notice of its determination, accompanied by a copy of the reasons therefore as set forth in the records of the Commission, to be issued to the applicant, and the Commission may make recommendations to the applicant with respect to appropriateness of design. Prior to the issuance of any disapproval, the Commission may notify the applicant of its proposed action, accompanied by recommendations of changes in the applicant's proposal which, if made, would make the application acceptable to the Commission. If within 14 days of the receipt of such notice, the applicant files a written modification of his application in conformity with the recommended changes of the Commission, the Commission shall issue a Certificate of Appropriateness to the applicant.

8. Upon request, the Commission may issue a Certificate of Non-Applicability to any applicant whose request does not require Commission approval.
9. If an application is deemed inappropriate or if application is made for a Certificate of Hardship, the Commission may issue a Certificate of Hardship if conditions especially affecting the building or structure involved, but not affecting the historic district generally, would make failure to approve an application involve a substantial hardship, financial or otherwise, to the applicant, and approval would not involve substantial detriment to the public welfare. A Certificate of Hardship shall also be issued in the event that the Commission does not make a determination on an application within the time specified in Section V of this by-law.
10. Each certificate shall be dated and signed, and the Commission shall keep a permanent record of its determination and of the vote of each member participating therein, and shall file a copy or notice of certificates and determinations of disapproval with the Town Clerk and the Building Inspector.
11. An applicant may, within 20 days of the decision by the Commission, appeal to a superior court sitting in equity. The Commission must pay costs only if it appears to the court that the Commission has acted with gross negligence, bad faith or malice.

SECTION IV. PRIORITIES FOR REPAIRING OR ALTERING EXISTING STRUCTURES

1. Structures may be repaired, and maintained without changing the existing structures current form.
2. Structures may have those features removed which evidence shows are not original or which are discordant with the character of the structure or District.
3. Structures may be altered in their current form in order to reconstruct those features which evidence shows were original to the structure but which were subsequently removed.
4. Structures may be enlarged beyond their current or original form, preserving the significant features of the original building. The enlargement must be

compatible with the existing structure in: form, roof shape, material, and construction.

5. Structures may be transported to a site within the District provided a Certificate of Appropriateness has been obtained from the Commission. The exception is when moving the structure would result in significantly less damage to it, than leaving it on its existing site.
6. Structures or sites of importance which, because of a moment in history, be it the date of occupancy by a celebrated personage or the happening of an event, may be altered in order to be in greater conformity with the appearance at the moment in time.
7. Structures of importance because of their date of construction may be altered to restore features of their original appearance. If the structure has been altered at some later time and that alteration is appropriate to the character of the building and the District, or is notable in its own right, that alteration can be retained.
8. Structures which are architecturally important as unique constructions or as exceptionally fine examples of their period, region or style should be altered only so as to conform more closely to their original or most characteristic appearance. In such cases the original appearance must be determined through convincing documentation provided by the applicant.
9. Structures which are typical of their age and style, but are not unique or architecturally significant may be altered in order to be in greater conformity with the fashion of that age or style as supported by convincing evidence.
10. The applicant is responsible for providing the Commission with sufficient evidence and documentation to establish historical accuracy of the proposed changes.

SECTION V. DISCORDANT STRUCTURES

1. A visual feature is discordant if, in the opinion of the Commission, it is

of a color, shape, form, or texture or detail that is untypical of the District; or if it employs a typical color, shape, form, texture or detail in ways that are uncharacteristic of the District; or if through its use or visual appearance it presents a strong and incongruent contrast with its surroundings.

2. Structures which are discordant to the character of the District or contain land uses which are not compatible may not be expanded. They may be altered to be in greater conformity with the visual character of the District and may be altered or screened so that their discordance is visually less apparent.

SECTION VI. NEW CONSTRUCTION

1. New structures shall conform to the typical styles of the District being similar in the following ways:
 - a. The proportion and quantity of openings in the facade.
 - b. The materials of construction.
 - c. Roof slopes and shapes.
 - d. Architectural details.
 - e. Plan organization.
 - f. Landscaping and vegetation.
 - g. Color, particularly value and intensity.
2. Altering the site to permit agricultural uses, clearing or planting to reinstitute land uses, and preserving stone walls are permitted. Stone boundary walls along the roadside or property bounds shall not be removed or buried.
3. Foundations permitted are: brick, quarried stone, field stone or poured concrete. Concrete block and treated wood are not permitted above the ground level. The height of the exposed foundation from final grade line to sill shall not exceed twelve inches.

4. Siding permitted are: wood shingles, wood clapboards and other materials employed in nineteenth century structures in the District. Not permitted are: vinyl, aluminum or asphalt siding, finish sheathing (such as texture 1-11) composition board siding (such as masonite, insulite materials) and stucco.
5. Clapboards shall be of an exposure of not more than four inches to the weather. Corner boards and watertable boards shall not be less than five inches and they shall be proportioned to the structure.
6. Wood sash windows composed of small lites, such as: 6/6, 8/8, 9/9, 12/12, ^{with integral wood muntins} ~~will be allowed.~~ ^{are required,} Bay windows are not allowed. ^{"Snap in" grilles not allowed on any windows}
7. Wood screen doors and storm doors are allowed. Solid wood-paneled doors with or without side lites and transoms are acceptable. Batten doors for exterior use as storm or principal doors will be allowed in approved conditions.
8. Roofs permitted have pitches equal to or greater than 8:12. Permitted roofing materials are: wood shingles, asphalt shingles, slate and copper. Not permitted are: built-up roofing, double coverage, corrugated plastic or tin. Recommended colors for asphalt shingles are: all dark natural slate colors including black or grey. Light or reflected colors of asphalt shingles are not permitted. For other materials the natural color of the material and/or earth tones are permitted.
9. A-style dormers are permitted in proportion to the size of the house. Rear elevation dormers are not to be visible from the street.
10. Masonary chimneys of brick must be one of the following types: texture-Morin, Connecticut Sand, or Danville, or smooth-Hadley or a texture approved by the Commission. Stone chimneys must be of field stone. No ashler stone or simulated stone or brick are allowed. Chimneys on exterior walls are not allowed.
11. Entry steps and stoop shall be of stone, brick, or wood. Poured concrete is not allowed except when faced with stone or brick.

12. All utility lines shall be underground. Meter locations shall not be higher than four feet above grade line and shall be located on the rear wall of the structure.

SECTION VII. LANDSCAPE FEATURES

1. Historical and traditional markings for property boundaries including stone walls, lines of trees and fences shall be preserved. New installations of such features should occur in locations that are traditionally appropriate.
2. Abandoned ruins, vestiges of no longer used public places or ways, and potentially valuable archeological sites shall not be disturbed before an assessment of historical value is made.
3. Changes in topography surrounding a new structure sufficient to cause roof and surface water to flow easily away from the foundation are permitted. Changes in topography which do not cause abrupt and noticeable alterations in contour, rate of slope or other natural topographic features, changes in topography which do not diminish the land's ability to sustain vegetation and agriculture are allowed.