



## Historic District Commission

### Meeting Minutes

9/22/2020

7:00 PM

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

**Present:** David Honn (DH), Anita Rogers (AR), Ron Regan (RR), Fran Arsenault (FA), Art Leavens (AL), Dean Charter (DC) BOS liaison.

**Absent:** David Shoemaker (DS).

### 1. Opening

Chair David Honn opened the meeting at 7:03 pm and read the “remote meeting notice” due to COVID-19.

### 2. Regular Business Regular Business

- A. Citizen's Concerns – AL has arranged to pick-up the mail from town hall on Mondays at noon. As a follow up to the question of transfers of COAs from last week, AL found that according to the bylaw they can be transferred, although the new owner must apply to transfer the application. DH said 9 School St. asked for a site visit and he forwarded the certificate denial to the conservation commission as they had scheduled a hearing for wetland issues. We should include the conservation commission in the CC list when we file certs. There was a short discussion on the 60-day timeline; AL thought it was lifted in June, DC thinks only the plastic ban that was re-instated in June.
- B. Approval of Meeting Minutes – AR makes a motion to approve the minutes for August 11<sup>th</sup>, FA seconds. DH takes a roll call vote: FA – Y, AL – Y, RR – Y, AR – Y, DH -Y, the motion passes 5-0. AR makes a motion to approve the minutes for September 1<sup>st</sup>. AL seconds, DH takes a roll call vote: AL – Y, RR – Y, AR – Y, FA – Y, DH – Y, the motion passes 5-0.
- C. Violations – 104 Main St – the new solar array conduit that was visible has been fixed.
- D. Review Project Tracking Spreadsheet – 25 Windsor Ave CNA done; 49 School St. roof in kind, CNA.

### 3. New/Special Business [or other applicable agenda items]

- A. 53 River St. – Demolitions/Park Public Hearing Continuation - Application 2005 – Mathew Selby representing the Town of Acton, present.

DH gives an intro for the continuation. Selby goes over the current status. The HC requested an archaeological investigation before moving forward with the MHC 106 section determination. An application was filed with conservation commission to approve clearing for the archaeological investigation. There was a discussion for an HDC site visit in late October. Jim Murac of IIM gives an overview of next steps: Army Corp 404



approval, but that needs the section 106 approval first. Then DEP 401 Water/Dam Safety, then MEPA. We will start with federal, then state, then local approvals.

Selby is working on the RFP for the archaeological investigation first; weather permitting, hopefully it will be completed by end of November, if not it may need to wait until the spring. After that, they will start the park design and have public outreach for goals and design feedback.

DH scheduled to continue the hearing on December 8<sup>th</sup>.

No motion was made.

**B. CPC Funded Tree Replacement**

DH – let's include information about the trees in the annual HDC letter to residents. We can use the last letter as a template. AL will update the letter with information about trees with help from DC and FA. FA can get the resident lists from the Assessor.

AR – do we know what species? Will there be a choice?

DH – we need to figure out how people will respond, either a form to mail back or have them send an email.

**C. 9 School St. Site Visit**

Discussion carried from meeting opening. Send DH availability M-F next week. AL: will this be an official meeting? DH – no, we'll have to have multiple visits with less than a quorum at each. AL doesn't think it is a good idea to have the visits. We sent the Applicant a 9 page letter outlining why the application was rejected. What is the purpose of meeting at this point? DH thinks the Applicant wants to point out architecture in the neighborhood; DH will reach out to the Applicant. AR agrees we shouldn't have the meetings.

No motion was made.

**D. HDC Discussion: Solar Panel Guidelines**

AL goes over the updates to the document. It was discussed to make the guidelines for both residential and commercial instead of just residential. DH asks for comments.

FA – I think they are good, we should move forward.

RR – I agree with FA. I'm concerned with changing the guidelines to be for both residential and commercial as they currently are residential specific. AL thinks he can update them prior to the hearing.

