

Historic District Commission

Meeting Minutes

2024-01-09

7:00 PM

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

Present: David Honn (DH), Zach Taillefer (ZT), Anita Rogers (AR), David Shoemaker (DS), Art Leavens (AL), Barbara Rhines (BR) (Acton Cultural Resources Coordinator), Fran Arsenault (FA) (Select Board Liaison)

Absent:

Opening:

David Honn opened the meeting at 7:02 pm. DH read the “remote meeting notice” due to COVID-19.

1. Regular Business

A. Citizen's Concerns – None.

B. Approval of Meeting Minutes – 12 December 2023: DS moved their adoption, seconded by AL. AL, AR, DH, ZT, DS approve. Minutes approved.

C. Review Project Tracking Spreadsheet / Chair Updates:

Outstanding and Completed COAs/CNAs/Denials

- 526 Massachusetts Avenue Appeal of Denial #2322A - Withdrawn by applicant
- Update on Gardner Field: Will visit at next HDC meeting
- Placement of Garden Fountain, Application #2324: Individual members visited with some notes to amend the COA. BR to work with AR to complete the process.
- HDC Letter to HC (DH) Re: Concord Road HD: Not yet written. Anne Forbes had some comments.
- Schedule presentation by Building Commissioner to HDC on New Energy Codes applied to LHDs: Significant revisions to the Energy Code, some of which for the Historic Districts are not exempt. BR to ask the Building Commissioner to give the HDC an update for the HDC scope.
- Property Owners Letter update: BR found some additional images, one from each District. The text was revised after last meeting.
- 544 Massachusetts Ave. pre-application visit (DH & AR) – window and door replacement. Current windows are 1980-epoch, of no historical interest. Advice was given on HDC-compatible windows.
- Review of 2023 Project Tracker for Annual Report (BR & DS): Report is

due in February or March. DS to look at the statistics.

2. New/Special Business or other applicable agenda items

- A. 7:15 Public Hearing Application # 2346 30 Windsor Avenue, additions and renovations. BR reads the notice. Applicants Ron (RR) and Theresa (TR) Regan join. Christian Lanciaux (CL) (architect) joins. Drawings and renderings are shown. CL: An existing EPDM flat-roof about 16” down would be retained. No railings needed on the back section doors. AR: Like it. ZT: Also like it. On the front window replacements – what’s intended? CL: The Pella windows, which are the closest that could be found to the older existing windows. Historic sills will be applied where replacement necessary. RR: Current vinyl windows in the front are failing; some windows on the back, which are historically valuable, will be reused. DS: The top of the bay window stack is very strong visually. CL: The roof overhang is toned down from some of the designs. DS: I am happy. AL: Quite graceful. For the new addition the gable does appear dominant, disproportionate to the rest of the house, but it is ok. DH: Reroofing? CL: One area may need it – a rolled-on asphalt material would be an in-kind replacement. All the new roofs are asphalt shingles. AR: The ‘Pella reserve window’ is a replacement for the Architect series? CL: Yes. The existing casing would remain and the window would be installed behind the trim. Note that an existing scone will be used as a model for an additional one. AR: Moves we approve the project at 30 Windsor Avenue based on the drawings of 11/17 2023 as drawn, including materials, lights, railings, etc. and roll-roofing as specified. AL Seconds. AL, AR, ZT, DS, DH approve.
- B. 7:45 Public Hearing (Continued) Application #2341 450 Main Street, solar panels. Eugenio Fernandez-Ventosa, Owner, (EFV) joins. DS recuses himself. DH uses the rule of necessity to maintain ZT as a voting member. AL recapitulates the preceding meetings and conclusion. AL has drafted the disapproval; screen is shared and the findings summarized. EFV: Does not agree with the finding that the roof is plainly visible from the governing way. AL: Noted. EFV: Does not find a statement in the guidelines that vegetation is not considered in determining visibility from governing way. Sees that plantings are included in the list of means to block vision. AL: A fair point. The HDC has authority to order screening (which could include vegetation) which would otherwise be inconsistent. This is different than existing vegetation. The HDC has taken the perspective that because existing vegetation is not permanent in the way that buildings for these purposes are, it cannot be considered in determining what is visible from the governing way. EFV raises the possibility to plant evergreens that could hide the roof line to understand the guidelines more precisely. DH: The HDC has always used the perspective that vegetation does not exist; screening has been recommended in the past to hide a generator or heat pump. AL: The view from the driveway would still show the roof. EFV: Believes the roof in question is not visible from the driveway perspective. ZT: Who owns the property where the current vegetation exists? EFV: there is a mix of ownership of the property between the two. Was planning on a wall of Evergreens to help block noise from the street, which would also serve to hide the solar panels. AL: HDC members approve the Disapproval and we can turn to the Hardship questions. Under Bylaw P7 when the HDC disapprove an application for a CoA, it must then consider

