



Town of Charlton
OFFICE OF THE TOWN CLERK
CHARLTON, MASSACHUSETTS 01507

Article 25. To see if the Town will vote to adopt the following by-law establishing Historic Districts within the Town as authorized under the provisions of General Laws Chapter 40C:

HISTORIC DISTRICT BY-LAW

Section 1. Purpose

The purpose of this 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 settings for such buildings and places and the encouragement of designs compatible therewith.

Section 2. Creation of Districts

There is hereby established in the Town of Charlton, a historic district consisting of three segments to be known as (1) Northside Historic District-Central, (2) Northside Historic District East, (3) Northside Historic District-South, bounded as follows:

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. Dowgiert 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



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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 S 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° 34' 05" W 1200'; thence S 81° 25' 55" W 1650' more or less or to a point 550 feet west of the west line of Cemetery Road; thence S 18° 55' 05" E 700'; thence N 88° 00' 18" W 900'; thence S 1° 59' 47" W 530' to the North line of Northside Turnpike; thence crossing said road on the same bearing 498'; thence S 88° 00' 13" E 1430 feet more or less to property of L. Adams; thence northeasterly by Massachusetts Turnpike plan bearing N 66° 20' E 515.44' on Adams south line to the west line of Northside Road; thence S 13° 37' 18" W 146.35'; thence S 15° 40' 18" W 120.86'; thence westerly by the #2 Schoolhouse yard S 68° 16' 33" W 233.64'; thence S 8° 08' 47" E 43.71'; thence S 7° 26' 32" E 213.85'; thence S 72° 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° 57' E 183 feet; thence S 3° 43' W 25'; thence S 78° 01' E 394'; thence S 14° 07' W 57' to the point of beginning.

Northside Historic District-East: Starting at station 20 + 36.53 on the



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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° 19' 40" W 611.12'; thence by radius of 1000.0 length 348.82'; thence S 54° 18' 50" W 265.48'; thence by radius of 1000.0 length 263.01'; thence S 69° 23' W 97.13'; thence by radius 5000, length 462.39'; thence S 64° 05' 05" W 237.19'; thence by radius 800.0 length 423.88'; thence S 34° 24' W 626.09'; thence by radius 720.0, length 77283'; thence N 84° 06' W 145.01'; thence N 5° 54' E 33.0'; thence N 32° 02' 21" W 315.45'; thence N 32° 02' 21" W 33.0 feet more or less across Tucker Road; thence N 32° 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 2000 feet; thence N 2° 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° 45' 23" E 25.85'; thence N 85° 57' 48" E 38.73; thence S 2° 43' 42" E 151.40'; thence S 8° 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° 31' 29" E 285.93'; thence S 12° 40' 25" E 14.07'; thence southwesterly parallel 300 feet to the south line of Smith Road; thence N 86° 27' 57" E 283'; thence S 88° 47' 41" E 387'; thence N 34° 24' E 419.59'; thence N 48° 55' 25" E 591.06'; thence N 64° 05' 05" E 237.19"; thence N 66° 44' 03" E 492.73; Thence N 69° 23' E 97.13'; 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.



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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 124.87' 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 3. Definitions

As used in the act, the following words and terms shall have the following meanings:

Building: a combination of materials having a roof and forming a shelter for persons, animals and property.

Building Inspector: the building inspector for the Town of Charlton.



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Commission: the Historic Districts Commission established by Section four.

Erected: the word "erected", includes the words "built", "constructed", "reconstructed", "restored", "Altered", "enlarged", and "moved".

Exterior architectural feature: the architectural style and general arrangement of such portion of the exterior of the building or structure as is designed to be open to view from a public street, way, or place at any season.

Person: the word person included an individual, a corporate, or unincorporated organization or association and the Town of Charlton.

Structure: any man-made combination of materials, other than a building.

Section 4. Creation and Organization of Historic Districts Commission.

There is hereby established in the Town of Charlton an Historic Districts Commission consisting of five unpaid members who shall be residents of the Town of Charlton, to be appointed by the Selectmen of the Town as follows: two from four candidates nominated by the Charlton Historical Society, one from two candidates nominated by the Charlton Historical Commission, and two members, residents residing in the historic district. Initially the terms shall be as follows: one member for one year, two members for two years, and two members for three years. Thereafter each term shall be for a period of three years.

