

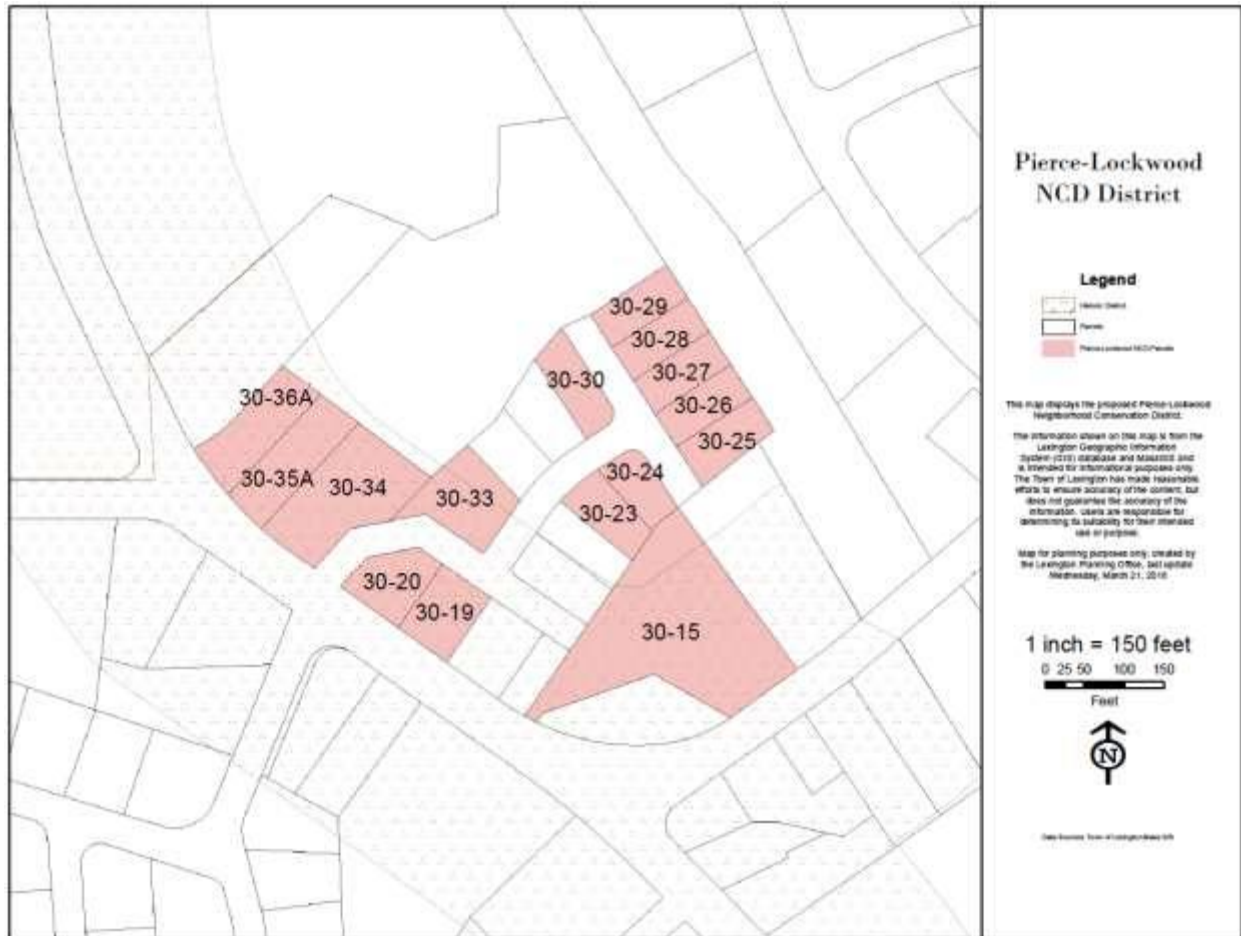
2018 Town Meeting ARTICLE 40 AMEND GENERAL BYLAW  
PIERCE-LOCKWOOD NEIGHBORHOOD CONSERVATION DISTRICT

**ARTICLE 40 AMEND GENERAL BYLAWS- PIERCE-LOCKWOOD  
NEIGHBORHOOD CONSERVATION DISTRICT**

**MOTION:** That the General Bylaws of the Town be amended as set forth in the report of the Planning Board and the Historical Commission on this article, a copy of which is on file with the Town Clerk and the Planning Board, and further that the non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington.

(Revised 04/10/2018)

Complete Bylaw for Informational Purposes



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.*