



**WARRANT**  
**2026 ANNUAL TOWN MEETING**  
**TOWN OF CHARLEMONT**  
**COMMONWEALTH OF MASSACHUSETTS**

Tuesday, the Twenty-sixth Day of May, AD 2026 at 6:00 p.m. in the **Hawlemont School gym** at 10 School Street in said Charlemont:

TO ACT ON THE FOLLOWING ARTICLES:

**Article 1:** To act on the Report of the Town Officers.

Article requires a majority vote.

**Article 2:** To see if the Town will vote to authorize the Select Board to apply for and accept any and all Federal and State grants or gifts from individuals or non-profit organizations which may become available during the fiscal year 2027.

Article requires a majority vote.

**Article 3:** To see if the Town will authorize the Treasurer to enter into a compensating balance agreement or agreements for fiscal year 2027, pursuant to Chapter 44, Section 53F of the Massachusetts General Laws.

Article requires a majority vote.

**Article 4:** To see if the Town will vote to establish the spending limits for the following revolving funds for fiscal year 2027:

1. Dog Fund = \$2,500.00
2. Recycling = \$6,000.00
3. Flags and Banners = \$1,200.00
4. Fire Inspection = \$1,200.00
5. Planning Board = \$950.00

6. Parks & Recreation Commission - \$6,000.00  
Or take any other action relative thereto.

Article requires a majority vote.

**Article 5** To see if the Town will vote to raise and appropriate, or otherwise provide, a sum or sums to defray the fiscal 2027 operation and capital budgets of the Town, and to establish the salaries for its Town Officers or take any other action relative thereto. Article requires a majority vote.

**Article 6:** To see if the Town will vote to raise and appropriate, or transfer from available funds, sums of money for any and all Town expenses and purposes, including, without limiting the foregoing, debt and interest, out-of-state travel, wages and salaries, operation of the Town's Broadband Enterprise and provide for a reserve fund, all for the Fiscal Year beginning on July 1, 2026 through June 30, 2027, inclusive; or take any other action relative thereto. Article requires a majority vote.

**Article 7:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the Sum of \$14,706.36 to fund the costs associated with the upgrade to AssessPro 5 (AP5) assessing software, or take any other action relative thereto.

Information: The upgrade is required as the software vendor is phasing out support for their current version of AssessPro (4.7.5) and is looking to migrate all their clients to AP5.

Finance Committee  
Article requires a majority vote.

**Article 8:** To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide, the sum of \$ 168,500 to purchase a new highway One Ton Truck and \$5,000 to purchase an extended warranty for said truck for 6 years or take any other action relative thereto.

Finance Committee  
Article requires a majority vote.

**Article 9:** To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide, the sum of \$6,500 to be used to maintain cemeteries in the Town of Charlemont, or take any other action relative thereto.

Finance Committee  
Article requires a majority vote.

Information: This article funds cemetery mowing and care in Town owned Cemeteries.

**Article 10:** To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide \$40,000 for bridge repairs, or take any other action relative thereto.

Finance Committee

Article requires a majority vote.

Information: This article helps with engineering, easement, and other expenses related to town bridge projects.

**Article 11:** To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide \$40,000 for infrastructure repairs, or take any other action relative thereto.

Finance Committee.

Article requires a majority vote.

Information: This article is used for roadway projects such as mud road upgrades and general road improvements.

**Article 12:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide \$5,000 to renovate bathrooms in the town hall.

Finance Committee

Article requires a majority vote.

**Article 13:** To see if the Town will vote to create a special purpose stabilization fund to be known as the 'Vehicle and Equipment Stabilization Fund,' in accordance with Massachusetts General Laws Chapter 40, Section 5B, for the purpose of funding the purchase, replacement, or repair of town vehicles and equipment, and to raise and appropriate, or transfer from available funds, a sum of money to be placed in said fund; or to act in any other manner in relation thereto

Finance Committee

Article requires a 2/3 Majority

**Article 14:** To see if the Town will vote to transfer from its Surplus Revenue (Free Cash) a sum, to the Town Stabilization Account or take any other action relative thereto.

Article requires a majority vote.

**Article 15:** To see if the Town will vote to transfer from its Surplus Revenue (Free Cash) a sum for the purpose of reducing the tax levy for FY 2027 or take any other action relative thereto.

Article requires a majority vote.