The Selectmen shall appoint from the nominees, four associate members.



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In case of absence, inability to act, or disinterest on the part of a member of the commission, his place shall be taken by an associate member designated by the Chairman of the commission. In case of vacancy on said commission the Chairman may designate an associate member to serve as a member of the commission until said vacancy is filled.

Every member and associate member shall continue in office after the expiration of his term until his successor is duly appointed and qualified. Any member or associate member may be removed for cause by the appointing authority upon written charges and a public hearing. The commission shall elect a chairman and a secretary from its membership. In case of absence of the chairman from any meeting, the commission shall elect a chairman protempore for such a meeting.

Section 5. Certificate of Appropriateness

Except as provided in Section 7, no building or structure within a historic district shall be constructed or altered in any way that affects exterior architectural features unless the commission shall first have issued a certificate of appropriateness, a certificate of nonapplicability or a certificate of hardship, with respect to such construction or alteration.

Any person who desires to obtain a certificate from the commission shall file with the commission an application for a certificate of appropriateness, a certificate of nonapplicability, or a certificate of hardship, as the case may be, in such form as the commission may reasonably determine, together



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with such plans, elevations specifications, material and other information, including in the case of demolition or removal, a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application.

No building for construction of a building or structure or for alteration of an exterior architectural feature within a historic district and no demolition permit for demolition or removal of a building or structure within a historic district shall be issued until the certificate required by this section has been issued by the commission.

Section 6.

In passing upon matters before it the commission shall consider, among other things, the historic and architectural value and significance of the side, buildings or structures, the general design, arrangement texture and materials of the features involved and the relation of such features to similar features of buildings and structures in the surrounding area. In the case of new construction or additions to existing buildings or structures the commission shall consider the appropriateness of the size and shape of the buildings or structures both in relation to the land area upon which the buildings or structures are situated and to the buildings and structures in the vicinity, and the commission may, in appropriate cases impose dimensional and set back requirements in addition to those required by applicable ordinance or by-law. The commission shall not consider interior arrangements or architectural features not subject to public view.



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The commission shall not make any recommendations or requirements except for the purpose of preventing developmings incongruous to the historic aspects or architectural characteristics of the surroundings and of the historic district.

Section 7. Exceptions.

The authority of the commission shall not extend to the review of the following categories of buildings and structures, or exterior architectural features in the historic districts and the commission shall issue a certificate of nonapplicability with respect to construction or alteration in any category not subject to review:

1. Temporary structures or signs, subject however, to such conditions as to duration of use, location, shall reasonably specify.
2. Terraces, walks, driveways, sidewalks and similar structures, provided that any such structure is substantially at grade level.
3. Walls and fences.
4. Storm doors and windows, screens window air conditioners, lighting fixtures, antennae and similar appurtenances.
5. The color of paint.
6. The color of material used on roofs.
7. Signs of not more than two square feet in area in connection with use of a residence for a customary home occupation or for professional purposes.

Section 8.

Nothing in this act shall be construed to prevent the ordinary maintenance,



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repair or replacement of any exterior architectural feature within an historic district which does not involve a change in design, material or outward appearance thereof, nor to prevent landscaping with plants, trees, or shrubs, nor construed to prevent the meeting of requirements for public safety because of an unsafe or dangerous condition.

Section 9.

In any and all cases the powers and duties of the commission shall be governed by Chapter 40C of the General Laws of the Commonwealth, as most recently amended.

Section 10.

This by-law shall become effective upon the filing by the Historic Districts Commission of a map or maps setting forth the boundaries of the Historical Districts created by Section 2 of this by-law with the Town Clerk and upon the recording by the Historic Districts Commission of said map or maps with the Worcester District Registry of Deeds.

Section 11.

Severability of provisions. The provisions of this by-law shall be deemed to be severable and in case any section, paragraph or part of this by-law shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair the validity of any other sections, paragraphs, or parts of this by-law.

Amendment passed inserting Section 11.



THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF THE ATTORNEY GENERAL

JOHN W. MC CORMACK STATE OFFICE BUILDING
ONE ASHBURTON PLACE, BOSTON 02108

FRANCIS X. BELLOTTI
ATTORNEY GENERAL

August 29, 1977

Mary S. Sullivan
Town Clerk
Charlton, Massachusetts 01507

Dear Ms. Sullivan:

I enclose the Historic District by-law adopted under Article 25 of the warrant for the Annual Town Meeting held May 14, 1977, with the approval of the Attorney General endorsed thereon.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Henry F. O'Connell".

Henry F. O'Connell
Assistant Attorney General

HFO/ccd
enc.



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May 16, 1977

Francis X. Bellotti , Attorney General
State House
Boston, MA

Dear Sir:

Enclose please find a copy of the Historic District
By-Law and the motion, for which I am requesting approval.

Yours truly,

Mary S. Sullivan,
Town Clerk

jmc



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Motion for by-law: Article 25

A show of hands for this article with 76 votes cast.

A 2/3's vote needed for this article to pass, for a total of 56.

There were 67 Yes votes and 9 No votes.

Moderator then announced this article had passed.

A true copy

Attest:

*Send 2
Copies of Motion*



Town of Charlton
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May 16, 1977

Francis X. Bellotti
State House
Boston, MA

Dear Sir:

I, Mary S. Sullivan, being duly sworn upon my oath, depose and say that I am the duly elected Town Clerk of the Town of Charlton, and I was the Town Clerk on May 14, 1977, at the time of the Annual Town Meeting.

The notices of the Warrant for the Annual Town Meeting were given by posting the Warrant in the following places:

Dexter Memorial Hall
Post Office, Charlton, MA
Post Office, Charlton City, MA
Post Office, Charlton Depot, MA
Bill's County Store, Charlton, MA

These Warrants were posted on May 5, 1977. This notice to the Citizens complied with the Town By-Laws relating to notices of Annual and Special Town Meetings.

There was a quorum present at the Annual Town Meeting held on May 14, 1977.

Mary Sullivan, Town Clerk, Charlton, MA

Then personally appeared before me Mary S. Sullivan and affirmed that the statement above subscribed to by her was true.



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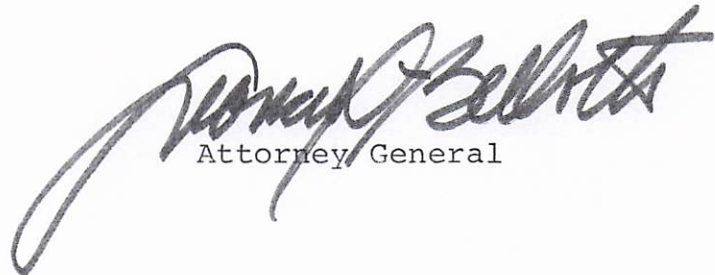
A true copy

Attest: *Mary S. Sullivan*
Town Clerk

August 29, 1977

Boston, Massachusetts

The foregoing amendment to Historic District by-law adopted under Article 25 of the Charlton warrant for the Annual Town Meeting held May 14, 1977, is hereby approved.

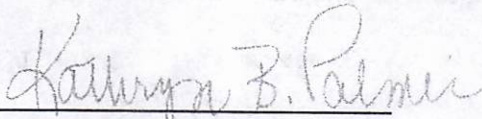


Ronald Bellotti
Attorney General

Boston, Massachusetts

The foregoing amendments to the historic district by-laws adopted under article 40 of the warrant for the Charlton annual town meeting that convened on May 19, 1997, and the map that pertains to that article, are approved.

SCOTT HARSHBARGER
ATTORNEY GENERAL



by: Kathryn B. Palmer
Assistant Attorney General

July 18, 1997

ARTICLE 40. HISTORIC DISTRICT BYLAW.

