



# Town of Charlton

www.townofcharlton.net

**BUILDING COMMISSIONER  
ZONING ENFORCEMENT OFFICER**

**37 MAIN STREET  
CHARLTON, MA 01507  
508-248-2241  
FAX: 508-248-0565**

## **Information and Permitting Procedures New Homes & Major Residential Construction**

This explanation will guide you through the process of applying to construct a new home or other building project in the Town of Charlton. Please take the time to read the information and accompanying material all the way through. We know it seems to be a lot of information, but these pages cover the comprehensive process of filing for a permit for new homes or other building projects along with some background for the items.

If the permit application is correctly and completely filled out and all the associated paperwork is attached, the permit should be ready in one to two weeks. We will call you when the permit is ready, with questions if any and the fee amount.

The purpose of this document is to provide guidance on the permitting process, if you have specific question, that is not addressed here you should ask the appropriate; inspector, board or commission for clarification. This document is not intended to provide legal advice for zoning and zoning laws that can be complex. In some cases you may wish to consult with an attorney familiar with zoning issues.

There are two major parts to the process. First, the preliminary work which includes approvals from other boards and commissions. Second, the permit application itself, where all the information comes together and from which the building permit is issued. There are separate instructions and applications for the Long Form & Short Form permit application that explains in detail that part of the process.

### ***Preliminary work***

#### **Lots and property**

##### **Zoning Enforcement Officer 508-248-2241**

First you must own or be an authorized person in control of the property. If the property is being created from a larger parcel it must meet the current zoning requirements.

Charlton is divided into different zones that allow different types of uses. Approximately 84% of the town is zoned Agriculture "A", where predominantly single family homes are allowed. In an A zone the required lot size and area is 60K square feet, with 175 feet of road frontage (there are exceptions). In the A zone the setback (distance from structure to property line) for buildings are 30 feet from the front and rear lines, 15 feet from the side lines. In an R-40 zone the lot is required to be 40K square feet, with 150 feet of frontage. In an R-40 zone the front setback is 30 feet with 15 feet required for the sides and the rear. For both zones, corner lots and through lots are handled differently.

As a reminder there are exceptions and other requirements depending when and how the lot was created, also some things change depending on the type of project. If your property and or proposed project do not meet the requirements see [Special Permits & Variances](#) on page three of this document.

For complete zoning information see the Town of Charlton Zoning Bylaws available from the Town Clerk or the Planning Board, or go to the complete [Zoning Bylaws](#) found on the Town of Charlton web site, an abbreviate lot size and setback table is available under frequently asked questions on the [Planning Board](#) web page. Be sure to use the most current zoning information and the correct lot information for when and how the lot was created.

## **Conservation Commission**

**508-248-2247**

If your proposed home or any work related to the proposed construction such as; retaining walls, fences, wells, sewage disposal system, driveways, including but not limited to cutting trees, digging or dirt piles you may or will create is located within 100 feet of any wetland or 200 feet of a river resources area, you will need to file for approval from Conservation Commission.

A wetland has several specific definitions. A **wetland** is determined by watery soils and vegetations. You may visit the Department of Environmental Protection at [www.state.ma.us/dep](http://www.state.ma.us/dep) for information on wetlands.

**Flood zones**, like wetlands are prevalent in Charlton; they extend out from rivers, streams and lakes, general not too far, if you are within 100 feet of a wetlands, the engineer that does your wetland filing with the Conservation Commission should make note of any flood zone.

## **Driveway Permit and House Number**

**Highway Department 508-248-2241**

Before a new entrance to a street is created permission needs to be obtained from the Highway Department. To obtain permission you will need to complete a Driveway Permit Application; this application is a 3 part form available from the Building Commissioner's Office. You will need to provide separate checks or money orders for ten dollars (\$10.00) and a bond or check in the amount of five hundred dollars (\$500.00).

The Town of Charlton Highway Department determines house address and number based on the location of the proposed driveway. In addition the installation of culverts and swales under or on driveways is determined by the highway representative based on conditions of the roadway and drainage in the area of the proposed driveway.

At the proposed location of the driveway, near the street you must place a stake with a sign that clearly indicates your last name or company name, the Assessor's map, block and lot number. After the sign is in place and the fees paid, the highway representative will inspect the location and determine the address and any requirements for the driveway at the road.

