

**Fourth Amendment to Warrant Article 6**  
Submitted by Robert McGaw (Precinct 1)

Purposes of this Amendment:

To clarify that the Building Commissioner can issue a Building Permit for a proposed reconstruction, extension, alteration, or structural change to a non-conforming single- or two-family structure if the conditions in any of the three clauses 1), 2), and 3) are met.

To clarify that clauses 1) and 2) in the second unnumbered paragraph apply to a “reconstruction,” “extension,” or “structural change” as well as an “alteration,” since all four types of change are referred to in the first unnumbered paragraph as well as in the third unnumbered paragraph.

To correct the punctuation and use of the relative pronouns “which” and “that.” When “which” is used as a relative pronoun to introduce a clause, “which” is properly used in the descriptive sense and commas set off the clause. When “that” is used as a relative pronoun to introduce a clause, it is used in the restrictive sense and no comma is needed.

MOVED: That the substitute motion made by the Planning Board amending section 1.5.4 of the Zoning Bylaw be amended by substituting for the unnumbered second paragraph (including subparagraphs 1), 2) and 3) of that paragraph) of subsection B, clause (1) as proposed by the Planning Board, the following new second paragraph to read as follows:

The Building Commissioner may issue a Building Permit if the conditions in any of the following three clauses are met: [~~under the following circumstances:~~]

- 1) A reconstruction, extension, alteration, or structural change to a structure that [~~which~~] complies with all current setbacks, open space, lot coverage and building height requirements but is located on a lot with insufficient area and/or frontage;
- 2) A reconstruction, extension, alteration, or structural change to a structure that [~~which~~] encroaches upon one or more required setbacks, where the reconstruction, extension, alteration, or structural change will comply with all current setbacks, open space, lot coverage and building height requirements. This clause shall apply regardless of whether the lot complies with the current area and/or frontage requirements; or

- 3) A half-story addition to a nonconforming structure [~~deleted comma~~] that will not increase the footprint of the existing structure, create a new dimensional nonconformity or extend an existing dimensional nonconformity, provided that the existing height restrictions shall not be exceeded. This clause shall apply regardless of whether the lot complies with the current area and/or frontage requirements.

[NOTE: the additions are identified by double-underscoring; deletions are shown with ~~double-strikethrough~~ and [brackets] .