AR – Should the approval be for the lifetime of the panels, about 20 years? If new panels need to be installed, we should go through the process again. AL agrees, after 20 years there will be new technology so we should review it.

DH – We should also include something about when the panels are no longer in use, they should be removed by the owner.

DH – let's setup a public hearing for October 13<sup>th</sup>. FA will work on the notices. What should be in the notice? This isn't for a specific address. Do we need to mail a notice to



all residents in the districts? AL: according to section 5.3 when making changes to guidelines we only have to post the notice and advertise 14 days before.

No motion was made.

E. 131 Main St – Application 2022 Window Repair/Replacement by Glenn Berger, present

FA liaison. Glenn gives an introduction and goes over the floor plan to show which windows are being worked on; this is mainly for lead mitigation. He had a discussion with DH before the meeting and is now planning on have the windows refurbished except for some on the screened porch; the ones facing north are in bad shape and may just be closed in on the inside. Glenn has a window schedule of all the work to be done on each window that he will email to DH. RR asked if this will be a CNA as he is not replacing the windows and doing inside work to close off the windows on the porch. AL: What are the criteria for determination? Is there going to be a material change? How much of the window parts need to be replaced? I think there is a lot of work and think a COA is preferred.

Glenn isn't sure if his plan to cover the windows from the inside will meet the lead abatement requirement. How bad does a window have to be to allow replacement? DH: Our preference is to always repair any window that is original. If a professional window restorer doesn't think it can be repaired, then we would allow replacing. If a window is already a replacement window you can replace the replacement.

Glenn plans to keep the storm windows in place. There is also a door that will be dealeded, but it will be worked on on-site. 19 windows only need lead removal, but 2 or 3 need repair work.

FA makes a motion to approve the window repairs. Remove sashes for restoration and repair and return to existing frame. Any replaced parts will be in wood to match the existing style. If the north windows on the porch are blocked from the inside, the panel behind the windows shall be painted black. AR seconds, DH takes a roll call vote: AL -Y, RR – Y, AR – Y, FA – Y, DH – Y. The motion passes 5-0 appending abutters notices.

F. 103 Main St – Application 2021 Window/Patio Door Replacement by Kris and Nancy Depew, present. Jaime Morin of Renewal by Anderson also present

Kris goes over the plan. Replace 24 windows with Renewal by Anderson 6 over 6 Fibrex FDL style (simulated divided lights with fixed mutons and spacer bar between the glass), remove the storm windows, and move patio doors. The goal is better efficiency, operation, and better sound reduction.

DH asks for comments:

AR – I am sympathetic to issues of old windows, but windows are one of the more important architectural elements to be preserved. From the site visit examining the existing windows, while the function isn't optimal, they are not in that bad shape and can be restored. It is hard to justify replacing them. For the sound issue I don't think new insulated glass windows would perform that much better than restored windows with new storm windows.



AL – These windows are 175 years old. I understand the challenges that old windows present, previously having an old house with old windows and the challenges of maintaining them. But there are other options to replacing them. I don't think it is consistent with our criteria and guidelines to allow replacing these windows.

FA – I'm conflicted between preservation and the needs of the homeowner. The purpose of the districts is preservation. Windows are a big part of the character, so I am siding with AR and AL.

RR – It is not clear that replacing the existing windows with the new windows will significantly change the appearance; we did not see a comparison of the look of the windows. I think our purview is preserving the character not the "sticks." If standing in front of the house I couldn't distinguish the difference, I wouldn't have a problem with replacing them.

DH – I agree with AR. Acoustics and energy efficiency are not part of our bylaw. Our bylaw is about character and if the item in question is a contributing factor to the architecture of the districts our job is to preserve it. The windows are 1840 single-hung the same as what I have in my house. You will never be able to replace the heartwood and workmanship; these windows can easily last another 100 years. It's not just the look but what is embodied in the window itself. To solve the acoustic issue, look for inside solution like the commercial press-in internal window named 'Indow'. 445 Main St. has these and them make a huge difference.

