

WEST TISBURY HISTORIC DISTRICT COMMISSION MEETING MINUTES

Date of Meeting: May 20, 2019
Meeting at 5:30 PM at Howes House

Attending: Sean Conley, Anne Fisher, Nancy Dole, Charlie Kernick
Absent: Mark Mazer, Ken Lieberman

Discussion about how to manage certificates of non applicability. We have now talked to our attorney member, who consulted an expert in this area. It is clear that our bylaw allows us to write rules and regulations that detail how we handle the various sorts of applications. We submit a copy of them to the town clerk. 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 of MA Historic directed us to this section, and Ken confirms 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.

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 HDs including Concord, Brookline, Springfield, Danvers, Arlington, Swampscott, Hamilton, Cambridge. Following their example we will be writing 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 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. Two members of the commission, one of whom must be either the chair or the secretary, will confirm that the project is non applicable. No further review, and no HDC regular meeting is required. A CONA (certificate of nonapplicability) will be issued to the applicant, and copies submitted to Town Clerk and Building Inspector.

Second, we will have items to 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 need to schedule a public hearing where we will list items we feel do not require a public hearing, although it does require a vote at a regular meeting to confirm or deny. All interested parties will be notified of the date of the public hearing per our bylaw.

Third, everything else requires a public hearing.

Some things we discussed adding to certificates that do not require a public hearing are limited use of azek, trees over 30 ft tall that are not considered historic or important by the commission, solar panels on roofs if certain design principles are followed,

condensers and reverse refrigeration for heating and cooling if screened and certain guidelines are followed, certain roof colors if shades of black and or grey, signs with no trademarks, etc. We will continue to meet and add to this list, and then schedule a public hearing.

By delineating how we handle these various ways to review an application we hope to streamline the process for owners in the district, in order to serve both them and the community better, and encourage compliance in the district. After the public hearing, we will write an updated guideline as to application procedure which we will mail to all owners in the district.

Approved previous minutes.

Meeting continued to June 3.

Respectfully submitted,

Nancy Dole, Secretary

Approved on

June 17, 2019