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Historic District Commission
Meeting Minutes December 8, 2009

Meeting called to order at 7:35 p.m. Scott Kutil (SK), Michaela Moran (MM), David Honn (DH), David Barratt (DB), and Kathy Acerbo-Bachman (KAB) were present. Maya Minkin was absent.

There were no citizens' concerns. The October 27, 2009 and the November 10, 2009 meeting minutes were approved as corrected.

MM announced that the commission had received a letter via email confirming out agreement with the developer of the 83-87 River Street properties. MM said that this letter would be part of the public record.

MM said that the HDC had received a letter from the Werner's withdrawing their application #0932 for replacement windows at 64 School St. MM reminded everyone that she was recused from a discussion of this application. However, speaking as a member of the public, she cautioned the commission that the wording of the withdrawal letter from the Werner's was unclear.

Lee's Nails has not paid a fee, so MM did not issue the COA for application #0934. At the same time we received a letter from Scott Mutch regarding this sign.

MM said that she wants to form another working group to study the issue of creating a revolving fund that would be used to give grants to homeowners in the districts. This working group would consider how to obtain CPC money for the revolving fund. KAB said that she is the sole member of the working group for education and so far she has planned a retreat for HDC members and walking tours, a garden lecture, and a window workshop for the public.

SK reported on HDC signs on Route 111. SK called Mass. Highway to ask them why our request for a permit to put two HDC signs on Route 111 was denied. They explained that the signs could not be approved under the Federal Manual on Uniform Traffic Control Devices and they suggested that the signs might be placed in the town right of way on a crossing street. SK will talk to a Town engineer, Corey York, about this suggestion.

MM said that we will be receiving an application from Nigel Godley at 10 Wood Lane. He wants to replace the garden shed on the property and build a new garage. MM told them to bring in an application. MM also reminded the commission that we could consider changing the orientation for viewing the property from Wood Lane to Concord Road.

MM brought up the Theatre III repairs for discussion. She summarized the problem for the commission: the steeple is leaking badly and is in need of emergency repairs and they are going to apply for CPC funds for the rehabilitation of the steeple. This means that the emergency repairs could remain in place as long as it takes to obtain CPC approval. MM suggested that we give them a Certificate of Non-Applicability for the temporary repairs. SK said that there is no precedent for giving a Certificate of Non-Applicability in this case and he wasn't aware of

anything in Chapter P or the HDC Rules and Regulations that would support this action. After some discussion among the commission members we decided only to send a letter to Theatre III informing them that we understand that the temporary repairs are required now and that will be followed by replacement in kind repairs once they have obtained CPC funds.

At 9 p.m. MM re-opened the Public Hearing on the HDC Rules and Regulations. We discussed Town Counsel's suggested changes to the Rules and Regulations. The Public Hearing was closed at 9:30 p.m. MM said she would send everyone copies of Town Counsel's suggested changes.

We talked about the letter from the Werner's at 65 School St and MM was recused from this discussion since she is an abutter. KAB said that she felt that the wording of the letter was not clear and that perhaps we should consider denying the application. The other members of the commission thought that we should simply ask the Werner's for clarification. KAB volunteered to email Judy Werner and ask for clarification.

TF told us about the discussion that she had with Brian Mullen who works for the Town and assesses requests for tax abatements and other hardship requests for social services. TF said that Brian's office has a process in place to assess a candidate's income and assets and make a hardship determination. DB commented that we could just ask the applicant for a good faith case. After some discussion we decided that TF would ask the Town Manager if we can use Brian's office and social service process to determine hardship in cases of hardship applications before the HDC. DB said that we need to provide applicants with a good idea of the hardship requirements and that can go in our application materials. DB also said that applicants must understand that just because they supply the information does not mean that they will be granted a hardship. MM will ask Steve Ledoux if we need to hold a Public Hearing to add the hardship requirements to our application materials.

MM said that Peter Barry mentioned that the Acton Community Housing Corporation has a fund that the HDC might use as a model.

At 10:45 the meeting was adjourned.