

**Rules and Regulations  
Of The  
Longmeadow  
Historic District Commission**

**- Revision 2008.1 -**

**Longmeadow, Massachusetts**

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## **I. LEGISLATION AND HISTORY**

- A. In 1960 the Commonwealth of Massachusetts enacted legislation enabling the creation and protection of Historic Districts. The Historic Districts Act, Chapter 40C of the General Laws made it possible for cities and towns in the state to establish Commissions for the preservation of areas of historic interest.
- B. In 1973 the Town of Longmeadow voted to enact the Historic District by-laws under the provisions above. The full text of the by-laws are available from the Town Clerk or the Chair of the Historic District Commission.
- C. In 1982 the Longmeadow Historic District was accepted for listing by the National Park Service in the National Register of Historic Places. The National Register provides honor and recognition for historically, culturally, architecturally, and/or archaeologically significant property. Recognition grants an owner of income producing properties certain federal tax incentives for renovation and disincentives for demolition. It also provides a measure of protection for the property against any adverse effect caused by federally licensed, funded, or assisted projects.

## **II. LOCATION OF THE HISTORIC DISTRICT**

The Historic District was established in 1973 and includes the Longmeadow Green and surrounding areas. The exact location may be seen on the "Plan Showing Longmeadow Historic District" dated May 1, 1973, scale 1"/200'. The plan is on record at the office of the Town Clerk.

(See attached map.)

## **III. PURPOSE**

The purpose of the Commission is to preserve the unique tapestry of the Longmeadow Green, also known as the Historic District, so as to assure the preservation of its historic value to the community.

## **IV. THE HISTORIC DISTRICT COMMISSION**

- A. The Commission shall consist of not less than three, nor more than nine members: seven shall be Regular Members, and two shall be Alternates.

- B. The Commission members shall be appointed by the Longmeadow Board of Selectmen, and their names shall be available at the Selectmen's Office.
- C. Appointments shall be made for a period of three years, and so arranged that the terms of at least one Member expires each year; if a Member resigns before the completion of his/her appointment, one of the Alternates or a new Member shall be appointed to fill out the resigning Member's term.
- D. Membership of the Commission shall include at least two residents or owners of property in the Historic District administered by the Commission.
- E. Members shall be residents of Longmeadow and shall include where possible at least one member of the Longmeadow Historical Society, a member of the American Institute of Architects covering Longmeadow, a member of the Board of Realtors, and a member of the Bar Association covering Longmeadow.
- F. The first regularly scheduled meeting after June 30th shall be utilized for an election of Commission Chair, Vice-Chair and Secretary for a term of one year.

**V.**  
**CHANGES REQUIRING COMMISSION APPROVAL**

- A. Architectural Alterations: All changes in the appearance of a building or a building site located within the Historic District and visible from a public way\* shall require Commission approval. The following list of examples is provided only as a guide. It does not limit the scope of changes requiring approval. (See Section VI. For exclusions.)
  - 1. Construction of a new structure.
  - 2. Demolition of an existing structure.
  - 3. Construction or removal of an addition.
  - 4. Construction or installation of any temporary structure.
  - 5. Re-roofing, re-siding, or repainting of a structure or parts thereof, except as noted in Section VI.
  - 6. Installation of storm windows, storm doors, air conditioners, light fixtures, solar panels, antennas, or satellite dishes.

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\* - Public Way includes public street, public way, public park or public body of water as noted in MGL Chapter 40C Section 5. Definitions.

7. Construction or alteration of driveways, gates, fences, walkways, terraces, steps, walls, barns, garages, swimming pools, parking areas, or gazebos.
  8. Addition, alteration or removal of windows, shutters, doors, porches, chimneys, including chimney repointing/painting.
  9. Landscaping plan changes that include water features, statuary, children's play equipment or other structures.
- B. Signs: The placement of permanent signs on or about any building or building site must be approved by the Commission, excluding house address signs. Note that all provisions of the Longmeadow Zoning by-law relating to signs must first be followed.

## **VI. CHANGES NOT REQUIRING COMMISSION APPROVAL**

- A. Approval is not required for the following:
- Exterior changes that cannot be seen from a public way.
  - Interior arrangements.
  - Re-painting the same color.
  - Routine repairs not changing the exterior design appearance.
  - Removing existing signs.
  - House street address signs meeting Longmeadow Zoning by-laws.

## **VII. APPLICATION FOR APPROVAL**

- A. Applications for approval of proposed changes may be obtained from the Town Clerk's office at the Town Hall on Williams Street, or the town website [www.longmeadow.org](http://www.longmeadow.org).
- B. Applications must be signed by the owner, trustee, or representative of the property concerned. Applications made out by a lessee will be accepted only when accompanied by an authorization signed by the property owner.
- C. Completed applications must be received by the Town Clerk or Board of Selectmen's Office 15 days prior to the next scheduled Historic District Commission meeting.

