



## Historic District Commission

### Meeting Minutes

2022-01-25

7:00 PM

Online, Town Hall, 472 Main St, Acton, MA 01720

**Present:** David Honn (DH), Art Leavens (AL), Ron Regan (RR), Zach Taillefer (ZT), David Shoemaker (DS), Anita Rogers (AR), Fran Arsenault (FA) BOS liaison, Barbara Rhines (BR) Cultural Resource Planner.

**Absent:**

**Opening:**

Chair David Honn opened the meeting at 7:03 pm and read the “remote meeting notice” due to COVID-19.

### 1. Regular Business

- A. Citizen's Concerns – Renee Robins. Continuation of discussion of moving a kitchen window several feet to accommodate a change in the kitchen layout. Photographs are shared with the meeting. The Bird Feeder window is the one in question; currently aligned with the upstairs window. Windows upstairs show mis-alignments. The window is visible from Windsor (at an angle). Moving closer to kitchen door. Original windows mostly (one-over-one); the kitchen window is in fact a replacement. AL: Would like to see a view from the street. AR: Need to see a drawing of where it would be placed to have an opinion. DS: the irregular rhythm of the window could be a good motivation to accept something. RR: Not opposed to moving. ZT: Not opposed – would like to see a drawing. DH: Would have been moved without thought back in the day. Pretty comfortable with a move now. If not looking head on it will be hard to sense alignment. Kitchen door is not centered, allowing a more liberal sense of alignment. Renee: The house dates from late 1890's. To note that the door is not original – it was on the other side of the house. So there have been comparable changes (or ones of greater import) in the past. Designer is not an architect – could mock it up with a copy machine and a camera to see what it would do. Also will take a photo from the street. AL: will email with the process (need for an application); and should place on the agenda.
- B. Approval of Meeting Minutes – DS makes a motion to approve the minutes from 11 January 2021; ZT second, DH takes a roll call vote: RR – Y, DS – Y, DH – Y, ZT – Y, AL – Y AR -- Y; the motion passes.
- C. Review Project Tracking Spreadsheet – Up to date.
- D. Chair Update:
  1. 29 Windsor COA Status: AR will take care of it this evening.
  2. 49 Windsor: Done
  3. 113 Main Street COA Status: Done



4. 16 Woodbury: Done
5. 74 Nagog Hill: COA Status: AR will take of it this evening
6. 446 Main Street: Need additional information; potential CNA – BR says we did not hear after several contacts. Should let them know we will be meeting on the 8 Feb and would like information by then.
7. 85 School: all quiet.
8. Gardner Playground: Public Hearing on February 8, 2022. Need an HDC Quorum. Appeared in the Beacon
9. DH: Mobile Homes in the Zoning Law: 3.8.4.2 A Mobile Home may be parked in front of a residence if a residence has been rendered uninhabitable.  
BR notes that a notice (COA) requires a stamp from the Town Clerk. HDC members 'approve' at the bottom, it is sent to BR who downloads it, takes it to the Clerk to be filed and stamped and then sends a copy of the stamped COA to the applicant. BR is happy to receive it as email, or HDC person can take an approved COA directly to the Clerk for filing and stamping and then deliver the stamped COA to BR for the HDC file and mailing to the applicant.

## **2. New/Special Business [or other applicable agenda items]**

- A. 7:24 Public Hearing: Proposed Amendment to the HDC Rules and Regulations Regarding Abutter Notices. AL: We proposed an amendment to codify which neighbors should be contacted with 'Abutters Notices'. Town Counsel offered to look into the issue but has not yet reported back. Thus, AL proposes to continue the discussion to Feb 8. Would be good to remind Counsel of our interest in a response; BR to follow up. DH: The Rules and Regulations on the Web Pages will need to be updated. AL: Once stamped, we call the person responsible (Matt Frost, Acton Chief Technology Officer) and it will be posted. AL makes a motion to continue the meeting, to Feb 8. DH seconds. DH takes a roll call vote: DS – Y, RR – Y, ZT – Y, AR – Y, DH – Y, AL - Y; the motion passes.
- B. 7:33 HDC Annual Property Owner Letter Review. DH: Each year we send out a letter, updated each year, to property owners in the Historic Districts. It introduces advantages and obligations for owners, and points to further information. We want to gather any comments. The group reads the current draft. AL volunteers to revise the text.

