



## Historic District Commission

### Meeting Minutes

12/14/2021

7:00 PM

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

**Present:** David Honn (DH), Art Leavens (AL), Ron Regan (RR), Zach Taillefer (ZT), David Shoemaker (DS), Fran Arsenault (FA) BOS liaison, Barbara Rhines (BR) Cultural Resource Planner.

**Absent:** Anita Rogers (AR)

### Opening:

Chair David Honn opened the meeting at 7:00 pm and read the “remote meeting notice” due to COVID-19.

## 1. Regular Business

### A. Citizen's Concerns; miscellaneous Committee business –

1. DH: John Perkins, 9 School St contacted DH. A larger project is under consideration, to include the Civil Defense Building. A larger project to include the parking lot and the CD building. DH gave some personal opinions. Perkins requested a meeting; DH would like this to be in the context of the HDC and to be pursued at the next HDC meeting (11 January). DS, AL: supports that approach. AL: Does support DH offering his perspective.
2. DH: contacted David Veo, having seen little activity at 25-27 School Street. Heard back that they are working on the project. DH notes that no complete demolition of the older smaller building was approved; the HDC does not think hiding the building and allowing demolition by neglect would be appropriate. David Leo will be invited to a meeting for discussion on the project and the smaller building in question. DH will review the past notes from the HDC on the topic.
3. DH: 446 Main: BR and DH collaborated on a letter. 446 owners sent in an application; it will have to wait for January 11. We don't know the scope of work or if it is complete. AL: proposes that we send out an NOW in preparation for the January 11 meeting. AL will develop a notice, and BR will send them out. DH asks BR to request photos (ideally before and after), and a more complete description of the work. Owners may state that they think it is CNA, but it is for the HDC to decide
4. DH: Ben Glazer wished to install an EV Charger. BR to invite the folks to the 11 January meeting. AL: If an application is filed, offers to send out Notice of Waiver (NOWs) for this as well in advance.



- B. Approval of Meeting Minutes – DS makes a motion to approve the minutes from November 23; RR second, DH takes a roll call vote: RR – Y, DS – Y, DH – Y, ZT – Y, AL – Y; the motion passes.
- C. Review Project Tracking Spreadsheet – Up to date. BR: will make access to all HDC members.

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

- A. 7:23 Public Hearing: Proposed Amendment to the HDC Rules and Regulations Regarding Abutter Notices. DH Reads the announcement of the meeting. DH notes that this addresses the abutter definition. AL: For Context – we were asked by Town Government to codify the notice requirements for hearings and waivers. AL goes over the proposed Amendments to the Bylaw. The primary thrust is to restrict announcements to adjoining properties, consistent with the Town Bylaws. Town Counsel reviewed the draft; she was in favor, but had technical comments. 1) Counsel suggested that we use ‘Abutter’ rather than ‘Adjoining’ property. BR: The distinction may be about whether property lines do or do not touch (e.g., property across the street). AL is proposing that AL meet with Town Counsel to look at details. Counsel also asks why, in section (b), which deals with notice where the applicant requests waiver of the hearing, we need to notify adjoining property owners of a public hearing that they are being asked to waive. AL thinks this question regarding waiver is important but that it raises a related, broader issue concerning cases in which the HDC waives the hearing based on its determination that the issue is too insubstantial to justify one. AL believes that in such a case, under Bylaw P neither the applicant nor adjoining property owners have a right to a hearing. If this interpretation is correct, the HDC needs to change the wording of the NOW.  
For both of these issues, AL would like to talk with Counsel to resolve any confusions and differences. RR: The HDC often makes determinations before NOWs go out. AL: Yes, and to be consistent with that observation, we should send out NOWs as soon as we have the application to move the process along. DH: Most attendees of HDC meetings do not distinguish their participation between public meetings and normal HDC meetings. In favor of further discussion with Counsel. We do want to be able to include properties across the street as ‘Abutters’ (or adjacent properties). BR: May want to look at the Assessor’s notice as useful; will send along to AL. DH: Would like to vote on January 11. AL: moves that we continue the meeting to January 11. DH Seconds. DH takes a roll call vote: RR – Y, DS – Y, AL – Y; DH – Y, ZT – Y; the motion passes.
- B. 7:45 #2128 Continuation of Public Hearing: 74 Nagog Hill Road Additions and Renovations. Bill Dickenson joins. Overview of the objectives and motivations for the renovations. Shows slides of historical photos, current photos, and goes over the revisions to the floor plans. Elevations, present and proposed, were shared. Will match materials and style to match the existing historical elements. Marvin windows, wood frames, SDL. RR: The windows – used across the street, and HDC approved. Any lighting? BD: Some lighting at the porch and the garage; will bring to the HDC at a later time. DH: HDC prefers no recessed lights. AL: Sun porch – are the windows reduced in size? BD: AR had suggested a cottage-style window which has a proportion which is better. A better look results. AL asks about the ‘protrusion’ from the building. Good effort on finding



compromises. Still some concern on massing. ZT: Was there a resolution on the need for a second curb cut? BD: the Owner contacted the Town some time ago, but no new information. Zoning code will need to be addressed (which requires that two cuts be connected). DS: The garage doors are inconsistent but apparently not ‘really’ visible from the reference street. Good to make them resemble a carriage house door if feasible. DH: Will want to see sections and details as the project is refined to ensure that the design is in detail (e.g., windows) what we infer from the current drawings. DH feels that it would be best to enable some means to connect to the landscape – double doors to a terrace and down to the landscape. Will the house be painted? BD: To be discussed. DH: no HDC jurisdiction, but recommends a color based on a ‘reading’ of the historical photos. DH Moves to approve the drawings dated 12/14 as submitted by Bill Dickenson Architects for 74 Nagog Hill Road. AR will be the Liaison. AL: all formalities of notification are complete.