- D. The Commission shall have the responsibility of notifying 10 days prior to the meeting all Historic District property owners that are within 100 feet of the applicant's property or two houses down on either side, whichever is greater. Also, notice must be given to any adjoining property owner. Notice to abutters must include the Commission's standard cover letter and copy of page 1 of the application submitted to the Commission.
- E. If a prospective applicant wishes to discuss proposed alterations with the Commission before making a formal application, a place on the agenda may be reserved by writing or telephoning the Chair.
- F. The agenda for each meeting shall be posted on the bulletin board at the Town Hall 14 days prior to the meeting.
- G. Describe the work as fully as possible, attaching separate sheets as necessary.
- H. Each application must be accompanied by the following information in duplicate; drawings, diagrams, photos, product samples, and specifications requested by the Commission as follows:
  - New Construction
    - a. Plans, drawn to scale, showing any existing building, and proposed addition or new building dimensions, distance from the street and property lines
    - b. Elevations of all four sides of addition, or new construction, and any existing buildings, drawn to scale, and drawing or photo of the existing building
    - c. One set of paint chips indicating the colors to be used
    - d. Roof material sample
    - e. Photo of the building and site before proposed alteration
  - Minor Alterations ( For example; doors, windows, railings, walkways, lighting fixtures, gutters)
    - a. Sketch illustrating the proposed alteration
    - b. Manufacturer's information page, if available
    - c. Samples of materials and color chips, where applicable
    - d. Photo of the building and site before proposed alteration
  - Signs
    - a. Scale drawing showing shape, size, color, style of sign and lettering showing words to be painted on the sign, style, color and placement of lettering, background color, and support of sign if free standing
    - b. Samples of all colors to be used, if other than black and white
    - c. Scale drawing, or photos, showing location of sign on wall or building. Photo encouraged
    - d. If free standing sign, show relationship of sign to structures and its distance from street and property lines
    - e. Illustration of proposed lighting

- Fences
  - a. Accurate plot plans showing proposed location of the fence and its relationship to other structures on the property
  - b. Sketches, or if possible, photos of the site where the fence will go
  - c. Photo or brochure illustration of the fence indicating height and type of materials
  - d. One set of paint color chips
- I. Date, sign, and fill in all requested information on application form.
- J. Mail or deliver application to the Town Clerk at Town Hall, 20 Williams Street, 15 days prior to the next scheduled meeting.
- K. Although not required, the applicant's presence will usually expedite the review process, and may result in the acceptance of an application that might otherwise have been denied for lack of complete information.
- L. If an application does not contain enough information for the Commission to determine the appropriateness of the proposal, the Commission may choose to do the following:
  - 1. Hold a discussion with the applicant, if present, in order to obtain the missing information
  - 2. Return application to the applicant, if present, for withdrawal with understanding that reapplication may be made at a later time.
  - 3. Deny application. In this case, all supporting material shall be returned to the applicant with understanding that reapplication may be made when missing information is provided.
- M. Where appropriate, a Certificate of Hardship or Non-Applicability may be issued if the applicant meets the criteria as stated in the MGL Chapter 40C, Section 10(b) and 10(c) of the state laws governing Historic Districts.
- N. The Commission shall keep all approved applications on file in Town Hall. Examples of complete and successful applications shall be available at the office of the Building Inspector for the benefit of prospective applicants.

## **VIII. COMMISSION'S REGULAR MEETINGS**

- A. The Commission shall hold regular, open Public Meetings starting at 7:30 p.m. on the first Tuesday of every month unless otherwise posted at the Town Hall.

- B. Notice of the date, time and location of these Public Meetings shall be posted at the Town Hall 14 days in advance of said Meetings.
- C. No meeting shall be held unless a quorum of four Commission members is present.
- D. Every meeting shall start with the distribution of the agenda for the meeting.
- E. The next order of business shall be the review and acceptance of the prior meeting's minutes, followed by the disposition of matters pending.
- F. The Commission shall review applications as scheduled on the agenda. Exceptional applications may be rescheduled for review at a Special Hearing.
- G. Copies of the minutes shall be delivered in timely fashion to all Commission members, the Board of Selectmen and the Building Inspector.

## **IX. COMMISSION'S SPECIAL HEARING**

- A. A Special Hearing may be called by the Chair, by two or more members of the Commission, or upon the request of an applicant or aggrieved party.
- B. A Special Hearing may be called for one or more of the following reasons:
  - Application is being made for an important new construction or alteration likely to be of general interest to the townspeople.
  - The application being made is controversial and may require extended discussion.
  - The applicant wishes to receive a determination before the date of the next Regular Meeting.
  - Any other reasons which may cause the Chair or two or more members to call a Special Hearing.
- C. The time, place, and purpose of a Special Hearing shall be posted at the Town Hall at least fourteen (14) days before the Hearing.
- D. Copies of the agenda shall be sent to the applicant, the abutters, the Board of Selectmen, the Planning Board, and to such other persons as the Commission shall decide.