**Article 16:** To see if the Town will vote pursuant to General Laws Chapter 39, Section 14 to amend the Town By-laws by changing the term of office for the Town Moderator from one (1) year to three (3) years, effective as of the 2027 Annual Town Election; or to take any other action relative thereto.

**Article 17:** To see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts for special legislation to authorize the Town to continue the employment of two (2) firefighters, Douglas Annear and Barry Purinton beyond the age of 65, for a period not to exceed three years subject to their continued fitness for duty, and that no retirement deductions shall be made from their regular compensation for services performed subsequent to reaching age 65; or take any other action relative thereto.

**Article 18:** To see if the Town will vote to authorize the Board of Selectmen to sell, convey, or otherwise dispose of the fee or any lesser interest in all or a portion or portions of the Town-owned parcels of land located on Avery Brook Road and identified as Assessor's Parcel Nos. 053/009.0-0000-0003.0, 053/009.0-0000-0004.0, and 053-009.0-0000-0005.0, consisting of approximately 13.6 acres in total, upon such terms and conditions as the Board of Selectmen deems in the best interest of the Town, and to authorize the Board of Selectmen to enter into all agreements and take all action necessary, convenient or appropriate to carry out the purposes of this article; or take any other action relative thereto.

**Article 19:** To see if the Town will vote to amend the Town General Bylaws by removing in their entirety the following sections from Chapter IX, Public Safety:

1. Minor Curfew Bylaw
2. Sex Offender Bylaw

Or take any other action relative thereto.

**Article 20:** To see if the Town will vote to amend the Town Bylaws by adding the following section to Charlemont Dog Bylaw, that will require those persons in control of dogs to properly remove and dispose of dog waste, as shown below, and further to authorize the Town Clerk to assign such numbering and to make nonsubstantive changes to the format of this bylaw in order that it be in compliance with the numbering format of the version of the Bylaws currently in effect; or take any action in relation thereto.

## Dog Waste Disposal

A. Human exposure to dog feces is a health hazard as dog feces contain parasites, bacteria and viruses which cause significant diseases to humans and animals. As such, neglecting or refusing to immediately and properly dispose of dog waste is a behavior which is offensive to the public and is disruptive to the public peace.

B. Any person who is in control of a dog anywhere within the Town of Charlemont, other than on their own private property, must immediately remove and dispose of any feces left by the dog. For the purposes of this section “control” shall mean the dog’s owner or a person exercising restraining or directing influence over the dog, whether or not the dog is secured by a leash, lead or any other tethering device.

C. Requirements: (1) Persons in control of dogs must carry with them a device designed to dispose of dog feces. Such devices include but are not limited to plastic bags or “pooper-scooper” devices. (a) Persons in control of dogs must use such device to remove and contain the dog feces as required in this section. (2) Persons in control of dogs must dispose of dog feces in a sanitary manner. Dog feces may be disposed of in trash cans or designated dog waste stations only when the feces are sealed in a plastic or compostable bag. (a) Dog feces may never be disposed of in any drain, catch basin, or waterway.

The fine for the first offense committed by a person shall be \$50. The fine for a second offense shall be \$100. The fine for a third offense shall be \$300.

**Article 21:** To see if the Town will vote to amend the Zoning Bylaws as follows or take any other action relative thereto.:

1. Add the following new Section 40:

### Section 40 Accessory Dwelling Units

#### Section 40.1 Purpose

Accessory dwelling units (ADUs) became a protected use in 2025 under M.G.L c. 40A §3 and accompanying regulations 760 CMR 71.00 et seq. ADUs can serve the following purposes:

1. Provide older homeowners with a means of obtaining rental income, companionship, security, and services, enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
2. Provide younger homeowners with a means of obtaining rental income and thereby enabling them to own a home they might otherwise not afford;
3. Add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to households who might otherwise have difficulty finding housing and
4. Provide housing units for persons with disabilities.

## Section 40.2 Regulations

### 1. General Provisions for All ADUs

a. ADUs shall maintain a separate entrance from the Principal Dwelling sufficient to meet safe egress under the Building Code and Fire Code.

b. ADU construction shall comply with 310 CMR 15.000: The State Environmental Code, Title 5 regulations for a Single-Family Residential Dwelling in the Single Family Residential Zoning District in which the Protected Use ADU is located.

