



THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

March 11, 2025

Laurie Becker, Town Clerk
Town of Paxton
697 Pleasant Street
Paxton, MA 01612

Re: Paxton Special Town Meeting of November 18, 2024 – Case # 11660
Warrant Article # 11 (Zoning)
Warrant Articles # 3 and 4 (General)

Dear Ms. Becker:

Articles 3 and 4 - We approve Articles 3 and 4 from the November 18, 2024 Paxton Special Town Meeting.

Article 11 - Because of a procedural defect in the adoption of Article 11, the Attorney General has elected to proceed under the authority conferred by G.L. c. 40, § 32 and place this Article on “299 hold.”

In the materials submitted to us the Town Clerk certified the following information pursuant to G.L. c. 40, § 32 and c. 40A, § 5: the Planning Board hearing notice that was posted and published did not provide notice of the subject matter sufficient for identification of the proposed zoning amendment, as required by G.L. c. 40A, § 5.¹

For this reason, the 90-day period prescribed for the Attorney General’s review of Article 11 is suspended in accordance with G.L. c. 40, § 32. A signed copy of Form 299 is enclosed. Once the procedures outlined in Form 299 are completed, and after the expiration of the 21-day period required by G.L. c. 40, § 32, please return a copy of Form 299 to us along with your certification

¹ Under Article 11 the Town voted to amend the zoning by-laws to make changes related to “Accessory Dwelling Units” by: (1) amending Section 1.3, “Definitions,” to add a new definition for the term “Accessory Dwelling Unit;” (2) amending Section 3.2, “Use Schedule,” to make changes regarding the use “Accessory Dwelling Unit;” and (3) amending Section 15 to add a new section, “Accessory Dwelling Units.” The Planning Board hearing notice that was posted and published described the subject matter of the Planning Board hearing regarding Article 11 as follows: “to consider the following Proposed Town of Paxton Zoning Bylaw Amendments including a new Section 16 MBTA Communities Multi-Family Overlay District and Updated Zoning Maps.” The notices did not identify any zoning amendments related to Accessory Dwelling Units.

that a true copy has been posted and published as required by G.L. c. 40, § 32 and whether any claims have been filed.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute.

Very truly yours,

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

Nicole B. Caprioli

By: Nicole B. Caprioli
Assistant Attorney General
Deputy Director, Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(774) 214-4418

cc: Town Counsel Brian R. Falk