

Turning Mill Neighborhood Conservation District Guidelines

Introduction:

The Neighborhood Conservation District (NCD) enabling bylaw (Chapter 78) was approved in Lexington Town Meeting in March 2016. The broad purpose of the bylaw is to give property owners a tool to preserve Lexington's distinct neighborhoods as well as provide more stability and predictability within a neighborhood.

In April 2018, 113 parcels within the Turning Mill neighborhood, which included the streets Dewey, Demar, Gould, Grimes, Mountain, Partridge, Turning Mill, and Jeffrey, received approval from Lexington Town Meeting to form an NCD via the bylaw Chapter 78A.

Since the original construction of the Turning Mill neighborhood beginning in the late 1950s through the late 1960s, residents have enjoyed the woodland setting, the creative and thoughtful architecture as well as a strong community bond. These characteristics were largely untouched for 50 years. By the early 21st century, economic prosperity and accelerating pace of reconstruction in town began to cause neighbors concern that the unique neighborhood character was under threat and wanted to preserve it.

For this reason, these guidelines are not simply a prescriptive design manual of "do's" and "don'ts". Reasonable judgement is involved, from both the applicant and Commission. Certain principles are fundamental, such as the use of quality, preferably natural, materials that preserve the integrity and character of the building and site and choosing design elements that keep with the neighborhood aesthetic.

Purpose of Chapter 78A:

Building upon Chapter 78 (the enabling NCD bylaw), Chapter 78A was established to:

- Recognize the unique and distinctive character of the Turning Mill neighborhood including architectural design consistency and modest scale of its Mid-Century Modern Buildings and their materials, the careful siting of Buildings in a woodland landscape that retains the natural topography, augmented with native trees, shrubs and plantings that sustain wildlife and provide a feeling of privacy
- Conserve and preserve Turning Mill's existing Buildings and encourage construction and alteration that complements and is compatible with those buildings and structures and their setting and character
- Provide residents and property owners with the opportunity to participate in planning the future and dynamic improvements of the Turning Mill neighborhood
- Promote wider public knowledge and appreciation for the Turning Mill neighborhood by serving as an information resource on the history of the neighborhood and on compatible materials, methods, and options for caring for and maintaining Mid-Century Modern houses and landscapes

- Enhance the public welfare by offering current and future residents of Lexington the opportunity to live and work in a significant and historic Mid-century modern neighborhood.

Application Materials

Application for Non-Applicability and Compatibility can be found at

<https://www.lexingtonma.gov/turning-mill-neighborhood-conservation-district-ncd-commission>

Guideline Applicability:

Under Chapter 78A, the Turning Mill NCD Commission must issue a Certificate of Non-Applicability, Certificate of Compatibility or Certificate of Hardship before any external alterations can be made.

Reviewable construction projects, which would require a Certificate of Compatibility or Hardship, meet the criteria below and visible from a public way:

- Addition or construction of over 200 SF or 10 feet in height visible from the public way
- Full/Partial Demolition of structure greater than 200 SF

There is no regulation of temporary installations of buildings, structures, signs or other exterior architectural features. Temporary is defined as 45 days or less.

If the proposed project does not meet the criteria above, the applicant would apply for a Certificate of Non-Applicability. This application would be reviewed by the Chair of the NCD Commission and/or the full Commission to confirm its non-applicability and returned to the applicant within 14 days.

A building permit will not be issued without a Certificate of Non-Applicability, Certificate of Compatibility or Certificate of Hardship for properties in the NCD. During construction and before a Certificate of Occupancy is issued, building inspectors review work to confirm compliance with the Certificate of Compatibility. Violating the provisions of the Certificate is subject to fine as defined in Chapter 78.

Definitions: From Chapter 78

Certificate of Compatibility: A form created and issued by the NCD Commission which states a proposed plan for construction or alteration to a building, structure or setting meets the regulations and guidelines for the NCD.

Certificate of Hardship: A form created and issued by the NCD Commission which states that owing to conditions especially affecting the building or structure but not affecting the NCD generally, failure to issue a certificate of compatibility would result in a substantial hardship to the applicant and such application may be approved without substantial detriment to the public welfare and substantial derogation from the intent and purposes of the NCD.

Certificate of Non-applicability: A form created and issued by the NCD Commission which states proposed changes to a building, structure or setting within an NCD are not subject to review under this bylaw.

Demolition: The act of pulling down, destroying, removing, or razing a building or structure or any substantial portion thereof or the act of commencing the work of total or substantial destruction with the intent of completing the same. "Demolition" as used herein shall be deemed to include demolition by neglect.

Exterior Architectural Feature: Such portions of the exterior of a building or structure including but not limited to the architectural style and general arrangement and setting thereof; the type and texture of exterior building materials and the type and style of windows doors, lights, signs and other appurtenant fixtures.

NCD Commission: A public body established under this bylaw with the authority to review and approve or disapprove proposed construction or alteration to a building, structure or setting in the NCD for compatibility with the design guidelines established for the NCD. A separate NCD Commission is established for each designated NCD.

Privacy Screening: Natural plantings to enhance privacy by planting a mix of perimeter trees with understory shrubs like mountain laurel, rhododendrons and azaleas, contributing to privacy and enhancing the characteristic woodland aesthetic.

Protected Tree: Any tree considered a Protected Tree under the Town's Tree Bylaw, Chapter 120 of the Code of the Town of Lexington. In addition, Protected Trees shall also include any tree located outside of a setback area that otherwise meets the definition of a Protected Tree under Chapter 120.

