

Historic District Commission
Town Hall, Room 126
Final Meeting Minutes, March 25, 2014

Meeting called to order at 7:30 PM. Attending: Pamela Lynn (PL, chairing this meeting), David Honn (DH), Ron Regan (RR), Anita Rogers (AR), and David Shoemaker (DS; note-taker). Mike Gowing (MG) as BofS rep.

7:30pm **Citizen's Questions/Comments**
RR recuses himself and asks about bench swings: is a COA required? DH: unless the furniture is anchored in cement, it is not in our purview.
RR rejoins the meeting.

7:35 **Minutes for March 11, 2014 approved by consent.**

7:40 **102 Main Street Violations**
The HDC went over the history and current status. PL: We wish to consider recommending to the Building Dept. for actions, and the best timing for them.
AR: The specific violations include the Door at top; Stairs; Vinyl Windows. HDC had considered the required egress. The owner was provided sketches by HDC members, and a 9-lite door image. At the meeting during which the application was considered, the HDC used photographs and drawings. A 9-lite or Dutch door was approved; Stair with newels and caps, shaped balusters.
Owner installed a simpler door, and the stairs as built were not as required by the HDC (HDC does not know what was in the drawings approved by Building Dept.). Building Inspector enquired of the owner if the builder was aware of the HDC requirements, and was assured by the owner that the builder was.

An HDC member later went to look at the construction, and observed the variance on the stair railings, door, but also noted that two windows were vinyl. A change in windows had not been requested, and the HDC would not have approved this window type.

RR: Notes that we would have approved the door; AR indicates that an amendment can be filed for this point and the HDC is likely to approve.

RR: How are the amounts of fines established? MG: if three non-conforming signs, three fines. AR: Is there a standard fine? MG: There is a recommendation from the Selectmen.

AR: The upstairs apartment is now occupied, and the apartment egress is up to code (but not in accordance with the HDC direction). PL: We have been requested to give information to the Building Department on a date beyond which a fine will be imposed. We will consider these as multiple items as they are different from each other. The time will be discussed separately. MG: recommends that the time specified be adequate to handle any complications in contracting and execution.

RR and DH: Read aloud to the HDC from the Enforcement section of the HDC rules and regulations.

AR, MG, DH, PL: Discussion of giving an adequate interval before fines commence that allows for weather, contracting, and further discussion if needed.

AR: Makes a motion: The HDC has observed violations in the implementation of COA #1321, May 2013 as per Chapter P11 in the Town Bylaws, Enforcement and Penalties.

- 1) Door: The homeowner proposed installing a 9-lite door at top of stairs in the application. The Door that was installed is a 6-panel solid door. The homeowner has a choice: either replace the door approved by the HDC COA, or submit an amendment to the application for after-the-fact approval for the 6-panel door that was installed.
- 2) Stair: Railing was not constructed per the COA. The HDC had required that the railing run newel post-to- newel post, and required that there be post caps; and that the railing have both a shaped top and a sub-rail with balusters installed in the plane of the top and sub-rail, as depicted in the signed photograph associated with the application. When corrected, the railing should be painted with all other elements. Remedy is to remove the existing top and bottom rail and balusters and correct to the approved design; existing newels could remain if the details are modified to meet the COA. Treads, risers stringers may remain.

- 3) Windows: It was observed that vinyl replacement windows have been installed in ground level street-facing windows without the permission of the HDC. Remedy: Replace the vinyl replacement windows with single-glazed replacement sash which matches the existing wood sash windows, and re-install existing storms for consistency across the façade.
- 4) Timing: the HDC is requiring that all three violations be remedied by June 1, 2014, or fines for each violation will commence and accrue daily as determined by the Board of Selectmen.

Unanimous approval by the HDC of this motion.

DH: The HDC will require drawings in the future. MG: should the HDC ask to review drawings as received by the Building Department to act as a safety net? The process flow would be modified to put this into series with the routine. This point will be taken up again in the HDC at a later time.

8:24

MG: Selectmen had a visit from the Baptist Church; they had requested to put up a Banner Sign, but were declined by the Selectmen because formalities had not been followed. The Selectmen may ask that we waive the process because the Church had not had a sufficient advance warning of the formalities now required.

RR: thinks that temporary signs may not be in the purview of the HDC. MG: The Selectmen are handling public temporary signs ad-hoc at this time. Planning is ensuring that no illegal signs are placed. The Selectmen have determined that there will be no signs on the triangular part of the common.

PL: asks for comments from the HDC for an exception in this case.

MG: the HDC should consider the issue for the Commons in districts in the future.

8:30

Citizen's presentation: Zoning on Historic Districts; Scott Kutil. The HDC moved to the upstairs room in the hope of using projection equipment. Terra Friedrichs and Wayne Friedrichs joined as citizens.

The presentation showed an analysis of the building and lot characteristics in West and South Acton Historic Districts, and derived standard measures. A proposed zoning law was developed which is based on this analysis, and that strives to preserve the character of the historic sections of the town.

SK asks the HDC to sponsor these zoning changes that would apply only in the Historic Districts.

DS: May be of value to look at standard approaches, perhaps specific to historic districts, to establish new or revised zoning laws.

RR: when were the present zones established? Before the establishment of the HDC.

AR: Recommends that one consider elaboration for accessory buildings. Appears often in zoning laws. Study side yards and potentially add specific language.

MG: IT is important to have prepared thoughtful answer to questions in advance of Town Meeting should this come to that forum. Also recommends that it be attempted to make it a collaborative process.

DS: Need to ensure that the scope of the HDC allows it to sponsor a zoning change should the HDC be inclined.

TF: Good to make it clear how these changes influence the buildable space compared with present zoning. SK: much less growth possible with revised rules, but still allows substantial build-out. This analysis appears to be aligned with advice to HDC by Town Counsel.

PL: KAB to be updated, as HDC chair and liaison to other Town entities.

10:45 The meeting was adjourned.