



# Town of Charlton

[www.townofcharlton.net](http://www.townofcharlton.net)

DEPARTMENT of BUILDING  
INSPECTIONAL SERVICES

37 MAIN STREET  
CHARLTON, MA 01507  
508-248-2241

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## 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 and other building projects along with some background for the items.

If the 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 questions that are 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, which 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 **is reviewed**, from which the building permit is issued.

### ***Preliminary work***

#### **Lots and property**

##### **Zoning Enforcement Officer**

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 the 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 four 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 website, [www.townofcharlton.net](http://www.townofcharlton.net). Lot size and setback table is available linked here. 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 are located within 100 feet of any wetland or 200 feet of a river resources area, you will need to file for approval from the Conservation Commission, 508-248-2247.

A wetland has several specific definitions. A wetland is determined by watery soils and vegetation. You may visit the Department of Environmental Protection at [Massachusetts Department of Environmental Protection | Mass.gov](http://MassachusettsDepartmentofEnvironmentalProtection|Mass.gov) for information on wetlands.

Flood zones, like wetlands are prevalent in Charlton; they extend out from rivers, streams and lakes, generally 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 508-248-2212

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 Highway Department Office located at 100 Flint Road. 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 working **with** this office, 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 and 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 requirement 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.

## **Sewage Disposal**

**Board of Health 508-248-2240**

**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 that 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 Sewer Commissioners to connect to the service.

The second and more prevalent way to dispose of sewage is to have an onsite 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 will 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 onsite 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 tests 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.

For the building permit application you 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.

## **Permit Applications**

### **Building Permits**

**Building Commissioner 508-248-2241**

The actual permit application to construct a new home, addition, garage, deck or substantial remodeling (Long Form); or a shed, pool, fence or repairs and improvements (Short Form) have separate sets of instructions. The applications and instructions are available from the Building Commissioner's office and on the Town of Charlton website, [www.townofcharlton.net](http://www.townofcharlton.net).

If the project has enclosed spaces that are going to be heated or cooled, energy conservation code must be met. Charlton is a stretch code community, for new homes a preliminary HERS report is need that models the home for compliance will need to be submitted. For additions and renovations the prescriptive portion of the energy code will need followed. The drawings submitted need to be indicated all the insulation levels in the walls, floor and roof.

The Building Commissioner/Zoning Enforcement Officer and staff answer a wide range of questions and direct people to the correct office or commission; you may also check the frequently asked questions page on the Town of Charlton website.

## **Trade Work**

### **Wiring, Plumbing and Gas**

**Inspector of wires 508-248-2235**

**Plumbing and Gas Inspector 508-248-2213**

Electrical wiring requires a separate permit. Electrical permit must be applied for by licensed electrician, applications are available on the Town of Charlton website [www.townofcharlton.net](http://www.townofcharlton.net) and outside the Building Commissioner's office, on the back of the permit is the fee schedule.

Plumbing and gas fitting require their own separate permits, which must be applied for by licensed plumbers and gasfitters. Plumbing and gas permit applications are available on the Town of Charlton website [www.townofcharlton.net](http://www.townofcharlton.net) and outside the Building Commissioner's office; the fee schedule is on 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 and 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 and CO 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.

## **Special Permits & Variances**

Special permits & variances are probably the most misunderstood issues and causes 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 comprehensive 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](#) set forth 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 (MGLc40 § 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 non-conforming use to the neighborhood.” (MGLc40 § 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 members of the 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 c 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 members of the ZBA deliberate and a finding is rendered. After the finding is rendered there is a twenty (20) day appeal period for judicial review. After the twenty (20) day appeal period has elapsed and a variance was granted, a copy of the variance is recorded at the Worcester Registry of Deeds (MGL c 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 the ZBA office, Town Clerk and the Building Commissioner’s office.

The Board of Building Regulation and Standards web site is:  
[Board of Building Regulation and Standards | Mass.gov](http://www.mass.gov/BRS)

*Please be advised that this **information** is advisory only, does not constitute a decision or order for purposes of G.L. c.40A, §15, may not be relied upon for any purpose, nor shall any determination be final until such time as a building permit is issued. It is always the applicant’s responsibility to ensure the proposed work, use or activity complies with all applicable laws, regulations, licensing and permit requirements and employ such professionals as needed to obtain any and all permits or approvals required.*

Curtis Meskus  
Building Commissioner  
Zoning Enforcement Officer