



PLANNING BOARD

Report to Town Meeting

**Article 25. Local Historic District Bylaw Amendment
(Historic Commission)**

To see if the Town will vote to amend the General Bylaws, Article IV, Amherst Local Historic District Bylaw, by adding a new District Area to be known as the North Prospect-Lincoln-Sunset Historic District, as shown in a new Appendix 2, pursuant to M.G.L. Chapter 40C, Section 3.

Recommendation

The Planning Board voted 6-3 to recommend that Town Meeting adopt this article.

Background & Purpose

Currently Amherst has 9 Historic Register Districts and 6 Nationally Landmarked properties. These designations do not have much protective force. Local Historic Districts are a popular planning tool – there are over 220 in over 100 communities across Massachusetts. The entire island of Nantucket is an LHD. Amherst already has the Dickinson Historical District LHD. The proposal to create the North Prospect Lincoln Sunset Local Historic District is based upon the 2005 Amherst Preservation Plan, and the Amherst Master Plan; the Master Plan explicitly states that Amherst should preserve the historic character of its town and preserve historic areas, and calls for adaptive reuse in historic areas. The effort to establish this district began five years ago after an historic barn was demolished despite neighborhood opposition. Amherst Historical Commission unanimously recommended a LHD Study Committee be formed in 2012; in 2013 the Select Board voted to establish a Study Committee pertaining to the Lincoln-Sunset neighborhood.

The Study Committee has created an extensive digital database for the public relating to the history of the neighborhood. The Committee has reached out to many property owners and town stakeholders. Over 200 surveys were sent to houses in the proposed District in 2016. The Massachusetts Historical Commission supports the adoption of the Lincoln-Sunset LHD and even suggested expanding the proposed district.

During its proceedings, the Study Committee was guided by four criteria, as delineated by MHC guidelines: that the structures and areas under study possess architectural, historical, or social significance; that most of the potentially affected owners want the protections an LHD brings; that the proposed district should be contiguous, and divided by identifiable geographic features; and that the integrity of the neighborhood should be maintained.

Although the original study area extended north to the UMass parking lots near Nutting Avenue and Lincoln Ave, east to North Pleasant Street, west to Sunset Avenue, and south across Amity Street, decision was made not to include sections north of Fearing Street, due to a high proportion of student rentals, and to exclude areas south of Amity Street due to their different scale and character.

The purpose of the proposed Local Historic District, as expressed by the Study Committee, is to preserve the architectural and cultural history of this socially and economically diverse neighborhood that developed between the Civil War and the Second World War. The preservation of this District would “constitute a significant architectural and historical resource for the entire Town of Amherst”.

The LHDSC convened in December of 2014 and after more than two years of work, including research, inventories, public meetings and outreach to the community, the Committee prepared a Preliminary Study Report for the Proposed North Prospect-Lincoln-Sunset Historic District, including a map of the proposed area encompassing the northern portions of the Lincoln Sunset National Historic Register District and the Prospect Gaylord National Historic Register District, north of Amity Street, and surrounding neighborhoods stretching from properties on Sunset Avenue to the west, Amity Street to the south, properties on Fearing Street to the north and properties on North Prospect Street and North Pleasant Street to the east. Most of the properties proposed to be included in the District were in the R-G (General Residence) zoning district, but some were in the B-L (Limited Business) zoning district.

Process and Discussion

The Local Historic Study Committee presented the Preliminary Report and proposed map of the new district to the Planning Board on January 18, 2017. At that meeting the Planning Board received a comprehensive Power Point presentation on the history of the area, the buildings in the proposed district and the process that the Local Historic Study Committee had followed in preparing the Report.

