

The Application Process of WT Historic District Commission

In order to make the application process of the HDC easier and less time consuming for Homeowners within the Historic District we are enacting these Rules and Regulations as of our meeting of June 17, 2019.

Our bylaw and the Massachusetts General Law 40C allow us to write Rules and Regulations that detail how we handle the various sorts of applications. This process is described in Section 8 E “the Commission may adopt and amend such rules and regulations not inconsistent with the provisions of this by-law and prescribe such forms as it shall deem desirable and necessary for the regulations of its affairs and the conduct of its business.....”.

Chris Skelley Director of MA Historic, sent us this section, and Attorney Ken Lieberman confirmed that its purpose is to allow us to make the changes we feel are needed to operate in a fair and efficient manner in accordance with the bylaw’s intent. We are submitting a copy of them to the Town.

The process districts follow is further detailed on page 50 of “A Guidebook for Historic District Commissions in Massachusetts, published by the Massachusetts Historical Commission, Page 50 describes the Application and Review Flow Chart.

We consulted with several other HDCs including Concord, Brookline, Springfield, Danvers, Arlington, Swampscott, Hamilton, Cambridge. Following their examples, we have written Rules and Regulations outlining the procedure we will follow for Applications for Appropriateness, Non Applicability, and Hardship.

The Applicant brings the Application and any other requested material to the Town Hall. First, if the project is Non-Applicable: out of view, or maintenance with the same color design and materials, the approval of the full commission at a regular meeting is not required. A courtesy email will be sent to all members notifying them of the application by the Chair or Secretary. Two members of the commission, one of whom must be either the Chair or the Secretary, (because one of them must sign any certificate) will confirm that the project is non-applicable. No further review, and no HDC regular meeting is required. A CONA (Certificate Of Non-Applicability) will be issued to the applicant, and copies submitted to Town Clerk and Building Inspector.

Second, there will be a list of minor items we review that do not to require a Public Hearing, although they do require approval of the HDC at a regular meeting, after abutters have been given 10 days notice of application.

The HDC will soon schedule a public hearing to present to the public the list of minor items that do not require a public hearing (although they will require a vote at a regular meeting to confirm or deny). All interested parties will be notified of the date of this public hearing on minor items per our bylaw.

Thank You,
Sean Conley, Chair.

- 1) The Rules and Regulations for Reviewing and Approving an Application for a Certificate of Non-Applicability.

The Applicant brings the Application and any other requested material to the appropriate municipal office. First, if the project is Non-Applicable: out of view, or maintenance with the same color design and materials, approval of the full commission at a regular meeting is not required. An email will be sent to all members notifying them of the application by the Chair or Secretary. Two members of the commission, one of whom must be either the Chair or the Secretary, (because one of them must sign any certificate) will confirm that the project is non-applicable. No further review, and no HDC regular meeting is required. A CONA (Certificate Of Non-Applicability) will be issued to the applicant, and copies submitted to Town Clerk and Building Inspector.

- 2) These are the proposed Minor Items that will not require a Public Hearing but a Notification of Abutters and then a Regular Meeting to Approve the Certificate of Applicability.

They are: Limited use of Azek as trim; trees over 30 ft tall that are not considered historic or important by the Commission; solar panels on roofs if they are parallel with the angle of the roof line; condensers and reverse refrigeration for heating and cooling if screened and certain guidelines are followed; asphalt roof colors if shades of black or grey, or white cedar wood shingles; signs with no trademarks other than HDC plaques; window air conditioners; antennas; storm windows; driveways and/or parking areas for residential homes only; exterior lighting on residential homes only; traditional wood white picket fencing per guidelines, traditional split rail per guidelines, and dry set stone walls per guidelines.

- 3) All other Applications need a Public Hearing. The Commission can decide any Application with "minor items" may need a Public Hearing.