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September 4, 2014

Emily Johnson, Town Clerk
Town of Monterey
P.O. Box 277
Monterey, MA 01245

**RE: Monterey Special Town Meeting of May 3, 2014 - Case # 7273
Warrant Article # 1 (Zoning)**

Dear Ms. Johnson:

Article 1¹ - We approve the amendments to the Monterey by-laws adopted under Article 1 at the May 3, 2014 Special Town Meeting.

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. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

¹ On July 18, 2014, we elected to proceed under the provisions of Chapter 299 of the Acts of 2000 (which amends G.L. c. 40, § 32) by giving notice of defects in the procedure of adopting the by-law amendments voted under Article 1. In a certification dated August 29, 2014 you affirmed that the notice was posted and published in accordance with the provisions of Chapter 299, and that no claims were filed with the Office of the Town Clerk within 21 days of publication. For this reason, the Attorney General is authorized by Chapter 299 to waive (and does so waive) the defects.

Very truly yours,

MARTHA COAKLEY
ATTORNEY GENERAL

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cc: Town Counsel Jeremia Pollard