Setback Area: The minimum setback area around a lot shall be measured in accordance with the larger dimension of 30 feet from the front and 15 feet from the two sides and from the rear of the lot, and the minimum front yard, side yard and rear yard dimensional requirements under the Zoning Bylaw of the Town of Lexington. For the purposes of establishing the setback area in which the provision of this Chapter shall apply, the measurement shall be from any point on any property line of the lot, to points along an imaginary line drawn representing the setback area as specified.

Application Procedure:

A public hearing is required before a Certificate of Compatibility can be issued. TM NCD meetings will be called when a project is proposed. The date, time and place of all public

meetings and hearings are posted in the Lexington Minuteman, online on the Town website, and in the Town Office building.

Formal Hearings

A formal hearing is necessary to receive the Certificate of Compatibility, which is required to obtain a building permit for a property in the NCD. The formal application with accompanying support material must be submitted to the NCD Commission four weeks prior to the hearing. The long lead time is necessary so the hearing can be advertised in the Lexington Minuteman public notices and abutters within 100 feet notified.

Initial formal hearing: The first time a project comes before the Commission on a formal basis an advertised formal hearing is required.

Continued formal hearing: If the application is incomplete or changes are requested to the proposed design, the project may be continued to the next or subsequent months. There are no additional fees for the Continued Hearing

What is meant by compatibility?

Know the building

Every building has architectural features or characteristics that make it look the way it does. Every building has walls, windows, a roof and at least one door. The size, shape, materials and color of each of these elements help to define the style of a particular building. Compatible changes or additions acknowledge and are sympathetic to the style of the original building and to the neighborhood of the building.

There are three major architectural styles within the Turning Mill Neighborhood. There are common themes within the three and some unique characteristics.

Techbuilt: The Techbuilt house was based on a consistent four-foot-wide module for all major building components, including walls, floors and roof panels. The homes were characterized by simplicity of shape; pitched roofs, overhanging eaves and extensive use of glass.

Turning Mill Raised Ranch/Split-level/Chalet: The elongated raised ranch form features overhanging eaves and cantilevered canopies, while the split levels have a distinctive asymmetrical gable front. The chalets (there are only three in the neighborhood) have a symmetrical gable front with a second story balcony.

Peacock Farm: The defining exterior features include a low-pitch roof with one slope longer than the other, broadly overhanging eaves which display exposed beams, a horizontal band of windows with separating plywood panels.

When proposing an addition, know the style of the building and use some of the characteristics of the original house to design the new components, such as simplicity of shape, the pitched roof line, windows and eaves.

Exterior Materials

Natural materials, such as wood, glass, brick and stone are the preferred building materials in the Turning Mill NCD. These were the materials historically used in construction and it is appropriate to use the same materials when building, renovating or expanding. However, the Commission may also approve the use of modern alternatives such as cement shingles and other materials with contemporary design principles. Painted PVC panels are acceptable as well as use of materials such as zinc, copper or aluminum to achieve a modern or contemporary design appearance.

Stone walls and split rail or other open wood fencing are preferred. Fencing should be minimal in general. Vinyl or PVC materials should not be used for fencing.

Synthetic materials, such as vinyl or plastic or generally not appropriate because they do not have the same properties as the original materials and cannot be detailed in the same way. Most synthetic materials do not age well so when they fail, they must be replaced.

Asphalt paving is acceptable. Pervious paving materials could be considered if possible and appropriate for the site, including washed stone on brick base, compacted stone and stone dust, bank run gravel and rolled aggregate.

Size and Scale

The size and scale of a proposed addition in relation to the existing and neighboring buildings will be evaluated. Additions or new construction should not overpower the original structures.

The following features should match or harmonize with the existing building and the neighborhood:

Eave lines: Generally, eave lines should align with or be lower than the original house.

Building width, depth, and height (“massing”): A well-designed addition is not overwhelming. Its width, height and depth are similar in scale to the original structure.

Roof configuration: A roof is one of a building’s most prominent features and a key element in defining its style. The neighborhood’s Mid-century modern design dictates a design of the roof to have either a shallow pitch of up to 4:12 or an asymmetric roof line which can have a slightly steeper pitch. EPDM/rubber membrane roofing in gray or black, shingle and metal roofing are acceptable replacements for existing tar and gravel roofs. Copper and aluminum drip edges are acceptable.

Landscaping and Tree Removal

All landscaping alterations are reviewable in conjunction with reviewable construction projects.

- Applicants should submit a “before” and “after” landscaping plan to the Commission before the commencement of any excavation, re-grading, construction or tree removal. For additions, the required plan scope should include the limited area of development. For full reconstruction, a full landscape plan of the lot is required.
- Privacy screening is encouraged. Informal, naturalistic plantings to enhance privacy and the retention of mature, healthy landscape materials are preferred. Formal hedges,

straight line hedges, regular spacing of shrubs and defining boundaries with hedges should be avoided. A heavily wooded front yard is not required, but modest front yard screening is preferred to preserve the woodland character. Installation of lawns should be in addition to, but not instead of, trees and shrubs.

- Plants native to or adaptive in the woodland zone are preferred, including eastern hardwoods (oak, hickory, beech, red maple, birch) and pines. Hearty and drought tolerant plants and broadleaf evergreen shrubs (laurel, rhododendron) are preferred for understory plantings with shade and drought tolerant fescues for lawn areas. Invasive species (such as Norway Maple) and species under threat of disease (such as hemlock) should not be used.
- Protected Trees within the Setback Area are governed by Chapter 120 and shall not be subject to Commission review. Where removal of a Protected Tree is proposed outside of the Setback Area, the Commission may require its replacement with a tree measuring at least three inches in diameter at breast height (“DBH”) as defined in Chapter 120. Additionally, if a Protected Tree is removed during the 12 months preceding an application to the Commission, a tree removal and mitigation proposal regarding the Protected Trees previously already removed must be submitted to the Commission.