DH takes a roll call vote: RR – Y, DS – Y, AL – Y; DH – Y, ZT – Y; the motion passes.

- C. 8:30 #2130 Application for Signage: 282 Central Street. DH: reviews the design for size. AL: does not see a maximum size in the HDC bylaws. Zoning code probably limits the size. Laminated vinyl lettering is not appropriate. Wood and PVC backing is acceptable, but the lettering must be painted onto the backing surface. RR: The border is not the same as the signs above and below; would be good to match the existing signage. Font is not a favorite. AL: agree on the border; reducing the size of the font and crescent moon to all make consistent. ZT: Agree. Again, look at the other signs to try to find common character. DS: No additional comment. DH: agree. ZT will be Liaison. ~1” border and reduction of size of font etc. to accommodate this. PVC backer board (or wood) acceptable. Letters and moon to be painted (surface or recessed as preferred). Recommend a background color matching existing signs. Match the size of the existing signs. Mounting should be via screws with caps. AL: Abutters have been alerted. ZT: Move to approve the sign application for 282. Sign to be 24x48”. Backer PVC or wood; letters to be painted (laminated vinyl graphics are not permitted). Reduce borders to match adjacent signs. DH takes a roll call vote: RR – Y, DS – Y, AL – Y; DH – Y, ZT – Y; the motion passes.
- D. 8:45 RV Blocking 102 Main Street: DH reads the unsigned letter to HDC, noting that there is a RV more-or-less permanently parked in front of 102 Main St. and objecting to this for aesthetic concern. DH took photos. AL: Looked at the relevant laws. The HDC has no jurisdiction over motor vehicles *per se*. However there are jacks at the RV’s rear indicating a stationary object. It could be seen as a temporary building or as a storage unit. In this light, the HDC can restrict it to being in place for no longer than 60 days during 12 months. DH contacted Kristen Guichard to ask about the issue, from the perspective of right-of-way or unallowed living space. DH notes that it may be possible to garage it next to 102 Main St which would be much preferable. The current owner may not be aware of the conditions associated with the Historic District. RR: Seems odd to characterize as a building. Appears to be in the right of way. AL: Concerned that our interest is stimulated by an anonymous letter. Thinks it fits the legal definition of a building. FA: will check if there is a new owner. October 8 new owners took over, and an HDC letter to the owner would be appropriate. BR: there is an analogy to boat storage? That might be a more frequent situation for which one could find guidance. ZT: Were the RV to be parked



parallel to the house and in the plane of the house; would we be trying to characterize it as a building? Bothered by the anonymity of the letter writer. When would 60 days start? Does moving it once every two months reset the clock? DH: We do not allow opaque fences, and this is opaque. DS: this does not feel like it is in our domain to address. DH: Prefer that other departments take care of it, and prefer that the anonymous letter writer take direct action. The HDC is troubled by the sustained presence of the vehicle/living space, but the HDC cannot take action on an anonymous letter.

E. 9:00 HDC Discussions:

1. Seasonal Decorations Enforcement; Scott Kutill of Windsor Ave. noted that there is a decoration on Windsor Ave. AL: This appears to be structure. But in any event the HDC does not have jurisdiction over seasonal decorations. There are regulations for the lighting of these objects – no lighting from 22:00 to 06:00. DH: feels wide of the scope of the HDC. If it does not come down by the first week of January, a gentle letter is probably appropriate. We could send our annual homeowner letter out in November and include a note with suggestion on keeping the historic character intact. ZT: if we want to come up with a duration, 60 days seems reasonable. RR: Not in a position of determining the appropriate decorations. If lit, it should follow the regulations for lighting. DS: A letter for this one case seems over the top. Would be great for neighbors to talk. BR: Even a comment in the letter seems over the top if it is not a general problem. DH: will write to SK indicating we can't engage on this issue.
2. Time Extension Form; BR sent one for 74 Nagog Hill, and we now have a standard form for the agreement.
3. Historic Preservation Seminar for Various Town Boards; return to this in January
4. HDC Hardship Definition; AL looking into this. Not defined. Must be particular to the building, and that there is substantial hardship. DH: would like to see a crisp definition. AL: There are always unusual cases. Are there a sufficient number of cases to try to craft a definition? Can look at neighboring towns to see if there are examples, or MHC. DH: there have been a few cases in past years. Discuss in January. Guidelines may suffice.
5. Open Space Recreation Plan Comments; To discuss 25 January. 53 River, Gardner, the Common are examples.
6. Historic Plaque 29 Windsor; 29 Windsor: Wishes to put up a plaque per the HC process, and has contacted the HDC for the placement of the plaque. DH: The HDC requests photos of the house to allow the HDC to offer an informed judgement. HDC will take it up at the 11 January meeting.
7. HDC Miscellaneous updates

### 3. Consent Items

None



## **1. Adjournment**

At 21:21, AL makes a motion to adjourn the meeting, AR seconds. DH takes a roll call vote: DS – Y, RR – Y, ZT – Y, DH – Y, AL - Y; the motion passes.

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

- Announcement of Public Hearing for 74 Nagog Hill Road
- 74 Nagog Hill Road slide set
- Proposed Amendment to HDC Rules
- Photos by DH of the RV in front of 102 Main St.
- Photo of seasonal decoration on Windsor St