

Local Historic District Study Committee Meeting

10/5/10

Town Room, Town Hall

PRESENT: Jerry Guidera, James Wald, Phillip Shaver, Tini Sawicki, Bill Gillen, Lynda Faye; Member of the public, Tom Ehrgood; Nathaniel Malloy (Planning Dept.)

ABSENT: Wendy Kohler

Announcements and minutes:

Jerry Guidera presided.

The meeting began with an announcement by Phil Shaver that he has accepted the presidency of the Amherst Historical Society.

Minutes of meeting of September 7 were duly approved. Bill Gillen took the minutes for most of the meeting.

Handouts at the meeting: September 7 minutes, draft Amherst Local Historic District Rules and Regulations, the Amherst Local Historic District Bylaw, Agenda for public meeting of the Local Historic District Study Committee Oct. 5, 2010.

Old Business:

Review of a draft of rules and regulations as written by Phil Shaver.

Comments:

- a. What is the difference between rules and regulation and the bylaw: Answer: Bylaw is a policy; rules & regulations govern the operation. Note, the Bylaw must be approved by 2/3 vote of Town Meeting; the "Rules and Regulations" can be amended by an affirmative vote of four members of the commission.
- b. Comment by Guidera: Concern about the permitting delays. It is hoped that the application will be in sync with the building permit application process. To this end the rules and regulations should enable the building commissioner to quickly determine if a certificate of appropriateness from the commission is required.
- c. Suggested that an applicant applies for a certificate of compliance should have their building permit application 'jumped' ahead of others. This is meant to provide some relief to those who must file for a certificate of appropriateness.
- d. Fees will be applied only if a certificate of appropriateness is required.
- e. It was suggested that a general note be added to the building permit application advising the applicants to review their project with the building commissioner before completing their permit application, plans and engineering.

RULES AND REGULATIONS CHANGES

1. GENERAL RULES; JURISDICTION

Second sentence: The Town's jurisdiction in regard to the Local Historic District Bylaw shall be delineated on the official Local Historic District Map of the Town of Amherst, on file in the Town Building Commissioner's office, the Hampshire County Registry of deeds and at the Mass Historical Commission", delete the reference to the "Town Building Commissioner's office" and substitute: to review by the Amherst Planning Dept (the whole package, the rules and regulations and the map will be submitted; however, note that the rules and regulations can be changed by the commission without Town Meeting approval).

2. MEETINGS OF THE COMMISSION: RECORDS

Cancellation of Meetings: Delete: "at least 48 hrs. prior to the schedule time."

3. CHANGES REQUIRING COMMISSION APPROVAL

Also exempt are:

Delete entire paragraph: "-planting or removal of trees, shrubs and other plants, except for any plantings required by the Commission for screening purposes."

Next paragraph: -movable garden furniture, objects and ornaments such as bird houses, bird feeders and rocks in rock gardens: delete in its entirety and substitute:
"-movable garden furniture, objects, ornaments and play equipment."

Next paragraph, delete in its entirety: "-temporary play equipment not set in cement or attached to a building."

Next paragraph: -temporary signs, such as political and real estate signs to be removed within 90 days, delete in its entirety and substitute
"-temporary signs such as political and real estate signs."

Next paragraph, delete in its entirety: "-any requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition" (it is already in 9.3 of the bylaw).

Next paragraph, delete in its entirety: "-any freestanding outdoor art or sculpture, provided that such are is not also a sign, that it does not alter any exterior feature protected by the Bylaw in such a way that it cannot be readily repaired, and it not also an integral part of the exterior façade of a building" and substitute:
"-freestanding outdoor art or sculpture."

Next paragraph: -handicap ramps, solar panels and satellite dishes not visible from the street": delete "street" and substitute: "public way."

Paragraph beginning, "Before undertaking any work.....", second sentence, "Applicants may also contact the Commission by email or through the Town Clerk": delete: "Town Clerk" and substitute "Building Commissioner."

CONCLUDING DISCUSSION

At 6:45 Bill Gillen withdrew from the meeting.

After discussion, the Committee realized it would not be able to complete its report in time for the Spring 2010 Annual Town Meeting, so with regret the Committee agreed to aim to present its report to the Town Meeting in the Fall of 2011.

For further review and discussion of the Rules and Regulations it was agreed to meet next on October 26 and November 9, 2010, at 5:30 pm.

The meeting was adjourned at 7 pm.

Respectfully submitted,

Phil Shaver