ATM 5/19/97

To see if the Town will vote to amend the Historic District Bylaw adopted under Article 25 of the Annual Town Meeting held May 14, 1977 by extending the Northside Historic District - South, as described in Section 2 of the aforementioned bylaw, to extend said District so as to encompass the land bounded as follows in addition to that already included in said District by the aforementioned bylaw, such additional realty being parcels numbered on the Assessors' Map 24 as 4, 4.1, 4.5 and 5, bounded and described as follows:

"Beginning at a point on the westerly side of Northside Road at the northwest corner of the present Northside Village Historic District - South, then continuing northeast on the westerly line of Northside Road 1221.67 feet, more or less to a point, then crossing the road to the easterly side of said road, it being the northwesterly corner of parcel 4.1 on Map 24;

thence S. 84° 11' 04" E. 310.04' to an iron pipe;

thence N. 76° 46' 54" E. 74.58';

thence S. 64° 25' 40" E. 69.55' to a pipe;

thence S. 88° 03' 00" E. 87.65';

thence S. 83° 38' 34" E. 71.23';

thence S. 87° 23' 04" E. 101.70';

thence S. 84° 58' 04" E. 230.28';

thence S. 85° 17' 34" E. 171.73';

thence S. 85° 11' 34" E. 117.24';

thence S. 85° 28' 04" E. 181.03' to a pipe;

thence S. 85° 03' 04" E. 196.25' to a point;

thence S. 86° 33' 04" E. 293.53' to iron pipe;

~~thence S. 19° 39.04" 540.81' to a corner of walls;~~

thence S. 74° 11' 51" W. 1722' more or less to an iron pipe;

thence N. 16° 18' 59" W. 208.64' to a pipe;

thence S. 80° 01' 47" W. 101.22' to a pipe;

thence S. 72° 07' 57" W. 455.21' to a point in the northerly line of the present Historic District - South;

thence S. 84° 51' 38" 338.77' by the northerly line of the Historic District - South;

thence crossing Northside Road on the same bearing to the west line of said road, it being the northwest corner of the Northside Village Historic District - South and the point of beginning."

, or take any action relative thereto or thereon.

SPONSOR: Charlton Historic Districts Commission

2/3rds vote needed
Motion and second to postpone the Article indefinitely.
Motion to postpone defeated by Unanimous Voice Vote.

cont.
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Motion and second that the proposed amendment of the Historic District Bylaw printed in Article 40 be revised as follows:

By deleting from the first paragraph of the Article the words "Assessors's Map 24 as 4, 4.1, 4.5 and 5" and substituting therefor the words "Assessors' Map 24 Block A as 4, 4.1, 4.5, and 5; and

By deleting from the second paragraph of the Article the words "map 24" and substituting therefor the words Map 24 Block A"; and that the Town adopt the amendment printed in the Article as so revised.

Motion passes by Unanimous Voice Vote.

ARTICLE 41. ACCEPTANCE OF STATUTE TO PARTIALLY EXEMPT REALTY OWNED AND OCCUPIED BY SURVIVING SPOUSE, MINOR WHOSE PARENT IS DECEASED OR PERSONS OVER AGE 70 (M.G.L. c. 59, §5, cl. 17D).

To see if the Town will vote to accept Mass. General Laws Chapter 59, section 5, clause 17D, which would exempt from taxation the first \$2,000 of taxable valuation or the sum of \$175, whichever would result in an abatement of the greater amount of actual taxes due, of the real estate of a surviving spouse, of any minor whose parent is deceased, or of a person or persons over the age of 70 who has or have owned and occupied the real estate as a domicile for not less than five years, provided such owner, excluding such real estate (except for any portion which exceeds two dwelling units and produces income), does not own equity in real and personal property exceeding \$40,000 in value, subject to the requirements and benefits of such statute as it may be amended from time to time, such acceptance to be effective as to fiscal years commencing on and after July 1, 1997, or take any action relative thereto or thereon.

SPONSOR: Board of Assessors Majority vote needed.
Finance Committee supports the Article.

Motion and second made that the Town vote to accept Mass. General Laws, Chapter 59, Section 5, clause 17D, such acceptance to be effective as to fiscal years commencing on and after July 1, 1997.

Article 41 is passed as moved by Unanimous Voice Vote.

ARTICLE 42. ACCEPTANCE OF STATUTE TO PARTIALLY EXEMPT REALTY OWNED AND OCCUPIED BY PERSON(S) AGE 70 OR OVER (M.G.L. c. 59, §5, cl. 41C).

