



Town of Lexington

LEXINGTON HISTORICAL COMMISSION

David Kelland, Chair
Marilyn Fenollosa
Wendall Kalsow
Diane Pursley
Sam Doran

LEXINGTON PLANNING BOARD

Richard L. Canale, Chair
Ginna Johnson, Vice-Chair
Bob Creech, Clerk
Nancy Corcoran-Ronchetti
Charles Hornig
Michael Leon, Associate

Lexington Planning Board & Lexington Historical Commission

REPORT TO THE 2018 ANNUAL TOWN MEETING

ARTICLE 40 PIERCE-LOCKWOOD NEIGHBORHOOD CONSERVATION DISTRICT

RECOMMENDATION

At its meeting of November 29, 2017, the Planning Board and Historical Commission, by a vote of 9-0, recommended that Town Meeting establish the Pierce-Lockwood Neighborhood Conservation District.

This report was accepted by a unanimous vote of the Planning Board on March 28, 2018 and by the Historical Commission on March 21, 2018.

SUMMARY

The purpose of this proposed amendment is to establish the PIERCE-LOCKWOOD NEIGHBORHOOD CONSERVATION DISTRICT under the provisions of Chapter 78 of the Code of the Town of Lexington. The Historical Commission began working with the neighborhood petitioners on this project in October of 2015, accepted their petition at a formal public hearing in October of 2016, and with the Planning Board and Town Manager, formed an NCD Study Committee. There were 11 Town-noticed public meetings of the Pierce-Lockwood Study Committee, which were held between January 23, 2017 through October 30, 2017. The Study Committee Report was submitted to both, the Planning Board and the Historical Commission, who carried out the provisions of Chapter 78 for public process and notification. After conducting the required public hearing the Planning Board and Historical Commission voted unanimously to recommend that a fifteen-property Pierce-Lockwood NCD be established and notified the Selectmen to place it on the 2018 Town Meeting warrant.

The goals of the Pierce-Lockwood NCD are to preserve the architectural style and general size of the homes, and to emphasize the role the Pierce-Lockwood NCD played in the historical development of Lexington.

PUBLIC PROCESS & OUTREACH

The NCD bylaw was passed at the 2016 spring Town Meeting and approved by the State Attorney General. On October 13, 2016, the first neighborhood meeting to discuss the creation of an NCD under the requirements of the new bylaw, Chapter 78, was held at 10 Lockwood Road. The agenda included: choosing three candidates to be on the required Study Committee; obtain the ten signatures required to petition the Historical Commission regarding the formation

of a Study Committee; and to discuss the potential guidelines that would be included in the final regulations and guidelines required to create the NCD.

On October 19, 2016, a public hearing was held by the Historical Commission on the Byron/Lockwood/Mass. Ave. petition. The petition emphasized that many of the homes in the proposed NCD were built in the 1930s and had similar architectural details and size. The homes remained reasonably priced in consideration of the Lexington real estate market and there was a cohesive "feel" to this neighborhood perhaps due to its physical boundaries.

The petition was accepted, and an NCD Study Committee was appointed.