## **X. RULING ON APPLICATION**

- A. In reviewing each application the Commission shall consider the historic and architectural value and significance of the site, building, or structure involved, the general design, arrangement, texture, material, and color of the features involved, and the relation of such features to similar features of buildings and structures in the surrounding area.
- B. In the case of new construction or additions to existing buildings or structures, the Commission shall consider the appropriateness of the size, shape, and design of the building or structure, in relation to the land area upon which it is situated and to neighboring buildings and structures. The Commission may in appropriate cases impose dimensional and set-back requirements in addition to those required by applicable ordinance or by-law.
- C. In the event of the inability to act or unwillingness to act because of self-interest or conflict of interest on the part of a member of the Commission, his place shall be taken by an alternate member designated by the Chair. A Member must abstain from voting for the following reasons:
- A member is making an application.
  - A member is a relative, business associate, or employee of the applicant.
  - A member has a financial interest in the outcome of the application.
- D. If the Commission finds that part of an application is inappropriate, it may suggest ways in which the application can be amended. Discussion among members and with the applicant, if present, shall focus on arriving at a solution satisfying all concerned.
- E. After adequate discussion, or by the end of the time allotted to the application on the agenda, the Commission shall either vote on the application in its entirety or request it's withdrawal whereupon a revised application may be made at a future time. An applicant may withdraw portions of his application prior to a vote.
- F. Only seven votes are counted: Alternate members shall vote only if the number of Regular members voting is less than seven. If both Alternates are present and only one Alternate vote is required, the Alternates shall vote alternately.
- G. The concurring vote of a majority of the *Members of the Commission* shall be necessary to issue a Certificate of Appropriateness, a Certificate of Non-Applicability or a Certificate of Hardship per MGL Chapter 40C, Section 11.

- H. Member(s) will be assigned to observe work in progress at the time the application is approved. The member(s) assigned will monitor the work as it progresses to ensure compliance with the approved application.
- I. The Secretary shall record each member's vote in the minutes along with the Member(s) assigned per H. above.

## **XI. CERTIFICATE OF APPROPRIATENESS**

- A. After approving an application for Certificate of Appropriateness, the Commission shall issue a Certificate of Appropriateness for the work proposed. Certificate shall be sent to the applicant with a copy to the Building Inspector.
- B. Each Certificate issued by the Commission shall be dated and signed by the Chair or Secretary.
- C. Certificates of Appropriateness are valid for the original applicant through the end of the calendar year. If the work has not been completed by the end of that year, an automatic extension will be granted for a period of 12 months from the date the Certificate of Appropriateness was originally issued.
- D. If the property changes ownership while a project is in progress, the new owner(s) must identify himself to the Commission and receive a new Certificate of Appropriateness in his name.
- E. An applicant wishing to make any design changes after a Certificate of Appropriateness has been issued must file a new application for those changes.
- F. If an application has been denied, the Commission shall record the reasons for such determination and shall send a notice of these reasons to the applicant. Copies of this document shall be sent to the Building Inspector as well.
- G. Any applicant or abutter wishing to contest the approval or denial of an application for a Certificate of Appropriateness may have recourse to the remedies noted in Section 12A of Chapter 40C of the Massachusetts General Laws.

## **XII. ENFORCEMENT**

If unapproved work is carried out in the Historic District, the owner of the property involved shall be held responsible. Violations of the Longmeadow Historic District by-laws shall result in a letter of warning to the owner with copies to the Board of Selectmen and the Building Inspector. If the owner, owner's agent, or lessee continues

to violate the provisions of Chapter 40C, these Rules and Regulations, or the decisions of this Commission, resort shall be made to fines or injunctions, or both, as authorized in Section 13 of the Historic Districts Act, Chapter 40C, of the Massachusetts General Laws.

**XIII.  
AFTER COMPLETION OF THE WORK**

- A. When the work for which a Certificate of Appropriateness is granted has been completed, the applicant shall notify the Commission.
- B. Before the next regular meeting, one or more members of the Commission shall review the work on site to verify it has been carried out as originally approved.
- C. If the completed work complies with the approved application, the Commission shall send a signed report to that effect to the applicant, the Board of Selectmen, and the Building Inspector. The issuance of this notice closes the file on the application.
- D. If the completed work does not match the approved application, the Commission shall notify the Building Inspector and applicant.
- E. In the event the applicant fails to correct the work in a timely fashion, the Commission shall have recourse to the provisions of enforcement authorized in Section 13, Chapter 40C, of the Massachusetts General Laws.

**XIV.  
SPIRIT OF COMPLIANCE**

The members of the Historic District Commission trust that property owners within the District will comply with the rules outlined above. The spirit of compliance is imperative for the process of preservation to be successful. If you have any questions or suggestions please feel free to contact any member of the Commission.

**XV.  
Revision History**

Date Approved	Description	Revision #
5/7/2002	Major review and revision of rules	2002.1
1/1/2005	House Street Address signs eased, V.B. Signs; VI.A.	2005.1
1/8/2008	Commissions election meeting date change; Website added as source for appropriateness applications;	2008.1

	Application deadline change from 14-15 days prior mtg	
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