The Planning Board asked many questions, offered comments and received information from the Study Committee about the following:

- The means and extent of public outreach as the Study Committee conducted its work;
- The kinds of restrictions that might be imposed on development in the District;
- Design guidelines that might be considered or be needed for regulation of the District;
- Tension between personal property rights, constitutional rights and the perceived common good of the neighborhood;
- Other land use permitting such as Zoning Board of Appeals, Planning Board and Design Review Board, that might overlap with the requirements of the Local Historic District, which would work towards maintaining the local historic streetscape;
- The zoning districts encompassed by the proposed District;
- The proposed boundaries of the District and whether the District should be larger or smaller than proposed;
- Whether the District should include land belonging to property owners potentially planning development along North Pleasant Street or the properties that are currently zoned Limited Business.

The Planning Board met again with representatives of the Local Historic District Study Committee on February 1, 2017. At that meeting the Planning Board and the LHDSC discussed:

- The outreach efforts that had been expended to contact property owners in the District;
- The possible need for design guidelines and plans to develop such guidelines;
- The administration of Local Historic Districts, including the Dickinson Local Historic District;
- Whether or not the restrictions were too limiting;
- Whether new buildings with more modern designs and energy efficient features (such as solar panels and innovative designs) would be allowed;
- The balance in the Master Plan between development on one hand and the preservation of historic buildings and neighborhoods on the other;
- Whether the area south of Amity Street should be included;

- Whether the District should be limited to properties in the R-G zoning district;
- The apparent agreement of the Study Committee representatives, on behalf of the Committee, to eliminate North Pleasant Street and the two houses on McClellan Street that are zoned General Residence.

After discussion a motion was made that the Planning Board express its support for and endorsement of the Local Historic District Study Committee Preliminary Study Report for the proposed North Prospect-Lincoln-Sunset Historic District with the exception of the following six properties, all currently in the B-L zoning district: 256 North Pleasant, 264 North Pleasant, 274 North Pleasant, 284 North Pleasant, 10 McClellan and 16 McClellan. The motion failed because several Planning Board members did not wish to include any of the properties along North Pleasant Street, even those within the R-G zoning district, because of future re-development potential along North Pleasant Street that may be impeded as a result of the establishment of the Local Historic District.

After further discussion another motion was made and the Board voted 5-2-0 to express its support for and endorsement of the Local Historic District Study Committee Preliminary Report for the proposed North Prospect-Lincoln-Sunset Historic District with the exception of the properties along North Pleasant Street and with the exception of the properties on McClellan Street that are in the B-L zoning district [10 McClellan and 16 McClellan], which were then included in the map of the proposed area.

Benefits

This article would provide a method to review changes to the exterior of buildings in the District and thereby preserve the architectural and visual integrity of the neighborhood.

This article would support strategies put forth in the Master Plan’s Natural and Cultural Resources section:

- NC.1.B – Increase historic preservation protection in Amherst’s zoning regulations in order to encourage preservation, restoration and rehabilitation of historic and archeological resources.
- NC.1.C – Establish new local historic districts to provide enhanced protections for our most significant concentration of historic resources.

Risks

Restrictions placed on the new Local Historic District may discourage development of new buildings and improvements to existing buildings if they are considered by the Commission to be at odds with the review criteria of the Commission and may place an extra burden on property owners who would now need to go through an additional permitting process when proposing changes or improvements to their properties.

While no design guidelines have been developed to date to assist the members of the Local Historic District Commission in their review of proposed changes and developments in the District, there are many examples of design guidelines throughout Massachusetts that Local Historic Districts have adopted. The Commission may wish to establish design guidelines as it moves forward to review proposed projects in the North Prospect Lincoln Sunset Local Historic District.

Recommendation

On March 29, 2017, the Planning Board met for a third time with representatives of the LHD Study Committee, who presented a revised map which eliminated the properties on North Pleasant Street and the properties on McClellan Street that are in the B-L zoning district. After discussion the Board voted 6-3 to confirm its support of the District as expressed in its meeting on February 1, 2017 and to recommend to Town Meeting that the proposed North Prospect Lincoln Sunset Local Historic District be approved.

The three members of the Board who did not vote to support the establishment of the District plan to present a minority report to Town Meeting.