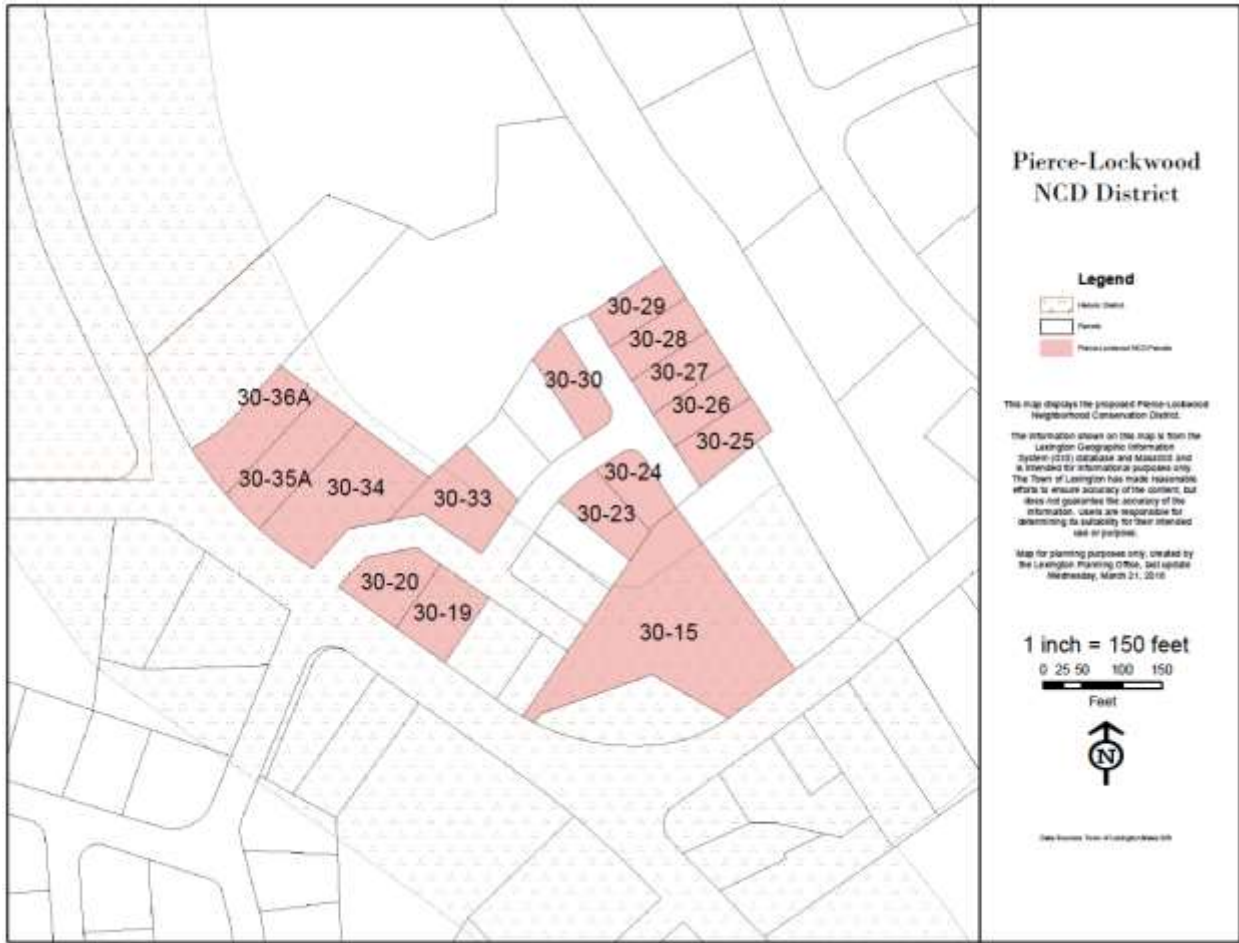
There were 11 Town-noticed public meetings of the Pierce-Lockwood Study Committee held between January 23, 2017 through October 30, 2017. Meeting Minutes and the NCD Study Committee can be found on the Town NCD website: lexingtonma.gov/planning-board/byronlockwoodmass-ave-neighborhood-conservation-district-study-committee

The Planning Board and the Historical Commission arranged for the joint Public Hearing as required in Chapter 78-3e. The public notice included the procedure and expiration date by which any property owner could elect, by right, to exclude their property from an NCD designation that may occur through this designation process. During the opt out phase, six properties in the NCD Study area opted out. They are excluded from the proposed NCD. At the November 29, 2017 public hearing, the size of the Study area was adjusted, and the Planning Board and Historical Commission verified that the NCD Study Committee Report justified the criteria was met for NCD designation and that the adjusted fifteen property NCD maintained the integrity of the Report findings. After the hearing was closed, it was voted unanimously to recommend that the fifteen-property Pierce-Lockwood NCD, with the Bylaw in the Study Committee Report be recommended to the Selectmen for inclusion in the 2018 Annual Town Meeting.