2. Protected Use ADUs. The Building Inspector shall approve a Building Permit authorizing Protected Use ADU installation and use within, or on a Lot with, a Principal Dwelling, including within, or on a Lot with, a Pre-Existing Nonconforming Structure, if the following conditions are met:

#### a. Dimensional Standards

i. Protected Use ADU shall not be larger in Gross Floor Area than 900 square feet or  $\frac{1}{2}$  the Gross Floor Area of the Principal Dwelling, whichever is smaller.

ii. A Protected Use ADU shall comply with the dimensional standards required for a Single-Family Residential Dwelling or Principle Dwelling or accessory structure in the Zoning District in which the Protected Use ADU is located, whichever results in more permissive regulation.

b. Off-Street Parking. One additional off-street parking space shall be required for Protected Use ADUs on a lot located entirely outside the  $\frac{1}{2}$ -mile radius of a Franklin Regional Transit Authority (FRTA) bus stop or any other Transit Station. For lots within  $\frac{1}{2}$  mile of a Transit Station, providing parking for the accessory dwelling unit is optional.

3. Special Permit for an additional ADU on a Lot. A second ADU on a Lot in a Single-Family Residential Zoning District in which a Protected Use ADU is already located shall require a Special Permit from the Planning Board. The additional ADU shall be classified as a "Local ADU".

### 4. Nonconformance

a. A Protected Use ADU shall be permitted within, or on a Lot with, a Pre-existing Nonconforming Structure so long as the Protected Use ADU can be developed in conformance with the Building Code, 760 CMR 71.00, and state law.

b. A Protected Use ADU shall be exempt from any required finding under M.G.L. c. 40A §6.

### Section 40.3. Administration and Enforcement

1. The Building Inspector shall administer and enforce the provisions of this bylaw.
2. No building shall be changed in use or configuration without a Building Permit from the Building Inspector
3. No building shall be occupied until a certificate of occupancy is issued by the Building Inspector, where required.
4. The Building Inspector shall apply the Dover analysis as articulated in the standards in 760 CMR 71.03(3)(a), to any request for a Protected Use ADU Building Permit and shall waive any zoning requirement that the Building Inspector finds to be unreasonable under the Dover analysis.

### Section 40.4. Definitions

The definitions set forth in G.L. c.40A, §1A and 760 CMR 71.00, et seq., as they may be amended, shall apply to the terms of this bylaw not expressly defined herein, and shall control in the event of a conflict. General references to ADUs in this by-law include both Protected Use ADUs and Local ADUs.

Accessory Dwelling Unit (ADU). A self-contained housing unit, inclusive of sleeping, cooking, and sanitary facilities on the same Lot as a Principal Dwelling, subject to otherwise applicable dimensional and parking requirements, that maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the Principal Dwelling sufficient to meet the requirements of the Building and Fire Code for safe egress. ADUs may be detached, attached, or internal to the Principal Dwelling.

Design Standards. Clear, measurable and objective provisions of zoning, or general ordinances or by-laws, which are made applicable to the exterior design of, and use of materials for an ADU when those same design standards apply to the Principal Dwelling to which the ADU is an accessory.

Dwelling Unit. A single-housing unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. This can include a housing unit within a single-family, duplex, or multi-unit development.

Gross Floor Area. The sum of the areas of all stories of the building of compliant ceiling height pursuant to the Building Code, including basements, lofts, and intermediate floored tiers, measured from the interior faces of exterior walls or from the centerline of walls separating buildings or dwelling units but excluding crawl spaces, garage parking areas, attics, enclosed porches, and similar spaces. Where there are multiple Principal Dwellings on the Lot, the GFA of the largest Principal Dwelling shall be used for determining the maximum size of a Protected Use ADU.

Local ADUs. An ADU that is not a Protected Use ADU but includes rules specific to Charlemont.

Lot. An area of land with definite boundaries that is used, or available for use, as the site of a structure, or structures, regardless of whether the site conforms to requirements of zoning.

Modular Dwelling Unit. A pre-designed Dwelling Unit assembled and equipped with internal plumbing, electrical or similar systems, in compliance with the Building and Fire Code, prior to movement to the site where such Dwelling Unit is affixed to a foundation and connected to external utilities; or any portable structure with walls, a floor, and a roof, designed or used as a Dwelling Unit, transportable in one or more sections and affixed to a foundation and connected to external utilities.

Principal Dwelling. A structure, regardless of whether it, or the Lot it is situated on, conforms to zoning, including use requirements and dimensional requirements, such as setbacks, bulk, and height, that contains at least one Dwelling Unit and is, or will be, located on the same Lot as a Protected Use ADU.

