

Historic District Commission

Meeting Minutes

2025-07-08

7:00 PM

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

Present: David Honn (DH), David Shoemaker (DS), Anita Rogers (AR), Barbara Rhines (BR) (Acton Cultural Resources Coordinator), Art Leavens (AL), Zach Taillefer (ZT)

Absent: Fran Arsenault (FA) (Select Board Liaison) attending but not participating.

Opening:

AR opened the meeting at 7:02 pm. AR read the “remote meeting notice” due to COVID-19.

1. Regular Business.

A. Citizen's Concerns – None.

B. Approval of Meeting Minutes – 24 June Minutes. DS moved their adoption, seconded by AL. AR, DH, DS AL in favor. ZT abstain (absent from that meeting). Approved.

C. Review Project Tracking Spreadsheet / Chair Updates:

Outstanding and Completed COAs/CNAs/Denials

- 62 River Street #2519 CNA (AR) DONE
- 451 Main Street #2522 CNA heat pumps (DH) DONE
- 451 Main Street #2523 CNA solar panels (DH) DONE
- 451 Main Street #2525 roof CNA or COA – will be addressed later by the Chair
- Update to HDC Rules and Regulations for Solar DONE: Posted w/Town Clerk
- Solar Guidelines discussion will continue 7/22/25
- 106 Main Street deck rebuild and sill repair: application coming
- 56 River will ask about a deck and railing; application coming
- 9 School St. has applied for building permit; application coming
- Theatre III – asked about repairs; the Baptist Church may have some recommendation for resources.
- Emails on the Erikson Grain Sign Maker and Owner to the Chair; communicated that vinyl signage is not appropriate.

2. New/Special Business or other applicable agenda items

A. 7:15 Application # 2516 Public Hearing -- 450 Main Street solar. DS is recused. BR reads the Public Notice; BR indicates that we will use the Rule of Necessity due to two HDC members who are within 300 feet of the property of the applicant. ZT remains via the Rule of Necessity. ZT of 15 Newtown Road so states. Eugenio Fernandez Ventosa (EV), Applicant, and Meredith Stanizzi join. EV: reads elements of Massachusetts laws relevant to the application. The house (formerly a Barn) lacks insulation and shows air infiltration; adding insulation on the interior or exterior would do grave damage to the historical appearance of the house. It is far from the governing way, and behind several houses on Main St. It is very expensive to heat, and electricity in Acton is very expensive. Ground-source heat pumps are planned to reduce the carbon footprint, so heating will be with electricity. Vegetation that protects the view from the street is on the property, and additional fast-growing evergreen screening trees have been planted. Acton's energy emergency encourages action to address that emergency. Multiple quotes have been obtained, both for roof and ground-mounted. The ground-mounted array is significantly more expensive and difficult to install; it would be a very visible solution, in addition. The proposal is aligned substantially with the revised HDC guidelines that are in discussion. EV shares the application technical details. EV notes that 14 Newtown Road solar panels are visible from Main St. Notes that the panels can be removed, not being structural. A number of solar installations, in and outside the District, are in the vicinity. Believes this meets most of the HDC's guidelines, with the exception that the panels are on the roof of the building facing the governing way. AR: color of current shingles? EV: slate grey. AL: Compelling showing for hardship, but not compelling argument against the categorical prohibition that prohibits solar panels on roofs facing the governing way. The proposed guidelines are not yet in force. Believes that the proposal cannot be supported as a consequence. A consideration of hardship can follow, of course. EV believes that a categorical prohibition is in contradiction with current Massachusetts Law; AL does not agree. ZT: Thanks for the very thorough presentation. Agrees with AL that the current rules do not allow solar panels visible from the governing way (and that this is not a categorical objection). Has comments for later on hardship. EV: Believes the HDC rules are a categorical prohibition. Discussion of the ground-mounted array and visibility compared to the roof-mounted array. DH: In principle agrees with AL. However, has a number of specific criteria to discuss. First is the distance from the governing way. This property is unique in the districts, and far from the governing way; what is the distance? 150ft feels like a reasonable criterion for distance. The array is a simple black square that mimics the surface, and the extent to which it fills the roof it makes the array less visible. Believes the shingles around the panels should match in color and reflectance the panels to the greatest extent possible. Other historic district houses are between the barn and the governing way, and this barn is secondary to the other historic structures. Corner properties would be a different situation, not realized here. AR: Agrees with all statements to date. Agrees that it is not a permanent change to the house – easily reversible. Does not believe that the visibility of 14 Newtown is a material consideration by the HDC rules. AR thinks that an interior insulation layer would allow insulation. EV: would not want to trap moisture in the masonry; there are no weep holes. AL: Technically the HDC could disapprove the application and move to hardship; or discuss further DH notions voiced above in considering the question under the appropriateness standard. Is concerned that this new set of considerations is not yet in the HDC set of rules. It is an exceptional building in the HDC experience, and the hardship consideration may well be persuasive. In requiring consideration of hardship if an application

