

Article 27 – Local Historic District

Tom Ehrgood, Precinct 5
Resident in the proposed district

The LHD is not a district. It's a regulation.

Regulation defined:

- Imposition of rules by government
- Backed by penalties
- Intended to modify behavior of people or firms

Evaluation factors:

- Purpose
- Scope
- Decision standards
- Administrative mechanism



The Lessey-Stockbridge House (1870)

Beloved home. So many little things to take care of: roof replacements; chimney rebuilding; railings added; door panels replaced; steps to replace; painting, painting and more painting; storms windows and air conditioners added....



Feel of a village on morning walk



Incompatible architecture on the western border

Currently Allowable Uses in the District

R-G (most of the district)

- For-profit hospital, rest or convalescent home, living care community or other residential facility (3.336.0)
- Congregate housing for elderly (3.328)
- Hostel (3.327.2)

B-N and B-VC (SW & SE corners of Main and Dickinson)

- Apartments (3.323)
- Hotels, motels, inns, hostels (3.327)
- Medical buildings (3.336)
- Dry-cleaning (3.351)
- Convenience store (3.350.1)
- Grocery (3.350.2)
- For-profit trade or other professional institutions (3.332)

Overbroad Original Scope Repaired

Bylaw Section 6.1

ALTERATIONS AND CONSTRUCTION PROHIBITED WITHOUT A CERTIFICATE

6.1 Except as this Bylaw provides **and when a building permit is required**, no BUILDING or STRUCTURE or part thereof within a DISTRICT shall be CONSTRUCTED or ALTERED in any way that affects the EXTERIOR ARCHITECTURAL FEATURES as visible from a public way, unless the COMMISSION shall first have issued a CERTIFICATE with respect to such CONSTRUCTION or ALTERATION, **except that a CERTIFICATE shall be required in all cases when the CONSTRUCTION or ALTERATION involves a removal of an EXTERIOR ARCHITECTURAL FEATURE as visible from a public way.**

Effect of the change

- Every visible alteration was within scope of control
 - Important things
 - Trivial things
- Although the Bylaw said alterations not requiring Building Permits are covered, its proponents could not give examples.
- As changed, trivial things removed and zone of confusion substantially eliminated.



“Features” the removal of which...

Bylaw Sec. 6.1: “, except that a **CERTIFICATE** shall be required in all cases when the **CONSTRUCTION** or **ALTERATION** involves a removal of an **EXTERIOR ARCHITECTURAL FEATURE** as visible from a public way.”

Historic Authenticity or Do No Harm?

Original – Historic authenticity

RULES SEC. 3.7 [T]he Commission may...be guided in part by [the following publications]:

- Massachusetts Historical Commission's **Preservation Planning Manual**,
- Massachusetts Historical Commission's Massachusetts State **Historic Preservation Plan**,
- **US Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings**,
- **National Park Service's Historic Buildings Preservation Briefs**, and
- US Department of Commerce's **Preservation Tech Note**

Modified – Do no harm

Bylaw Sec. 8.1 In deliberating on applications for certificates,...[t]he Commission shall be guided by the purpose of this Bylaw to preserve and protect EXTERIOR ARCHITECTURAL FEATURES of the BUILDINGS and STRUCTURES in the District as they exist at the time of the Bylaw's adoption.



60-year-old steps must be replaced...



But not by 140-year-old steps!

Friendly Administration: Promise Made Promising

- Role of the Building Commissioner
- Ease of obtaining Certificates of Non-Applicability for exempt acts
 - features not visible from the public way
 - other reasons
- User-friendly applications
- Other factors contributing to a user-friendly administrative mechanism
 - modified PURPOSE statement
 - “do no harm” decision standard
 - The collaborative nature of the bylaw adoption end-phase augurs well for the next stage of building out the administration mechanism