THE PIERCE-LOCKWOOD NCD

The final configuration of the Pierce-Lockwood NCD, as voted at the November 29, 2017 joint meeting of the Planning Board and Historical Commission, comprises fifteen properties:

- 15, 17, 19, 21 and 23 Byron Avenue;
- 10, 15, 17 and 18 Lockwood Road.; and
- 1099, 1115, 1123, 1133, 1139, and 1145 Massachusetts Avenue.



An approved Pierce-Lockwood NCD will be administered by a Pierce-Lockwood NCD Commission, which will carry out its responsibilities as stated in Chapter 78 general NCD Bylaw as well as the Pierce-Lockwood NCD Bylaw:

Chapter 78B. Pierce-Lockwood Neighborhood Conservation District

§ 78B-1. PURPOSE

Pursuant to Chapter 78 of the Code of the Town of Lexington, this Chapter 78B describes the regulations and procedures associated with the administration of the Pierce-Lockwood Neighborhood Conservation District (“PLNCD”). The goals of the PLNCD are to preserve the architectural style and general size of the homes, and to emphasize the role the PLNCD played in the historical development of Lexington. The goals can best be described with the words, “coherence,” “proportion,” and “aesthetics.”

Coherence is defined as having a sense of logical interconnectedness, consistency and harmony among parts. There is a balance between a home's uniqueness and its commonality with surrounding houses. This balance is vital to the neighborhood's identity. Architectural changes should maintain a harmony among parts, as well as a consistency with the architectural style of the surrounding homes.

Proportion is defined as having a comparative proper relation between elements or magnitudes such as size, quantity, ratio and number. A change in size leading to a large massing in relation to the size of surrounding Buildings and Structures means, taken as a whole, the Building or Structure is out of proportion to the neighborhood. Further, an addition that creates a change in size may detract from the original shape, affecting its aesthetics.

A neighborhood's sense of beauty is indeed its homes' uniqueness within commonality and includes considerations such as architectural style, shape, original windows, open porches and landscaping that fits within the natural beauty surrounding the Pierce-Lockwood NCD. It is defined by the history of the area, its relationship to the East Village Historic District and to historical Lexington.

§ 78B-2. DEFINITIONS

The following terms shall mean as follows when used in this Chapter. All Capitalized terms not defined in this Chapter are used as defined in Chapter 78.

Commission – The PLNCD Commission established pursuant to Chapter 78B-4.

HDC – The Lexington Historic Districts Commission.

§ 78B-3. DESIGNATION OF THE PIERCE-LOCKWOOD PLNCD

The PLNCD shall comprise the area shown on the boundary map of the PLNCD recorded with the Middlesex South Registry of Deeds pursuant to Chapter 78-4A.

§ 78B-4. PLNCD COMMISSION

A. The Commission shall be appointed pursuant to the terms of Chapter 78-4.

B. The Commission shall meet at least twice annually and by request of a property owner in the PLNCD. Property owners in the PLNCD are encouraged to request an informal discussion at a formal meeting of the Commission to discuss possible plans for alterations to their property prior to initiating a formal review with the Commission.

§ 78B-5. COMMISSION REVIEW

A. Except as otherwise provided in this Chapter, no Building, Structure, or Setting within the PLNCD shall be Constructed, Demolished, or Altered unless exempt from review pursuant to Chapter 78-5(c) or this Chapter, and no permit shall be issued for such construction, Demolition, or Alteration, unless the Commission shall first have issued a Certificate of Compatibility, a Certificate of Non-Applicability, or a Certificate of Hardship. Without limitation, review shall be required for the following:

- 1. Alterations to Buildings or Structures including, but not limited to, current roof lines, additions, style and size of windows, and the enclosure of porches;*
- 2. Alterations to Buildings or Structures requiring the issuance of a variance from the requirements of Chapter 135 of the Code of the Town of Lexington;*
- 3. Proposals to change the orientation of the Building or Structure in relation to its current position on a street;*
- 4. Installation of solid fences that would extend beyond the corners of the Building or Structure toward a street; or*

5. Additions of garages or paved parking areas.

B. When an application for a Building Permit is filed for a property in the PLNCD, the Lexington Building Department will notify the applicant that the property is subject to the PLNCD regulations and guidelines. Application will then be made to the Commission for review pursuant to the procedures in Chapter 78.