Additional topics that arose during the Letter review: BR: Color matters, and many nearby Towns give their committees jurisdiction. DH: in 1960 the law was written, Acton adopted in 1990. When taken to Town Meeting, the section on color was removed to improve the likelihood that the HDC law would succeed. It is worthwhile to compare our law with the State law. We occasionally make suggestions and are often heard. ZT: Are storm doors to be described with more precision? In order to avoid the removal of historically important exterior storm doors. We could consider trying to improve our definitions. AL: No explicit duration for temporary exceptions in our bylaws; this could be reconsidered.



- C. 20:33 HDC Hardship Definition Discussion. DH: Definition of hardship is vague in our Bylaws. Very rarely invoked. AL: Bylaw P provides that in the event of application for hardship, “the COMMISSION shall determine whether, owing to conditions especially affecting the BUILDING or STRUCTURE involved, but not affecting the DISTRICT generally, failure to approve an application will involve substantial hardship, financial or otherwise, to the applicant and whether such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this BYLAW.” This is copied from 40C exactly. None of 15 towns at which AL looked had any further elucidation of the meaning of ‘hardship’. Somerville notes in its Bylaw that handicap access might be a hardship exception. May be best left as is. Specifying may lead to unintentional errors. The claimed hardship has to be very narrow, applying to the specific building but not others; this narrowness is useful. Allows the Commission to exercise judgment. Handicap access is excluded in any event. DS: Demolition by neglect would be one argument of a hardship. We should consider again a way to bring this into the scope of the HDC. HDC decides to leave the language as is.
- D. 8:46 HDC Demolition Decision-Making Discussion. Triggered by 267 Central. DH: wanted to check other districts, Park Service, etc. if there are any resources to help us make a process that is more rigorous. BR: Research shows that towns don’t codify it, with the exception of Brookline. Review highlighted document. Seminars are yet to be pursued. Concord HDC Design Guidelines pg 25 is well written. MHC’s Guidebook for Historic District Commissions has good text – the Question list would be useful as part of our process. Interior Secretary Standards can be used as a resource, even if less explicit. We should draw these elements together in a ‘recipe’. AL: Offers to pull things together. DS: need to decide where this should be placed in our documentation. AL: Guidelines are an appropriate form. ZT, BR offer to help.
- E. 9:06 HDC Open Space Recreation Plan Discussion and Liaison Appointment: There are a number of small open spaces in the Districts. DH: There is an open space Committee, asking for a Liaison from HDC. FA will look into the timing of the meeting to help identify an HDC member who can serve. In two weeks the Gardner Playground will come to the HDC on the 8 Feb as a Public Hearing. The Select Board heard about rework of the traffic flow around the Town Common; it will come to the HDC on Feb 22<sup>nd</sup> as a Public Hearing. DH notes that the HDC should send a letter to the CPC advocating for funding of Asa Parlin restoration and reuse.

### **3. Consent Items**

None

#### **1. Adjournment**

At 9:14, DH makes a motion to adjourn the meeting, RR seconds. DH takes a roll call vote: DS – Y, RR – Y, ZT – Y, AR – Y, DH – Y, AL - Y; the motion passes.

### **Documents and Exhibits Used During this Meeting**



- HD tree initiative flyer
- HDC Agenda 1
- HDC Minutes 2022-01-11
- HDC Minutes 2022-01-11-final
- Historic-District Property Owner Letter
- Historic-District Property Owner Letter
- Qs for Town Counsel re\_ Proposed R&R Abutter Amendment
- Sample HDC Demolition guidelines