



Town of Belmont
Historic District Commission
Homer Municipal Building, 2nd Floor
19 Moore Street
Belmont, MA 02478

RULES AND REGULATIONS

(Approved July 18, 2017)

1. Historic District Commission's Authority and Jurisdiction

The Historic Districts Act, Massachusetts General Laws Chapter 40C, was created to protect and preserve the historic resources of the Commonwealth through a local review system that encourages and ensures compatible improvement and development of local historic resources. Under Chapter 40C and Town of Belmont General Bylaw, § 40-315, the Historic District Commission (HDC) is required to review the architectural appropriateness of most proposed exterior design changes to historically designated properties, whether they be a minor alteration, new additions, or removal of trim or structures.

The official Local Historic District Map(s) of the Town of Belmont on file in the Town Clerk's Office, the Office of Community Development, at the Middlesex County Registry of Deeds, and at the Massachusetts Historical Commission, delineates HDC's jurisdiction in regards to Local Historic Districts in Belmont. Additionally, HDC also has jurisdiction over projects impacting properties under preservation restrictions/agreements, such as the historic Belmont Center Fire Station and historic buildings associated with the McLean Hospital.

2. Act as Town's Historical Commission

Additionally, HDC acts as the Town's Historical Commission and as such, seeks to preserve, protect and rehabilitate the historical and/or archeological assets of the Town.

3. Additional Powers and Duties

The HDC has all of the powers and duties of an historic district commission and all of the powers and duties of an historical commission (and may in the exercise of any of the powers and duties accept money gifts and expend the same and, subject to appropriation or receipt of such gifts, employ clerical and technical assistants or consultants), and the aforesaid powers and duties includes without limitation the following:

- A. Conduct a survey of Belmont buildings to determine those of historic significance, architecturally or otherwise, and pertinent facts about them, acting in collaboration with the Planning Board and the Belmont Historical Society to the extent either may be able to undertake such work, and to maintain detailed listings of historic sites and buildings in Belmont and data about them appropriately classified with respect to national, state or local significance, to period or field of interest, or otherwise;
- B. Propose the establishment, in accordance with the provisions of the Historic Districts Act, of additional historic districts and changes in existing historic districts;

- C. Determine an appropriate system of markers for selected historic sites and buildings not already sufficiently marked, to arrange for preparation and installation of such markers and to arrange for care of historic markers;
- D. Arrange for preparation and publication of maps and brochures and descriptive material about Belmont historic sites and buildings, arrange for convenient walks or tours, or otherwise;
- E. Cooperate with and advise the Planning Board, the Department of Public Works and other Town departments in matters involving historic sites and buildings;
- F. Cooperate with and enlist assistance from the National Park Service, Massachusetts Historical Commission, the National Trust for Historic Preservation, Historic New England (formerly the Society for the Preservation of New England Antiquities), and other agencies, public and private, concerned with historic sites and buildings;
- G. Advise owners of historic buildings with issues regarding preservation; and,
- H. Recommend to the Board of Selectmen appointment of advisory committees of historians and persons interested in architecture or other arts or in historic restoration or preservation to assist in a manner comparable to the National Park Service Advisory Board or Consulting Committee.

4. Membership and Organization of the Committee

The HDC consists of seven (7) members and three (3) alternates to be appointed by the Board of Selectmen, including:

- A. one member, from two (2) nominees submitted by the Belmont Historical Society;
- B. one member, from two (2) nominees, from the chapter of the American Institute of Architects covering Belmont; and,
- C. one member, from two (2) nominees, from the Boston Society of Landscape Architects; and
- D. one member, from two (2) nominees of the Board of Realtors covering Belmont.

One or more of the foregoing must be a resident of an historic district established in Belmont pursuant to the Historic Districts Act.

Annually, at the next meeting following appointments to the HDC by the Board of Selectmen, the HDC will elect from amongst its members, a Chair and Vice Chair. Minutes will be recorded on a rotating basis amongst the members.

5. Changes Requiring HDC Approval

Any new construction, alteration of exterior architectural features, or demolition within a local historic district or on the premises of a protected property or a designated landmark must be reviewed by the HDC. No building permit for such work on a protected property, designated landmark, or property within a local historic district may be issued by the Office of Community Development until a Certificate has been issued by the HDC.

Examples of items that require approval are as follows:

- A. Any and all alterations or additions to the exterior of a building or structure, including but not limited to:

- i. Doors and windows and the trim that surrounds them;
 - ii. Porch elements, stair and balcony railings;
 - iii. Cornice sections, belt and water courses;
 - iv. Patterned wall and roof surfaces, decorative panels;
 - v. Chimney ornaments cupolas, roof cresting;
 - vi. Color and material of roofing surfaces;
 - vii. Design and material of gutters and downspouts;
 - viii. Addition or insertions of decks;
 - ix. Storm doors and windows;
 - x. Porch screens;
 - xi. Window air conditioners;
 - xii. Solar panels, antennae and similar appurtenances; and
 - xiii. Color of paint.
- B. Any new construction or reconstruction of a building, structure, or exterior architectural feature even if it has been damaged by a natural or unnatural disaster.
- C. Any demolition of a structure or building or a section thereof.
- D. Any changes in a man-made landscape element, including but not limited to:
 - i. Terraces and patios, surfaced walks and pathways, driveways, and street sidewalks;
 - ii. Walls and/or fences;
 - iii. Gazebos, pergolas and other garden structures including water features;
 - iv. Free-standing light fixtures; and,
 - v. Signs which will be reviewed according to purpose, size, design, location and lighting.

6. Changes that do not require HDC Approval

The HDC has no jurisdiction over the following:

- A. Interior arrangements;
- B. Architectural features not visible from a public way;
- C. Depending on the scope of work, normal maintenance of a building is not subject to review, provided that the paint color(s) used and the style, color and materials of any minor repairs remain the same; and,
- D. New landscaping such involving only natural elements such as trees, shrubs, and other smaller plants.

7. Meetings of the HDC

- A. Regular meetings will generally be held on the second Tuesday of each month, starting at 7:00 PM.

- B. Notice of the date, time, and location of all meetings must be posted in the Town Hall at least 48 hours prior to their scheduled time. An applicant for a certificate may appear in person or by agent at the HDC hearing.
- C. Special meetings of the HDC may be held at the call of the Chair or at the request of two members. Notice of special meetings will be posted as above.
- D. Cancellation of meetings. If there is no business to conduct, or if it is determined that there is no quorum (less than four (4) members), the Chair may cancel a meeting by giving notice to all members and alternate members.

8. Hearing Procedures

Review of an application at a public hearing will generally be conducted according to the following procedure:

- A. The Chair will give a preliminary statement concerning the application.
- B. The Applicant will present his or her application.
- C. HDC members may discuss the application, followed by comments from the audience with an interest in the proposal.
- D. HDC members may ask clarifying questions after each speaker.
- E. The Chair will summarize the information, giving all parties a chance to make additional comments.
- F. The HDC will deliberate on the application.
- G. After adequate discussion, the HDC will vote on the application, postpone further consideration until the next meeting, or request the application's withdrawal and/or revision.

9. Amendments

These Rules and Regulations may be amended by an affirmative vote of not less than four (4) members of the HDC, provided that such amendment was first presented in writing at a meeting preceding that at which the vote is taken.