

**RULES AND REGULATIONS
OF THE
HISTORIC DISTRICT COMMISSION**

BRIDGEWATER, MASSACHUSETTS

Rules and Regulations

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Communications can be addressed to:

Historic District Commission
Town Hall
Central Square
Bridgewater, MA 02324

--1986--

--Revised March 2000-- March 2002

Historic District

Bridgewater, MA

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I LEGISLATION AND HISTORY

- 1) 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 interests.
- 2) In 1986 the Town of Bridgewater voted to enact the Historic District By-Law, Article XXVIII, under the provisions above. The full text of the by-law is printed in the Town By-Laws booklet. Copies are available from the Town Clerk or the Building Inspector.

II LOCATION OF THE HISTORIC DISTRICT

- 1) The District was established in 1986 around the center common. It is bounded:
 - a) Beginning with open lot at junction of Main Street and Central Square all properties on west side of Central Square.
 - b) On west side of South Street properties to the south side of Church Street to and including old library.
 - c) The Academy building at south end of Central Square located between South and Bedford Streets.
 - d) New Jerusalem Church located at junction of Bedford and School Streets.
 - e) All properties on east side of Central Square between School and Summer Streets.
 - f) Properties on north of Central Square currently occupied by Shopping Plaza at north of Central Square and the Bank building.
 - g) Property at north side of junction of Main and Broad Streets known as the Saccocia Block.
 - h) Properties at 9 and 19 Summer Street.

III THE HISTORIC DISTRICT COMMISSION

- 1) The Commission shall consist of not less than seven members.
- 2) The Commission members shall be appointed by the Bridgewater Board of Selectmen, and their names shall be available from the Selectmen's Office.
- 3) Circumstances permitting, the Board shall consist of:
 - a) At least one resident of or owner of property in the District
 - b) At least one member from two nominees submitted by the Old Bridgewater Historical Society

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- c) At least one member from two nominees submitted by the local board of realtors.
- d) At least one member from two nominees submitted by the Chapter of the American Institute of Architects covering Bridgewater.

If within 30 days after submission of a written request for nominations to any of the organizations above-named, no such nominations have been made to the Board of Selectmen, said Board may proceed to make appointments without nominations from such organizations.

- 4) Each member of the Commission shall be appointed for a term of three years, and until his successor is appointed and qualified, except that the first time such appointments are made, they shall be as follows: Two members for one year terms; two members for two year terms; and three members for three year terms. A vacancy shall be filled in the same manner as the original appointment, for the remainder of the unexpired term.
- 5) The Commission shall annually elect from its membership a chairman and vice-chairman and, from within or without its membership, a secretary.

IV CHANGES REQUIRING COMMISSION APPROVAL

- 1) All changes in the appearance of a building or a building site located within an Historic District and visible from a public street 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 to the examples cited. (See Section V for exclusions.)
 - 1.1 The construction of a new structure.
 - 1.2 The demolition of an existing structure.
 - 1.3 The construction or removal of an addition.
 - 1.4 The construction or installation of any temporary structure.
 - 1.5 The re-roofing, re-siding, or repainting of a structure or parts thereof, except as noted in Section V. Vinyl or aluminum siding is not permitted in the Historic District, under any conditions.
 - 1.6 The installation of electric cables, electrical insect killing devices, solar panels, electrical antennas, wind vanes, quadrants, commercial flags, satellite dishes, and electronic telecommunication equipment.
 - 1.7 The construction or alteration of gates, fences, walkways, terraces, steps, walls, barns, garages, and gazebos.
 - 1.8 The addition, alteration, or removal of windows, shutters, doors, porches, steps, and chimneys.
 - 1.9 Color of paint should be colors that are appropriate for the building's historic period or architectural style.

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- 2) The placement of permanent or temporary signs on or about any building or building site, must be approved by the Commission. Note that all provisions of the Bridgewater Zoning By-Law relating to signs must first be followed. The Commission's primary interest in reviewing signs is to pass on the appropriateness of their placement, design, size, color, and execution.

Although every sign will be reviewed for appropriateness in the context of its immediate environment, the following guidelines shall apply:

- 2.1 Black Lettering on white ground is preferred.
- 2.2 Minor use of historically appropriate colors and gold leaf shall be accepted..
- 2.3 All lettering must be executed in a professional manner.
- 2.4 Overall size should generally be smaller than that allowed in the Bridgewater Zoning By-Law.