Nancy Depew responds that she is disappointed in the stance of the board and that the new windows will not change the look of the house versus the improvement in quality of life. Will the board take a chance and approve the windows? AL responds that we are bound by the bylaws to preserve architecture. We don't have the authority to take a chance that this won't have a negative impact.

Terra Fredricks of the public comments: I agree with DH, AL and AR that preserving the windows is important. The applicants can contact me for a list of contractors.

Kirsten Dupuis of 445 Main St commented that the 'Indow' inside storm windows make a huge difference with street noise. I invite the applicants to take a look.

AR makes a motion to reject the application for replacement of the 17 original windows at 103 Main St. AL seconds. DH takes a roll call vote:

FA – Y, AR – Y, AL – Y, RR – N, DH – Y. The motion passes 4-1, the replacement of the original windows is rejected.

AR makes a motion to approve the replace of the 4 windows in the addition of the home with Anderson Renewal windows. AL seconds. DH takes a roll call vote:

FA – Y, RR – Y, AL – Y, AR – Y, DH – Y, the motion passes 5-0.

#### G. 26 School St. Fence Violation

David Dacosta, the previous owner of 26 School St, erected a fence with 4x4 posts and green tarp between the posts without approval by the commission. A neighbor would like



it removed as it is ugly and in disrepair. The neighbor reached out to the new owners to remove the fence, but they do not seem interested in removing it any time soon. AR asked if the fence is taller than six feet. It is uneven, some of it seems taller than six feet. Any fence taller than six feet is a zoning violation. AL pointed out that it doesn't matter who erected the fence, it is still in violation of our bylaw and enforceable by the building commissioner.

DH makes a motion to recognize the fence as a violation and giving the owners two weeks to remove the fence. AL seconds DH takes a roll call vote:

RR – Y, AL – Y, FA – Y, AR – Y, DH -Y, the motion passes 5-0.

H. 445 Main St – Application 2024 – New Deck and Fence by Kirsten & John Dupuis, present

The applicants want to add a deck off the back of the house facing the garage and barn. They want to replace a window on the back, not visible, with a sliding door. They also want to fence in an area, back from the street, for their dog. The deck will be slightly visible from Main St. when heading north. The deck will be constructed from a composite material (Trex).

There was a discussion on the style of fence, metal versus picket. DH – either would be possible for the time period of the house. The owners are open to either. During the discussion it was brought up that a mesh fence as proposed for 508 Main St may be a good solution. The fence will be on a slope; the sections should be installed to have a horizontal top and not angled to be parallel to the ground.

DH asks for comments:

AR – picket fence is more consistent to country house, but metal is okay. Regarding the deck, what are the railings going to look like? White composite, balusters and railing. Matte finish is preferable. Intex makes composite with hidden fasteners.

RR – Referring to Google street view, the deck won't be very visible, and I'm okay with the style and materials. I don't have a preference for the fence, but a picket may give more privacy.

AL – I think only the point of the back of the deck is visible. I'm okay with it and I'm okay with the fence.

FA – I'm okay with the deck. I would prefer a picket fence.

DH – I would align the fence with a trim board on the side of the house versus the clapboard. I think a picket would be better than metal. I would like to see a better drawing of the fence. Let's continue this to the next meeting on October 13<sup>th</sup> at 7:15 PM.

FA will send info from the 508 Main St. mesh fence.

No motion was made.

**4. Adjournment**



At 10:11 p.m., it was moved and seconded to adjourn the meeting. The motion was approved unanimously.

### **Documents and Exhibits Used During this Meeting**

- Minutes from August 11<sup>th</sup> and September 1<sup>st</sup>.
- [Application 2005](#);
- [Application 2021](#);
- [Application 2022](#);
- [Application 2024](#);
- [Draft HDC Guidelines re Solar Panels for Residential Buildings](#).