To see if the Town will vote to accept Mass. General Laws Chapter 59, section 5, clause 41C, which would exempt from taxation the first \$4,000 of taxable valuation or the sum of \$500, whichever would result in an abatement of the greater amount of actual taxes due, of the real estate of a person who has reached his 70th birthday prior to the fiscal year for which an exemption is sought and occupied by said person as his domicile, or of a person who owns the same jointly with his spouse, either of whom has so reached his or her 70th birthday and who so occupy, or who owns the same jointly or as a tenant in common with a person not his spouse and who so occupies subject to certain other conditions set forth in the statute, provided such owner in the preceding year had gross receipts from all sources of less than \$13,000, or if married had combined gross receipts with his spouse of less than \$15,000, and provided that such person, excluding such real estate (except for any portion which exceeds two dwelling units and produces income), did not own real estate and personal property exceeding \$28,000, or if married, \$30,000, in value, subject to the requirements and benefits of such statute as it may be amended from time to time, such acceptance to be effective as to fiscal years commencing on and after July 1, 1997, or take any action relative thereto or thereon.

SPONSOR: Board of Assessors Majority vote needed.
Finance Committee supports the Article.

Motion and second made that the Town vote to accept Mass. General Laws Chapter 59, Section 5, clause 41C, such acceptance to be effective as to fiscal years commencing on and after July 1, 1997.

Article 42 is passed as moved by Unanimous Voice Vote.

Approved: May 14, 1977 Annual Town Meeting – Article 25 – to see if the Town will vote to adopt the following by-law establishing Historic Districts within the Town as authorized under the provisions of General Laws, Chapter 40C.

Approved by Attorney General – August 29, 1977

Amendment: May 19, 1997 Annual Town Meeting – Article 40 – to see if the Town will vote to amend the Historic District Bylaw adopted under Article 25 of the Annual Town Meeting held May 14, 1977 by extending the Northside Historic District – South as described in Section 2 of the aforementioned bylaw, to extend said District so as to encompass the land bounded as follows in addition to that already included in said District by the aforementioned bylaw, such additional realty being parcels numbered on the Assessor' Map 24 as 4, 4.1, 4.5 and 5, bounded and described as follows:

Article 25. To see if the Town will vote to adopt the following by-law establishing Historic Districts within the Town as authorized under the provisions of General Laws Chapter 40C:

HISTORIC DISTRICT BY-LAW

Section 1. Purpose

The purpose of this 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 and the encouragement of designs compatible there-with.

Section 2. Creation of Districts

There is hereby established in the Town of Charlton, a historic district consisting of three segments to be known as (1) Northside Historic District-Central, (2) Northside Historic District-East, (3) Northside Historic District-South, bounded as follows:

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. Dowgiert 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 S 57° 34' 55" W 985' by the north line of said street to the east line of Nugget 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° 34' 05" W 1200'; thence S 81° 25' 55" W 1650'