V CHANGES NOT REQUIRING COMMISSION APPROVAL

- 1) Approval is not required for:

- 1.1 Exterior changes that cannot be seen from a public street, public way, or public park.
- 1.2 Interior changes that cannot be seen from outside the building.
- 1.3 Routine repairs not changing the exterior design appearance.
- 1.4 Removing existing signs.
- 1.5 Adding, removing, or relocating trees, shrubs, flowers, and other vegetation.
- 1.6 Terraces, walks, driveways, sidewalks and other similar structures any and all of them, provided that the structure is at grade level. (A change of grade level requires Historic District Commission review and approval.)
- 1.7 Storm doors and windows, screen doors and windows, window air conditioners, lighting fixtures, and ordinary television and radio VHF, UHF and FM antenna.
- 1.8 Signs used for residential occupation or professional purposes which are not more than one foot square in area, provided that:
 - a) Only one sign is displayed for each building or structure.
 - b) The sign consists of letters painted on solid material without a symbol or trademark; and
 - c) If illuminated, is illuminated only indirectly.

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- d) Sign use in connection with non-residential purpose, which are not more than twelve square feet in area, provided that

- Only one sign is displayed for each building or structure

- The sign consists of letters painted on solid material without a symbol or trademark; and

- If illuminated, is illuminated only indirectly.

- 1.9 Reconstruction of a building, structure or architectural feature which has been damaged or destroyed by fire, storm, or other disaster, provided that:

- a) The exterior design is substantially similar to the original;

- b) The reconstruction is begun within one year after the damage occurred and is carried on with "due diligence".

VI APPLICATIONS FOR APPROVAL OF A CERTIFICATE OF APPROPRIATENESS

- 1) Applications for a Certificate of Appropriateness for approval of proposed changes may be obtained from the Town Clerk's Office at the Town Hall, and from the Building Inspector's Office.
- 2) Applications for a Certificate of Appropriateness must be signed by the owner, trustee, or representative of the property concerned. Applications for a Certificate of Appropriateness made out by a lessee will be accepted by an authorization signed by the property owner.
- 3) Completed applications for a Certificate of Appropriateness must be received at the Town Clerk's Office one week prior to the Commission's meeting. Applications must be stamped and dated by the Town Clerk's Office. Applications will be scheduled for hearing in the order received.
- 4) Applications for a Certificate of Appropriateness for alterations liable to be of concern to abutters must be filed three weeks prior to the meetings so that notices can be sent to the abutters. Costs of notification shall be charged to the applicant.
- 5) If a prospective applicant wishes to discuss proposed alterations with the Commission before making a formal application for a Certificate of Appropriateness, a place on the agenda may be reserved by writing or telephoning the Chairman.
- 6) All applications for a Certificate of Appropriateness must include the following:
 - 6.1 The completed application form.
 - 6.2 Photographs of the building or site before the proposed alteration.
 - 6.3 Professional drawings sufficient to describe in detail the work proposed.

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- 6.4 Paint color samples if the work includes repainting.
- 6.5 Roofing samples or manufacturer's literature if the work includes re-roofing.
- 6.6 Samples, colors, and/or literature on all other proprietary materials or products that will be used and visible in the alteration.
- 6.7 Vinyl or aluminum siding is not permitted in the Historic District under any conditions.
- 6.8 Samples of all construction materials and architectural appointments.
- 6.9 If the application concerns a sign, it shall include:
 - a) A photograph of the proposed site of the sign.
 - b) A professional drawing of the proposed support of the sign.
 - c) A full-scale outline drawing of the sign.
 - d) The words to be painted on the sign.
 - e) The style, color, size, and placement of the lettering.
 - f) The name, address and phone number of the sign painter.
 - g) Paint chips or samples of paint used.
 - h) Details and specifics regarding the indirect illumination of the sign.
(Internally illuminated signs are not allowed in the Historic District.)
- 7) Although not required, the applicant's presence will usually expedite the review process and may result in the acceptance of an application for a Certificate of Appropriateness that might otherwise have been disapproved for lack of complete information.
- 8) If an application for a Certificate of Appropriateness does not contain enough information for the Commission to be able to determine the appropriateness of the proposed work, it may be:
 - 8.1 discussed with the applicant, if present, in order to obtain the missing information.
 - 8.2 returned to the applicant, if present, for withdrawal and reapplication at a later time.
 - 8.3 or voted on and disapproved as incomplete. In this case, all supporting material shall be returned to the applicant.
- 9) The Commission shall keep all approved applications on file at the Town Hall.

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VII MEETINGS OF THE COMMISSION

- 1) The Commission shall hold open Public Meetings as necessary.
- 2) Notice of the date, time, and location of these Public Meetings shall be posted at the Town Hall.
- 3) No meetings shall be held unless a quorum of four Commission members is present.
- 4) Every meeting shall start with the distribution of the agenda for that meeting.
- 5) The Commission shall then take up the review of applications for Certificates of Appropriateness in the order of their original receipt, as scheduled on the agenda. Exceptional applications may be rescheduled for review at a Special Hearing.
- 6) The next order of business shall be the review and acceptance of the prior meeting's minutes, followed by the disposition of matters pending.
- 7) The Secretary of the Commission shall send copies of the meeting's minutes in timely fashion to all Commission members, the Board of Selectmen, and the Building Inspector.