For the driveway bond to be released and refunded if cash has been paid, the first fifteen (15) feet must be paved twelve (12) feet wide with appropriate radius and swales or culverts installed.

For your convenience, the [Driveway Bylaw](#) is included in this package under Additional Information.

## **Sewage Disposal,**

**Board of Health 508-248-2210**

**Water & Sewer Department 508-248-4953**

One way to accomplish sewage disposal is by hooking into the municipal sewer system, currently limited areas of town have this service. Predominately the areas covered by the sewer system are around Glen Echo Lake, an area that is called Charlton City and the Center of town. You must have permission from the Water & Sewer Commissioners to connect to the service.

The second and more prevalent way to disposal of sewage is to have an on site sewage disposal system (septic system). To design the system a qualified and Registered Professional Engineer must perform a perk test to see how fast the soil can absorb liquid. From the results of the perk test the design professional submit a plan to the Board of Health for their review and approval.

**You will need to provide a letter from the Sewer department or a signed copy of the approved septic plan with your permit application.**

## **Water Supply**

**Water & Sewer Department 508-248-4953**

Every home requires a source of potable domestic water for the building. Currently the most common source of water in Charlton is a private well located on the property. Before drilling a well, if the property is using on site septic, the septic design has to be approved by the Board of Health (see sewage disposal above).

After the well is completed a series of test is required by the Board of Health to assess the quality of the water and the flow or quantity.

At this time there are limited areas that have access to public water. Contact the Water and Sewer Commissioners for location and availability of public water supplies.

You will need to provide a copy of well report showing the quantity only, or if you are using a public water supply provide a copy of the letter that grants you permission to access the public water supply. **Attach one to the building permit application.**

## **Special Permits & Variances**

**Zoning Board of Appeals 508-248-2200 ext. 2414**

**Zoning Enforcement Officer 508-248-2241**

Special permits & variances are probably the most misunderstood and cause of frustration for customers that this office has to deal with. The Town of Charlton enacted comprehensive zoning in 1987, before that time there were a number of related but separate local bylaws and or general laws that governed subdivisions and lot creation. The late date in Charlton's history for adoption of compressive zoning, legally allowed the development of what we now consider small lots with nonconforming area, or insufficient road frontage and the construction of structures with insufficient setbacks to the property lines.

The Town of Charlton [Zoning Bylaws](#) sets for regulations that deal with lot size and building setbacks (see lots and property, page 1). If the property **was not** created under one of the special circumstances allowed by zoning, such as the first construction on a protected lot ([MGL c 40a § 6 par 4](#)), Reduced Frontage Lots or Flexible Development and the property does not meet the current

lot area, or has a non-allowed use on it, that the owner wishes to expand, a pre-existing non-conforming **Special Permit**, may be sought from the [Zoning Board of Appeals](#) (ZBA). If the proposed structure or existing structures encroach into the required setbacks, or the lot has other dimensional shortcomings a **variance** may be sought from the ZBA.

The purpose of a pre-existing non-conforming **Special Permit** is to allow an applicant of non-conforming structures or uses to apply to the ZBA for a determination “that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.” ([MGL c 40A § 6 par 1](#)) During the application process property owners within three hundred (300) feet of the subject property are notified by mail and a legal notice is published in the local paper that there will be a public hearing. Those persons wishing to speak on the issue are afforded the opportunity at the public hearing. After completion of the public input phase, the member of ZBA deliberate and a finding is rendered.

After the finding is rendered there is a twenty (20) day appeal period for judicial review. ([MGL c 40A § 17 par 1](#)) After the twenty (20) day appeal period has elapsed and the finding is favorable, a copy of the decision is recorded at the Worcester Registry of Deeds ([MGL 40A § 11 par 4](#)) and a recorded copy is submitted with the building permit application.

A **variance** may be granted by the ZBA after a public hearing, like the hearing held for a special permit when

...owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise,...and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law. ([MGL c 40A § 10](#))

After completion of the public input phase, the member of ZBA deliberate and a finding is rendered. After the finding is rendered there is a twenty (20) day appeal period for judicial review. When the twenty (20) day appeal period has elapse and a variance was granted, a copy of the variance is recorded at the Worcester Registry of Deeds ([MGL 40A § 11 par 4](#)) and a recorded copy is submitted with the building permit application.