more or less or to a point 550 feet west of the west line of Cemetery Road; thence s 18° 55' 05" E 700'; thence N 88° 00' 18" W 900'; thence S 1° 59' 47" W 530' to the North line of Northside Turnpike; thence crossing said road on the same bearing 498'; thence S 88° 00' 13" E 1430 feet more or less to property of L. Adams; thence northeasterly by Massachusetts Turnpike plan bearing N 66° 20' E 515.44' on Adams south line to the west line of Northside Road; thence S 13° 37' 18" W 146.35'; thence S 15° 40' 18" W 120.86'; thence westerly by the #2 schoolhouse yard S 68° 16' 33" W 233.64': thence S 8° 08' 47" E 43.71'; thence S 7° 26' 32" E 213.85" thence S 72° 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° 57' E 183 feet: thence S 3° 43' W 25'; thence S 78° 01' E 394': thence S 14° 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° 19' 40" W 611.12'; thence by radius of 1000.0 length 348.82'; thence S 54° 18' 50" W 265.48': thence by radius of 1000.0 length 263.01'; thence S 69° 23' W 97.13"; thence by radius 5000, length 462.39'; thence S 64° 05' 05" W 237.19'; thence by radius 800.0 length 423.88'; thence S 34° 24' W 626.09'; thence by radius 720.0, length 77283'; thence N 84° 06' W 145.01'; thence N 5° 54' E 33.0'; thence N 32° 02' 21" W 315.45'; thence N 32° 02' 21" W 33.0 feet more or less across Tucker Road; thence N 32° 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 2000 feet; thence N 2° 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° 45' 23" E 25.85'; thence N 85° 57' 48" E 38.73; thence S 2° 43' 42" E 151.40'; thence S 8° 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° 31' 29" E 285.93; thence S 12° 40' 25" E 14.07'; thence southwesterly parallel 300 feet to the south line of Smith Road; thence N 86° 27' 57" E, 283'; thence S 88° 47' 41" E 387'; thence N 34° 24' E 419.59'; thence N 48° 55' 25" E 591.06'; thence N 64° 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' 30" E 320 feet more or less; thence N 47° 59' 30" E 130 feet more or less; thence N 29° 51' E 124.87' 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. Beginning at a point on the westerly side of Northside Road at the northwest corner of the present Northside Village Historic District - South, then continuing northeast on the westerly line of Northside Road 1221.67 feet, more or less to a point, then crossing the road to the easterly side of said road, it being the northwesterly corner of parcel 4.1 on Map 24 Block A; thence S. 84° 11' 04" E. 310.04' to an iron pipe; thence N. 76° 46' 54" E. 74.58'; thence S. 64° 25' 40" E. 69.55' to a pipe; thence S. 88° 03' 00" E. 87.65'; thence S. 83° 38' 34" E. 71.23'; thence S. 87° 23' 04" E. 101.70'; thence S. 84° 58' 04" E. 230.28'; thence S. 85° 17' 34" E. 171.73'; thence S. 85° 11' 34" E. 117.24'; thence S. 85° 28' 04" E. 181.03' to a pipe; thence S. 85° 03' 04" E. 196.25' to a point; thence S. 86° 33' 04" E. 293.53' to iron pipe; thence, S. 19° 39.04" 540.81' to a corner of walls; thence S. 74° 11' 51" W. 1722' more or less to an iron pipe; thence N. 16° 18' 59" W. 208.64' to a pipe; thence S. 80° 01' 47" W. 101.22' to a pipe; thence S. 72° 07' 57" W. 45S.21' to a point in the northerly line of the present Historic District - South; thence S. 84° 51' 38" 338.77' by the northerly line of the Historic District - South; thence crossing Northside Road on the same bearing to the west line of said road, it being the northwest corner of the Northside Village Historic District- South and the point of beginning."

Section 3. Definitions

As used in this act, the following words and terms shall have the following meanings:

Building: a combination of materials having a roof and forming a shelter for persons, animals and property.

Building Inspector: the building inspector for the Town of Charlton.

Commission: the Historic Districts Commission established by Section four.

Erected: the word "erected", includes the words "built", "constructed", "reconstructed", "restored", "altered", "enlarged", and "moved".

Exterior architectural feature: the architectural style and general arrangement of such portion of the exterior of the building or structure as is designed to be open to view from a public street, way, or place, at any season.

Person: the word person includes an individual, a corporate or unincorporated organization or association and the Town of Charlton.

Structure: any man-made combination of materials, other than a building.

Section 4. Creation and Organization of Historic Districts Commission.

There is hereby established in the Town of Charlton an Historic Districts Commission consisting of five unpaid members who shall be residents of the Town of Charlton, to be appointed by the Selectmen of the town as follows: two from four candidates nominated by the Charlton Historical Society, one from two candidates nominated by the Charlton Historical Commission, and two members, residents residing in the historic district. Initially the terms shall be as follows:

one member for one year, two members for two years, and two members for three years. Thereafter each term shall be for a period of three years.

The Selectmen shall appoint from the nominees, four associate members. In case of absence, inability to act, or disinterest on the part of a member of the commission, his place shall be taken by an associate member designated by the Chairman of the commission. In case of vacancy on said commission, the Chairman may designate an associate member to serve as a member of the commission until said vacancy is filled.

Every member and associate member shall continue in office after the expiration of his term until his successor is duly appointed and qualified. Any member or associate member may be removed for cause by the appointing authority upon written charges and a public hearing. The commission shall elect a chairman and a secretary from its membership. In case of absence of the Chairman from any meeting, the commission shall elect a chairman pro-tempore for such a meeting.