VIII SPECIAL HEARINGS OF THE COMMISSION

- 1) A Special Hearing may be called by the Chairman, by majority vote of the Commission, or upon the request of an applicant for a Certificate of Appropriateness or aggrieved other party.
- 2) A Special Hearing may be called for one or more of the following reasons:
 - 2.1 Application is being made for an important new construction or alteration likely to be of general interest to the townspeople.
 - 2.2 The application for a Certificate of Appropriateness being made is controversial and may require extended discussion.
 - 2.3 The alterations proposed are likely to be of concern to the abutters, and the application for a Certificate of Appropriateness was not received in time to notify them fourteen days prior to the meeting.
 - 2.4 The applicant wishes to receive a determination before the date of the next Meeting.
 - 2.5 Any other reasons which may cause the Chairman or a majority of the Commission members to call for a Special Hearing.
- 3) The time, place, and purpose of a Special Hearing shall be posted at the Town Hall and advertised in a paper of local circulation at least fourteen days before the Hearing.

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- 4) All costs incurred by the Historic District Commission for notification and process shall be paid by the owner of the property involved.

IX RULING ON THE APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS

- 1) In reviewing each application for a Certificate of Appropriateness, 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.
- 2) 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, both in relation to the land area upon which it is situated and to buildings and structures in the vicinity.
- 3) Members of the Commission shall abstain from deliberating and voting on an application when there is any possibility of conflict of interest. Some examples would be:
 - 3.1 A member who is making an application for a Certificate of Appropriateness.
 - 3.2 A member who is a relative, close friend, business associate or employee of the applicant.
 - 3.3 A member who is an abutter of the applicant.
 - 3.4 A member who has a financial interest in the outcome of the application.
- 4) If the Commission finds that some parts of the proposed changes outlined in an application are inappropriate, it will make every effort to suggest ways in which the application could be amended so that approval could be assured. Discussion among members and with the applicant, if present, shall focus on arriving at a solution satisfying all concerned.
- 5) 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 for a Certificate of Appropriateness or request its withdrawal so that a revised application may be made at a future time.
- 6) A majority vote shall carry. In the event of a tie, the vote of the Chairman shall carry.
- 7) The Secretary shall record the vote in the minutes.

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X THE CERTIFICATE OF APPROPRIATENESS

- 1) After approving an application, the Commission shall issue a Certificate of Appropriateness for the work proposed in that application. This certificate shall be sent to the applicant with copies to the Town Hall and the Building Inspector.
- 2) Each Certificate of Appropriateness issued by the Commission shall be dated and signed by the Chairman and the Secretary.
- 3) Certificates of Appropriateness are valid for the original applicant for a period of one year. If the work for which the Certificate was granted has not been completed by the end of that time, application for an extension will have to be made, if recommended by the Historic District Commission.
- 4) If the property changes ownership and the new owners wish to complete changes previously approved, they must identify themselves to the Commission in order to receive a new Certificate of Appropriateness in their own name.
- 5) Any applicant wishing to make any design changes after a Certificate of Appropriateness has been issued must file a new application for those changes.
- 6) In the case of an application which has been disapproved, the Commission shall record the reasons for such a determination and shall send a notice of these reasons to the applicant. Copies of this document shall be sent to the Board of Selectmen and the Building Inspector.
- 7) Any applicant or abutter wishing to contest the approval or disapproval 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.

XI AFTER COMPLETION OF THE WORK

- 1) When the work specified in an approved Certificate of Appropriateness has been completed, the applicant shall notify the Commission.
- 2) Before the next meeting, one or more members of the Commission shall review the work on site in order to find out if it has been carried out as originally approved.
- 3) In the case of new construction or major reconstruction, the Chairman of the Commission or his designee will sign the Occupancy Permit. This signature will close the file on the application.
- 4) If the work does not match the approved application, and the Commission finds the changes allowable, the Commission shall request the applicant to file a new application covering those changes before the next meeting.
- 5) If the Commission finds the changes unallowable, it shall request the applicant to have the work corrected.

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- 6) In the event that 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.

XII ENFORCEMENT

- 1) If unapproved work is carried out in the Historic District, the owner of the property involved shall be held responsible. Violations of the Bridgewater Historic District's By-Law shall result in a letter of warning being sent 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 ADDENDUM

The Rules and Regulations will not supersede in any way the provisions of Massachusetts General Laws Chapter 40, Section C which govern the Historic Districts Act.