



Newburyport Local Historic District Study Committee

***Planning & Development Committee Meeting
Thursday, October 25, 2012, 7:00pm***



Agenda

The **case for change**

The **options considered**

The **proposed ordinance**

The **path forward**



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Newburyport is slowly losing historic structures and unique architectural characteristics

How the LHD Study Committee got started

Established over concern that **Newburyport has been losing historic assets one structure at a time, piece by piece**

The case for change

- Loss of historic structures and unique architectural characteristics across the National Register Historic District
- Includes areas in the proposed district (e.g., High, Temple, Water, State, Market, Federal)

What we've lost since 2002 alone...

- 35 lost to demolition, changed beyond recognition, deteriorating due to damaging surface applications, waiting out demo delay, off delay and can be razed at any time
- Countless have lost defining historic features such as doors, decorative surrounds, columns, fenestration, etc.



Experience from other Massachusetts cities and towns show growing pressure on historic assets

What we're seeing in other cities and towns

Communities with unprotected historic resources are under increased outside pressure to remove or completely alter historic structures.

Recent articles highlight this national trend in many MA cities and towns including:

- Beverly, Belmont, Newbury, Newburyport, Tewksbury, Woburn, Swampscott, Northampton, Amherst, Manchester-by-the-Sea, Winchester...
- See: *Boston Globe*, May, 6, 2012, April 19, 2012 (2 articles), November, 2011, *Daily News*, June, 2012)

What we've seen in our area...

- Newburyport's million-dollar teardown follows national & regional trends
- Teardown of the Federalist on Little's Lane in Newbury representative of this trend.

Popular community = vulnerability



Newburyport is vulnerable

- **Downtown business district has no protections** since NRA oversight ran out years ago
- **High Street streetscape disappearing** as new homes block historic ones
- **High Street homes vulnerable** to demolition to access large acreage in rear of properties for development
- **Large amounts of money** continue to come into the city to permanently alter our historic assets



- Our **Master Plan** calls for the protection of historic structures through districting
- Our **City Preservation Plan** has called for protection through districting since the early 1990s.



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Two main options were considered to protect Newburyport's historic assets

1

Planning and zoning regulation

2

Local historic district (LHD)

?

Which is the best option to protect Newburyport's historic assets?



1

Under Massachusetts law, Planning and Zoning are not enabled to provide adequate protection

- **Zoning** (Euclidean or Form-based) **cannot protect distinguishing architectural characteristics** of existing housing stock
- **Zoning in MA cannot prevent the teardown** of historic structures.
- **Our existing Historical Commission cannot prevent demolition**, in part or on whole, it can only delay the razing of an historic structure for one year.
- **Planning board cannot protect distinguishing historic architectural characteristics** or prevent teardowns of historic structures in part or in whole.



2

NRA Authority Has Expired

- **NRA authority to review exterior changes** to the structures located in the core downtown area that received federal money from the Urban Renewal program expired several years ago.



3

An LHD is the only viable option to provide comprehensive protection of historic assets

By Massachusetts law...

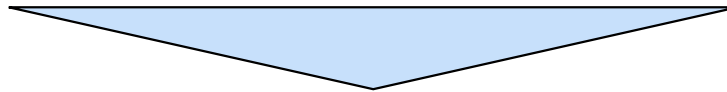
- An LHD protects historic structures from being demolished
- Ensures that the authenticity of a community's historic architecture is protected
- Allows for the protection of structures *en masse*
- Protects historic streetscapes
- Protects key, character-defining historic architectural features (visible from a public way only)
- Allows for change and new construction, energy efficient and environmentally-friendly applications



The recommendation, therefore, is to establish an LHD in Newburyport

Recommendation:

Establish an LHD, the only tool provided by Massachusetts to provide comprehensive protection *en masse* historic structures, their historic features and the historic streetscapes to which they contribute



Consistent with:

- Recommendations in Newburyport's Master Plan (2001) and City Preservation Plan (1991)
- The over 220 LHDs in cities and towns in MA and over 2300 across the US



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The proposed ordinance is based on what has worked well for other communities

Communities studied

- Portsmouth, NH
- Baltimore, MD
- Savannah, GA
- Economic analysis of LHDs in Connecticut, New York, California, Texas, North Carolina
- Methuen
- Amherst
- Marblehead
- Belmont
- Rowley
- Lowell
- Salem
- Lexington
- Boston
- Lawrence
- Provincetown
- and several others

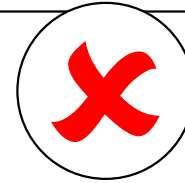
Lessons learned

- Stabilize property values (and don't create "million dollar streets")
- Strike balance between the interests of the homeowner and those of the community to both maintain its authenticity and continue to grow
- Creates the opportunity for new forms of economic development