Applications for Special Permits, variances and appeals are available from ZBA office, Town Clerk and the Building Commissioner’s office.

## ***Permit applications***

### **Building permits**

#### **Building Commissioner 508-248-2241**

The actual permit to construct a new home, additions, garages, deck and substantial remodeling (Long Form); or a sheds pools, fences, repairs and improvements (Short Form), has a separate set of instructions and applications available from the Building Commission office on the [web page](#).

If the project has enclosed spaces that are going to be heated or cooled, energy conservation calculations in the form of MAScheck software print out, manual calculations, performance based design must be completed and attached to the building permit application.

The Building Commissioner/Zoning Enforcement Officer and staff answer a wide range of questions and direct people to the correct office or commission often, please check or frequently asked questions page on the Town of Charlton web site for answers.

## **Wiring, Plumbing and Gas**

**Inspector of Wires 508-248-7225**

**Plumbing and Gas Inspector 508-248-5277**

Electrical wiring requires a separate permit. Electrical permit applications are attached to the building permit package; available on the Wires Inspectors web page and in the bin outside the building inspection office, on the back of the permit application is the fee schedule. You may do your own electrical work on your own home with proper supervision and inspections.

Plumbing and gas fitting require their own separate permits, applied for by licensed plumbers and gas fitters. Plumbing and gas permit applications are available on the Plumbing/Gas Inspectors web page and in the bin outside the building inspection office; the fee schedule is a separate page.

## **Smoke detectors and oil fired heating equipment**

**Fire Department 508-248-2299**

The fire department issues permits and inspects the installation of oil burning appliances, storage for fuel oil and propane. It is the responsibility of the licensed technician and or company supplying the fuel or installing the heating appliance to obtain these permits before work begins. The permit for installation of smoke detectors in new one or two family homes is covered by the electrical permit. Inspection of smoke detectors and oil heating appliances, by the Fire Department is usually done concurrently at the end of the building process.

Fire department applications are available at Fire Headquarters and, on the [Fire Department web page](#), along with the fee schedule.

On page seven (7) of this document is additional information regarding [Fire Department Inspections](#).

## ***Additional Information***

### **ARTICLE XX: DRIVEWAY BYLAW ([Town of Charlton General Bylaws](#))**

#### **Section 1: Definitions:**

The following words used in this by-law shall have the following meanings, unless a contrary intention clearly appears:

1. "Person" shall include a corporation, society, association and partnership.
2. "Superintendent" shall mean the Superintendent of the Highway Department, or authorized agent or employee.
3. "Way" shall mean a public way.

#### **Section 2: Prohibitions:**

No person shall construct or reconstruct a driveway which opens on a way unless the owner of the land on which the driveway is to be constructed or reconstructed has first obtained a written permit from the Superintendent, and no person shall construct or reconstruct such a driveway except in accordance with the terms and conditions of such permit and the regulations adopted by the Superintendent pursuant to Section 5 of this bylaw.

### **Section 3: Applications and Fees:**

1. Each application for a driveway permit shall be made to the superintendent by the owner of the land on which the driveway is to be constructed.
2. Each application for a driveway shall include and be accompanied by the following information and supporting documentation:
  - a. The complete name and residential address of the owner of the land.
  - b. The complete street address of the land.
  - c. A plot plan of the land showing, among other features, the proposed driveway on which the driveway open, and all buildings and other structures located on the land or proposed to be constructed or placed on the land.
  - d. Such other information and documentation as may be required by the Superintendent.
3. Each application shall be accompanied by the sum of ten dollars for the permit fee which the Superintendent shall pay over on receipt to the Town Treasurer.