Protected Use ADU. An attached, detached or internal ADU that is located, or is proposed to be located, on a Lot in a Single-Family Residential Zoning District and is protected by M.G.L. c. 40A, § 3, provided that only one ADU on a Lot may qualify as a Protected Use ADU. An ADU that is nonconforming to zoning shall still qualify as a Protected Use ADU if it otherwise meets this definition.

1. Amend Article V to delete the following definitions:

## **ARTICLE V - DEFINITIONS**

In this by-law the following terms shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed:

**Accessory Apartment:** An additional dwelling unit consisting of no more than four rooms and no more than 800 square feet of living area in a single-family home. An Accessory Apartment may also be located in an accessory structure such as a garage or barn provided there is no expansion of square footage of the accessory structure. The Accessory Apartment shall be occupied by no more than two people. The owner of the property shall permanently occupy the principal or accessory residence. Adequate off-street parking shall be provided and parking shall be to the side or rear of the principal structure to the maximum extent possible.

**Accessory Building:** A structure such as a garage, shed, or outbuilding which does not contain housekeeping facilities and whose purpose is incidental or subordinate to the primary purpose of the property.

**Accessory Use:** A use customarily incidental and subordinate to an allowed principal use or building and located on the same lot with such principal use or building.

**Article 22:** To see if the town will vote to amend the Zoning Bylaws, Section 44.2.H , to delete the strikethrough language and add the underlined language as follows:

~~Line item H. currently reads: Any new tower or mono-pole shall not be erected nearer to a property line than a distance equal to twice the vertical height of the structure, nor shall it be allowed nearer than 800 feet to any existing residential structure;~~

The amended line-item H. would read:

H. Any new tower or mono-pole or so called "small cell" wireless installation shall not be erected nearer to a property line than a distance equal to twice the vertical height of the structure, nor shall it be allowed nearer than ~~800~~ 1500 feet to any residential structure in the Rural Residential districts. No new towers or mono-poles shall be allowed in the Village Center district. "Small Cell" wireless installations in the Village Center District shall be at least 500 feet apart, at least 350 feet from residential structures and at least 800 feet from any school.

Or take any other action relative thereto.

**Article 23:** Resolution in Support of “Act Establishing Medicare for All”

Whereas access to health care has become one of the biggest political issues of the day and is of great concern to ourselves and our neighbors; and

Whereas: Seventy-two countries provide universal publicly funded health care, but the United States does not; and

Whereas: the cost of health care keeps increasing thereby creating a burden and a concern to us all; and

Whereas: the number of people who do not have affordable access to quality health care increases, the health of our communities decreases, and

Whereas: the cost of health insurance increases and the policies include up-front costs of co-pays and deductibles that are a burden for employers and employees.

Whereas: in particular, the money spent by Cities and Towns to cover their employees is a large cost to both the employer and the employees; and

Whereas the Town of Charlemont would save \$129,055.00 (FY 2025 costs) per year in insurance costs under the “Act Establishing Medicare for All”, and

Whereas these funds could be better spent by Towns to improve the overall quality of life, and for employees to increase wages and salaries and other benefits; and

Whereas: 98% of households would have reduced healthcare costs under the “Act Establishing Medicare for All”, and

Whereas Massachusetts has been a leader in providing coverage for quality health care for its people;

and

Whereas there is an alternative means of providing health care for all that also provides better coverage, without co-pays and deductibles, and includes medical, dental, vision, mental health, long term, and preventative care as provided for in the “Act Establishing Medicare for All”, House Bill – H1405, Senate Bill S860

Therefore be it Resolved:

That the Town of Charlemont endorses the House and Senate Bills, “Act Establishing Medicare for All” (H1405 & S860) and will communicate its support to the State Representative and State Senator.

**Article 24:**

**To see if the Town will vote to adopt the Commercial Property Assessed Clean Energy (C-Pace) program , as established by Massachusetts General laws Chapter 23M and authorized by Chapter 295 of the acts of 2018, as amended, to enable the facilitation of energy efficiency ,renewable energy, and resiliency projects on eligible commercial and industrial property located within the Town; and further to authorize the board of selectmen to enter into a contract for the program with the Massachusetts Development Finance Agency (“MassDevelopment”) and to execute all documents necessary to effectuate this purpose; or take any other action relative thereto.**