Section 5. Certificate of Appropriateness

Except as provided in Section 7, no building or structure within a historic district shall be constructed or altered in any way that affects exterior architectural features unless the commission shall first have issued a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship, with respect to such construction or alteration.

Any person who desires to obtain a certificate from the commission shall file with the commission an application for a certificate of appropriateness, a certificate of non-applicability, or a certificate of hardship, as the case may be, in such form as the commission may reasonably determine, together with such plans, elevations specifications, material and other information, including in the case of demolition or removal, a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application.

No building permit for construction of a building or structure or for alteration of an exterior architectural feature within a historic district and no demolition permit for demolition or removal of a building or structure within a historic district shall be issued until the certificate required by this section has been issued by the commission.

Section 6.

In passing upon matters before it the commission shall consider, among other things, the historic and architectural value and significance of the side, buildings or structures, the general design, arrangement texture and materials of the features involved, and the relation of such features to similar features of buildings and structures in the surrounding area. In the case of new construction or additions to existing buildings or structures, the commission shall consider the appropriateness of the size and shape of the buildings or structures both in relation to the land area upon which the buildings or structures are situated and to the buildings and structures in the vicinity, and the commission may, in appropriate cases impose dimensional and set back

requirements in addition to those required by applicable ordinance or by-law. The commission shall not consider interior arrangements or architectural features not subject to public view.

The commission shall not make any recommendations or requirements except for the purpose of preventing developments incongruous to the historic aspects or architectural characteristics of the surroundings and of the historic district.

Section 7. Exceptions.

The authority of the commission shall not extend to the review of the following categories of buildings and structures, or exterior architectural features in the historic districts, and, the commission shall issue a certificate of non-applicability with respect to construction or alteration in any category not subject to review:

1. Temporary structures or signs, subject however, to such conditions as to duration of use, location, shall reasonably specify.
2. Terraces, walks, driveways, sidewalks and similar structures, provided that any such structure is substantially at grade level.
3. Walls and fences.
4. Storm doors and windows, screens, window air conditioners, lighting fixtures, antennae and similar appurtenances.
5. The color of paint.
6. The color of material used on roofs.
7. Signs of not more than two square feet in area in connection with use of a residence for a customary home occupation or for professional purposes.

Section 8.

Nothing in this act shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature within an historic district which does not involve a change in design, material or outward appearance thereof, nor to prevent landscaping with plants, trees, or shrubs, nor construed to prevent the meeting of requirements for public safety because of an unsafe or dangerous condition.

Section 9.

In any and all cases the powers and duties of the commission shall be governed by Chapter 40C of the General Laws of the Commonwealth, as most recently amended.

Section 10.

This by-law shall become effective upon the filing by the Historic Districts Commission of a map or maps setting forth the boundaries of the Historical Districts created by Section 2 of this

by-law with the Town Clerk and upon recording by the Historic Districts Commission of said map or maps with the Worcester District Registry of Deeds.

Section 11.

Severability of provisions. The provisions of this by-law shall be deemed to be severable and in case any section, paragraph, or part of this by-law shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair the validity of any other sections, paragraphs, or parts of this by-law.

or act relative thereto or thereon.

Amendment passed inserting Section 11.

A show of hands for this article with 76 votes cast. There were 67 yes votes and 9 no votes. A total 56 votes (2/3) needed for this article to pass. Moderator then announced this article had passed.

*Or take any action relative thereto or thereon. 2/3rds vote needed
Motion and second to postpone the Article indefinitely.
Motion to postpone defeated by Unanimous Voice Vote.*

Motion and seconded that the proposed amendment of the Historic District Bylaw printed in Article 40 be revised as follows:

By deleting from the first paragraph of the Article the words "Assessor's Map 24 as 4., 4.1, 4.5 & 5" and substituting therefor the words "Assessors' Map 24 Block A as 4., 4.1, 4.5 and 5 and by deleting from the second paragraph of the Article the words map 24 and substituting therefor the words Map 24 Block A and that the Town adopt the amendment printed in the Article so revised.

Motion passes by Unanimous Voice Vote.