A quick reminder...what is and is not reviewed in the proposed ordinance

What is not reviewed

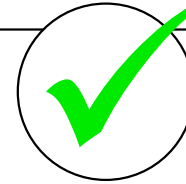


Shutters*, gutters*, foundations*, roofing materials* (including slate and composite materials), structures built after 1930*, bulkheads*, ordinary maintenance and repair (except brick masonry) as long as repair does not involve a fundamental change in exterior design or materials; new construction, demolition or alteration performed under a valid permit that was issued prior to the effective date of this ordinance or for the purposes of public safety; landscaping (vegetation), temporary structures (including, but not limited to temporary signs); terraces, walks, driveways, sidewalks, swimming pools and similar structures, storm windows, storm doors, screen windows, screen doors, window-mounted air conditioning units, paint, Flagpoles, sculptures, mailboxes, window boxes, downspouts and leaders, house numbers, garden furniture, Satellite antennae, satellite dishes, heat and air vents or similar equipment, all public park or cemetery structures except buildings, structures with a total footprint of less than 200 square feet, chimney caps, modern materials (post 1930) or features (post 1930) that existed prior to the effective date of the ordinance can be replaced in-kind. For example, existing vinyl siding can be replaced with vinyl siding, replacement windows can be replaced with new replacement windows, etc., shutter hardware, exterior lighting; reconstruction after a disaster does not require exterior architectural features to be replicated in detail or materials.



A quick reminder...what is and is not reviewed in the proposed ordinance

What is reviewed



Demolition (full and partial) of pre-1930 buildings and pre-1930 historic features only, new construction and additions, masonry (except foundations) Siding and trim (except pre-existing vinyl/aluminum), Windows (storms & screens ok, simulated divided light inside and out are ok; replace modern replacements in-kind ok); entrances and doors (storm & screen ok); roofs and dormers (historically significant roof shape and pitch, historically significant dormers) Note that adding historically-appropriate dormers to the front façade of a gambrel would be an appropriate addition; porches and decks, widow's walks, fences and site walls, commercial storefronts, historic barns and outbuildings, signage, changes to the High Street streetscape, public property (widening, etc.)



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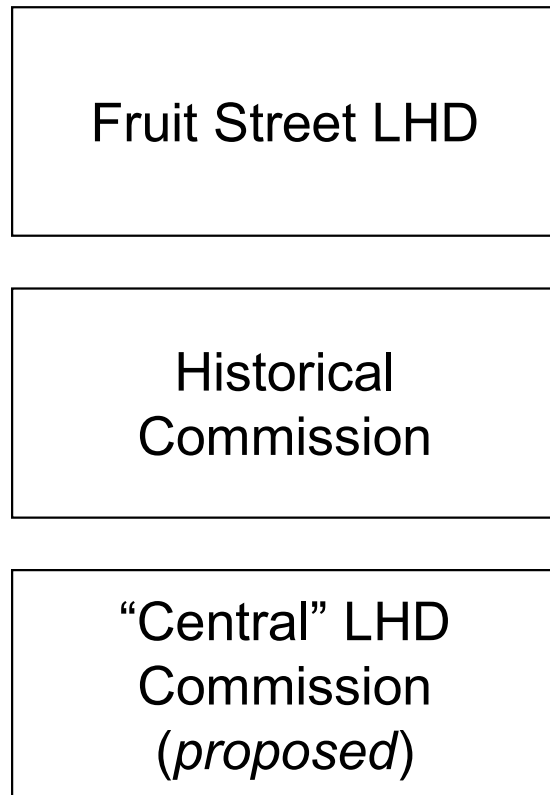
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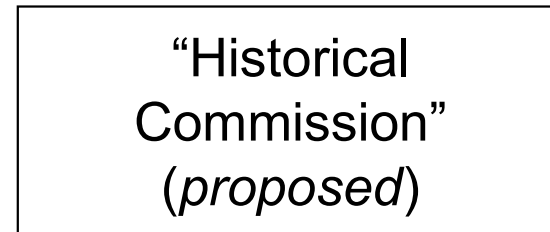
Several changes have been proposed to simplify Newburyport's historic-related commissions

From three commissions...



...to one commission

One commission that applies regulations depending on the geographic location of the applicant's property



Additionally, the ordinance now limits both the public hearing and determination period to 45 days (purposeful forcing of final decision and decision filing to no more than 45 days)



A Sampling of Additional Changes

- Composition of proposed Commission
- LHD Commission and Building Inspector bodies authorized to ensure implementation of Commission decisions
- Features reviewed must be visible from a public way **and** that public way must be within the district.
- Removed review of key architectural features from the rear of buildings even if those features are visible from a public way within the district

Among others...



Next Steps

- Council changes



Thank you to the City Council, members of the LHD Study Committee and most importantly, the citizens of Newburyport for their time and input.