is disapproved on the merits, the legislature has required that the HDC consider the public welfare. AL feels this case fits 'like a glove' to the hardship considerations. DH: Conditions could be imposed on the 'Hardship Certificate'. Does not want every homeowner in the Districts to argue for panels visible from the governing way, and so the HDC wishes to be careful to make this a unique well-documented decision so as to not develop a precedent contrary to the HDC Rules. AL: The Town Bylaw states that if an application is disapproved, the Commission shall determine if there is hardship. The documentation that EV has presented appears to supply all the information needed for a determination of hardship. EV: there is time pressure to proceed with the decision, and hopes for a determination today if possible. AL: If so voted, the formal certificate could come in several days. BR: Deadline coming soon. AR: any public comment? John Dupuis 445 Main St. Fully supports the installation of the solar system, believes the hardship is motivated. Quotes from an older Massachusetts Law which provides that government agencies must not unreasonably restrict the installation of solar panels. MGL 184 section 23C. Michele Ellicks, 452 Main St. Supports this project, and its relevance to Acton's climate action plan. Close of Public Comments. AL Moves that we disapprove the application for a COA for installation of solar panels on the roof at 450 Main St. ZT Seconds. (DH is temporarily absent; rejoins at 20:08). DH, ZT, AL, AR approve; the motion passes. AL: Moves we consider the certificate of hardship, which would allow the installation of solar panels as in the application, but with conditions added. AL, ZT, AR, DH approve; the motion passes. DH: Findings should include Distance from the Street; other buildings intervening; form of the array must be simple in geometric form. As a condition, shingles must be black. EV: with black shingles a larger surface might be possible. AR: The HDC would like the maximum of the roof to be covered. EV: that could have an interference with the Building Code for fire access, but will be discussed. Would painting the shingles be acceptable? A Silicon spray is possible. AR, AL are happy with that. Public Comment: Ali Odum, 451 Main St. Solar folks say that there are fire restrictions. Thinks the black on the shingles is unfortunate from the perspective of reversing the process. The roof lifetime is longer than solar panels. Removing the panels to replace the roof is expensive. ZT: The construction is a factor; the unique construction of this house and the financial impracticality of insulation that this is another factor. DH: Is concerned that more care – and time – is needed to craft the hardship language correctly. No visible conduits or electrical boxes – should check against past documents. AL: Believes we can craft good language. We can add findings in the final document after the vote; however, the conditions must be resolved before the vote. The conditions are to ask another row of panels, and to color the shingles to match the solar panels. The other conditions are addressed in the application. ZT: asks about including the actual costs; this is standard, and is present in the application. AL: Moves the approval of a hardship certificate. ZT Seconds. AL, DH, ZT, AR approve; the motion passes. AL: we will craft that certificate; it will take a few days, filed, and you can proceed. HDC requests an extension to 30 July; EV is in agreement. DS rejoins.

B. 8:32 Application #2520 75 School Street door. Robert Connolley joins. RC: Second meeting on the application. The revised 6-panel smooth fiberglass door is effectively identical to the existing door. Hardware proposed is improved from the current hardware. The door will be painted black. BR shares the application. All present find it suitable. AL moves that we

approve the door as shown in the application. ZT, DS, AL, AR, DH approve; motion passes. AR will write it up. RC asks if it is necessary to wait for the paperwork? AR There is no building permit so can proceed before the paperwork arrives.

C. 8:40 Application #2524 113 Main Street retaining wall. Rob Therrien, RT, Architect, and Ana Marie Cavajal, AMC, join. BR shares images. RT describes the concrete block wall and notes it is not reinforced. Current wall does not meet code, and cannot be repaired. The curve is challenging from an engineering perspective and drives to smaller building blocks. An engineered wall system is shown. It could be serviced if again impacted. Wanted a finish that is appropriate. The replacement will be the same height and in the same position as the current wall. Drainage is enabled by this product. No veneer approach with stone appeared to be feasible. AR: is there a choice in colors? RT: yes, and the one selected appeared to be the most appropriate. AMC shares an image, showing the cap on the wall (with the red flowers of the two images). AL: The entire wall is to be replaced? AMC: yes. AL, DS, ZT, AR find it fine. DS: We should be careful not to set a precedent. The use of this engineered material is acceptable as a replacement – and an improvement – from the current damaged concrete wall. Were there to have been a previous wall with an historic pedigree, the modern approach would not likely be approved. AL: Moves that we approve the application as shown with the red flowers. ZT to write it up. ZT seconds. AL, DS, ZT, AR approve

3. Consent Items

None

1. Adjournment

At 21:00 AL moves to adjourn the meeting, AR seconds. AR takes a roll call vote: DS, AR, DH, AL all approve.

Documents and Exhibits Used During this Meeting.

- All relevant Applications and Documents, in Docushare