### **Section 4: Permits:**

Each permit issued by the Superintendent shall include the following:

1. Such terms and conditions as the Superintendent deems reasonably necessary to prevent an undue volume of surface water and eroded materials draining and being carried from the land on which the driveway is to be constructed onto the abutting public way.
2. A description of any surface water drainage and erosion prevention facilities which the Superintendent shall require be installed.
3. A provision that the owner shall give written notice to the Superintendent prior to commencing the construction of the driveway.
4. A provision that the permit shall be found to be abandoned and invalid unless all of the construction authorized by it, including completion with macadam or paving, shall have been completed within forty- five days after its issuance, and the failure to so complete within the ten day period after receipt of notice shall also be a violation subject to the penalty specified in Section 6, subparagraph 2, below.
5. A provision that the contractor who will be doing the driveway construction before issuance of such permit shall have posted a Five Hundred Dollar (\$500.00) cash bond or performance bond issued by a surety company authorized to do business in the Commonwealth naming the Town as the obligee, insuring the completion of the construction authorized by the permit within the above forty-five day period, failing which (a) the bond shall become the property of the Town to the extent of the cost to complete, and (b) the Town may then at its election have the work completed forthwith and the owner of the land shall be liable for any cost not covered by the bond.

### **Section 5: Regulations**

The Superintendent may adopt regulations, subject to the approval of the Selectmen, to carry out the purposes of this bylaw. Such regulations shall take effect upon their being filed in the office of the Town Clerk.

### **Section 6: Enforcement and Penalty**

1. The Superintendent shall enforce the provisions of this bylaw.
2. Any person who continues to violate any provision of this bylaw or of any permit issued hereunder or of any regulation adopted hereunder after the expiration of ten days following receipt by him of a written notice of such violation from the Superintendent shall be liable to a penalty not exceeding fifty dollars. Each day that such violation continues after said ten day period shall constitute a separate offense.

### **Section 7: Repeal**

The bylaw adopted under Article 5 of the warrant for the Special Town Meeting of September 5, 1969 is hereby repealed.



# TOWN OF CHARLTON

## FIRE DEPARTMENT

P.O. Box 114 • Charlton City, MA 01508  
Business Telephone: (508) 248-2299 • Fax (508) 248-6190  
Ralph W. Harris, Sr. - Fire Chief



### Important information Regarding Fire Department Inspections

Fire Headquarters is located at 10 Power Station Road (between Rt 20 and Brookfield Road), and is manned seven days a week from 6AM to 10 PM, providing the members are not out on an emergency or service call.

Emergency and service calls take precedence over scheduled inspections, if an inspection is missed and inspector will call to reschedule.

**To schedule an inspection, call 508-248-2299** and select 5, to speak to an inspector. Inspections are performed; Monday, Wednesday, and Friday, generally between 10AM and 6PM.

Regulations change from time to time, it is the responsibility of licensed technicians to be knowledgeable of their regulations. If you have any questions, call 508-248-2299 and select 5, to speak to an inspector.

#### The Fire Department inspects and/or issues permits for;

Oil Burners and fuel oil storage <sup>1</sup>	Propane storage <sup>1</sup>
Smoke detector and fire alarms systems <sup>1</sup>	Black powder storage
Sprinkler & suppression systems <sup>1</sup>	Fireworks Display
Above & under ground storage tank removal	Gasoline & waste oil storage
Rubbish containers 6 or more yards capacity <sup>2</sup>	Open air brush burning <sup>3</sup>
Unvented gas heaters <sup>1</sup>	

<sup>1</sup> *Additional permits or approval are required by other departments.*

<sup>2</sup> *Required for rubbish containers that hold 6 or more yards of combustible material that is not removed daily.*

<sup>3</sup> *Includes all open-air burning of brush, the burning of construction material is prohibited.*

The Fire Department must be notified **before testing fire alarms** that are tied into monitoring services, call **508-248-2299** and select 5, to speak to the duty officer.

House numbers are a part of the inspection process; the number must be on all buildings and at the beginning of the driveway if the number on the building cannot be seen from the street. Numbers must be at least four (4) inches tall; in a contrasting color to the background, mounted on the right of the front door. When the outside light is on, it shall illuminate the number. Brass numbers are not recommended, as they tend to tarnish, becoming difficult to be seen and does not contrast with most background colors.

If the oil burner is not AFUE rated, it must have a minimum sixty-four (64) square feet of firecode sheetrock installed over it. All applications for oil burner installation and replacement must have electrical permit numbers on them or it will be returned. Electrical permit numbers may be obtained from the inspector of wires.

Failure of any inspection will result in the assessment of a re-inspection fee.

Additional information can be obtained at <http://www.townofcharlton.net/firedepartment.htm>, the Charlton Fire Department web page.