hardship, and Section 7.6.1 provides the factors that must be satisfied before hardship relief can be provided. First, there is a condition that the hardship must relate to the building in question uniquely and not to the surrounding buildings, and in this case the potentially unique feature is that the building wall that could carry the solar panels would front on and/or be visible from the governing way, which makes it ineligible for the installation of solar panels. In fact there are many such buildings in the three Historic Districts, including several on Main Street (one of which is 450 Main Street) which have the south-facing roof fronts on and/or is visible from the governing way, none of which have solar panels on that roof surface, so this uniqueness condition is not fulfilled. ZT, AR, DH: Agrees with AL's statement that several buildings in Historic Districts have roofs that front on and are visible from their governing way and that no roofs visible from the governing way have been approved for solar panels. AL: A second condition would be if this condition would create a significant financial hardship. The additional consideration of financial hardship does not appear to be fulfilled, given e.g., the alternative of an out-of-sight ground-based array. EVF: A free-standing array would be significantly more expensive, so not financially practical. AL: If this is the hardship on which you're relying, a cost comparison would be needed. Finally, the Owner would need to show that approving the hardship would not lead to significant derogation of the Town Historic District Bylaw P to preserve the historic value of the building and district, and this does not appear to be the case. The evidence shows that the converted barn in question is a building with unique architecture and substantial historic significance, the very thing that Bylaw P is designed to protect. Issuing a Certificate of Hardship in this case would substantially derogate both that Bylaw and the public welfare it is designed to promote. No further HDC member or applicant comments followed. AL moves for rejection of the hardship. ZT: seconds. AL, AR, ZT, DH all vote to deny. AL: Will draft a certificate of formal denial, which once issued, is final. An appeal can be made via the Town Clerk, using the Bylaw P appeal process in section 12.1. DH to formally file the certificate of denial. DS returns.

- C. 8:15 82 Application # 2347 111-113 School Street, replacement deck and railings. DH recuses. Applicant, though requesting this date, not present. AR: Leads discussion as Vice Chair. Discusses railings that could be appropriate, and did some research. A simple aluminum railing appears to be acceptable visually and probably not excessively expensive. Painting the '2x' current structure would only make it more heavy and visible, so not an option. Local metalworkers could make something that would work to move away from the kit appearance. DS: likes the railings proposed by AR. DS notes that the HDC could approve of the deck, and the application could be broken in two to allow incremental payment for the deck. ZT: In favor of seeking some sort of relief for the builder as much of the work is either not in the HDC's purview or is likely acceptable. BR: The application to the HDC just says 'replace rotted deck'. We would like to see the application to the Building Department. AL: Could deny, except for the deck; could include a requirement to replace the railings with those approved by the HDC. ZT: Possible to communicate to the applicant ASAP so that at the next HDC meeting the applicant could be present, perhaps with a new application? DS, AR, agree. Citizen's questions: DH: Due to missing members in the HDC, the meeting on the 28th will not

have a quorum given abutters. AR Moves we deny the pressure treated railings at 111-113 School St and add that they must be replaced with railings and guards approved by an HDC approved design. AL: Add a finding that the deck is a CNA for the horizontal surfaces of the deck and the stairs, as an in-kind repair. The HDC recommends the owner/builder confer with the HDC. No apparent hardship presents itself. AL will write it up. DS, ZT, AL, and AR approved.
DH returns.

- D. 8:30 Existing COA 9 School Street Discussion: John Perkins (JP), Applicant, joins. JP: An option for 9 School could be a large barn for commercial building. Wonders if a new-construction barn-like structure could be approved as a commercial building, and seeks addresses of barns that could be acceptable. DH: A timberframe barn-garage was approved on Arlington St. The West Acton Villiageworks buildings are intended to resemble a barn and are new construction. The original photos from the School St. site show a couple large buildings – warehouses, commercial buildings – which could trigger a design. JP: would a metal roof be allowed? DH, AR: yes, with a suitable choice of design. AR: There is a barn attached to a house that is a new construction that can be seen from the Arboretum and has a partial metal roof. The HDC invites JP to come back when useful.

3. Consent Items

None

1. Adjournment

At 21:19 DH moves to adjourn the meeting, AR seconds. DH takes a roll call vote: AL, AR, DS, DH, ZT all approve.

Documents and Exhibits Used During this Meeting.

- All relevant Applications and Documents, in Docushare