C. In addition to the application, such plans, elevations, specifications, photographs, description of materials and other information as may reasonably be deemed necessary by the Commission to enable it to make a determination will be required.

D. The following shall be exempt from review pursuant to this Chapter:

- 1. Any Building, Structure, Setting or activity exempt from review pursuant to Chapter 78-5(c);*
- 2. Skylights and solar panels installed in the same plane and in close contact with the plane of a roof;*
- 3. Fences or entry gates of a height of four feet or less; and*
- 4. Handicapped accessible ramps.*

§ 78B-6. DECISION CRITERIA

A. In passing upon matters before it, the Commission will consider the following criteria in addition to those in Chapter 78-6:

- 1. The architectural, aesthetic, social and historical value and significance of the particular Buildings, Structures and Settings affected, as well as the effects of the same on the PLNCD. Retaining the basic bungalow, Dutch colonial and Federal colonial style of existing homes, including window and door styles, roof lines, and open front porches is encouraged.*
- 2. Architectural features such as windows, front doors, exterior siding, garage doors, and roofing materials should be replaced in kind; chosen for consistency with original design; or, at least, compatible with abutting properties. The installation of solid fences which would “wall off” a home from the neighborhood will be discouraged.*
- 3. The suitability of the Construction’s or Alteration’s general design, arrangement, and composition of its elements on the distinctive character of the PLNCD.*
- 4. The effect on the cohesiveness of the PLNCD with respect to the scale and massing of the proposed changes relative to nearby Buildings and Structures in the PLNCD.*
- 5. The type of construction, style, textures and materials of the features involved in the proposed Construction or Alteration. Limiting the size and mass of any proposed additions, with or without previous additions, is encouraged.*
- 6. Changes in the orientation of a Building or Structure will be discouraged.*
- 7. Attached garages and increasing the amount of paved surface will be discouraged.*
- 8. The Setting and landscape characteristics, including their relationship to the street, topography, and existing vegetation, including mature trees, of the particular site involved in the Construction or Alteration, as well as the effect of same on the PLNCD. Proposed additions that*

will shade abutting properties will be discouraged, such as, for example, precluding the use of yards for gardens, or shading existing windows or porches.

9. For demolitions, the Building, Structure, or Setting proposed to replace those demolished.

B. In making its determination, the Commission shall, among other things, allow for appropriate architectural diversity and encourage the compatible updating, expansion and restoration of Buildings and Structures in the PLNCD consistent with the distinctive characteristics of the PLNCD.

C. Although not used as decision-making criteria, the following are suggested additional guidelines for consideration when planning Alterations to Buildings, Structures or Settings within the PLNCD:

1. Discussion with abutters concerning the installation of all allowable fences is encouraged. Hedges, split rail or picket fences may be acceptable fencing options.

2. If trees must be removed, the replanting of native trees is encouraged, except where shading will have a negative impact on abutters.

§ 78B-7. HISTORIC DISTRICT COMMISSION

Owners of properties within the PLNCD that are also in Lexington's East Village Historic District may seek approval for Construction, Alteration, or Demolition that triggers thresholds of either or both this bylaw or the laws and regulations applicable to Lexington's Historic Districts and subsequent review by the Commission and/or the Lexington Historic Districts Commission. Applicants to the Commission that have undergone review and received a Certificate of Appropriateness from the Lexington Historic Districts Commission may submit such paperwork and plans to the Commission as part of any application hereunder.