

Chapter 15.36

HISTORIC DISTRICTS

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15.36.010 Purpose

This chapter shall be known and may be cited as the historic districts ordinance of the city of Lawrence under the authority of Massachusetts General Laws, Chapter 40C, as amended.

The purpose of this chapter is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places significant in the history of the city of Lawrence or their architecture, and through the maintenance and improvement of settings for such buildings and places and the encouragement of design compatible therewith. (Ord. dated 3/23/89 (part): prior code § 32B-1)

15.36.020 Establishment of Prospect Hill Historic District

A. There is established an historic district to be known as the Prospect Hill historic district under the provisions of the Historic District Act, General Laws, Chapter 40C bounded and described as follows:

Beginning at the intersection of Ferry Street and Prospect Street, the district heads in a southerly direction along Prospect Street, encompassing the dwellings on the East and West side of Prospect Street until it reaches East Haverhill Street. The district then continues East, up East Haverhill Street encompassing all properties on both the North and South side of East Haverhill Street until intersecting with Ferry Street. The district also contains properties located at 115 Ferry Street, 121 Ferry Street, 136 Ferry Street as well as 186 East Haverhill Street.

B. The boundaries are established as shown on the map entitled "Prospect Hill Historic District" dated 1988 which accompanies and is declared to be part of this chapter. (Ord. dated 3/23/89 (part): prior code § 32B-2)

15.36.030 Establishment of Historic District Commission

There is established as historic district commission, under the provision of G.L. Chapter 40C, consisting of five members and three alternate members to be appointed by the mayor, subject to confirmation by the city council. When the historic district commission is first established, one member shall be appointed for a term of one year, two shall be appointed for a term of two years and two shall be appointed for a term of three years, and their successors shall be appointed in like manner for terms of three years. When the historic district commission is first established, one alternate member shall be appointed for a term of one year, one alternate member shall be appointed for a term of two years, one alternate member shall be appointed for a term of three years and their successors shall be appointed in like manner for terms of three years. (Ord. dated 3/23/89 (part): prior code § 32B-3 (part))

15.36.040 Membership – Compensation

- A. The membership of the historic district commission shall be made up as follows:
 - 1. One member, if possible, from two nominees submitted by the Society for the Preservation of New England Antiquities;
 - 2. One member, if possible, from two nominees submitted by the Massachusetts State Chapter of the American Institute of Architects;
 - 3. One member, if possible, from two nominees submitted by the Lawrence Board of Realtors;
 - 4. The remaining members without designation but residents of the historical district and/or the city of Lawrence.
- B. The district commission shall elect annually a chairperson and vice-chairperson from its own number and a secretary from within or without its number.
- C. Alternates shall have all the powers and duties of regular members when called to serve by the chairperson or vice-chairperson of the commission.
- D. All members and alternates shall serve without compensation. (Ord. dated 3/23/89 (part): prior code § 32B-3 (part))

15.36.050 Administration of Historic Districts – Restrictions on Structures

No building or structure within the historic district shall be constructed, demolished, moved or altered in any way that affects exterior architectural features and no building shall be moved into an historic district unless the commission shall first have issued a certificate of appropriateness, a certificate of hardship or a certificate of nonapplicability with respect to such construction, alteration or movement. The building inspector shall not issue a permit within an historic district unless one of the certificates noted above has first been issued by the district commission or the proposed improvement is exempted from these provisions by Section 15.36.070. (Ord. dated 3/23/89 (part): prior code § 32B-4)

15.36.060 Application procedure for certificate

Any person who desires to obtain a certificate from the commission shall file with the commission an application for a certificate of appropriateness, a certificate of nonapplicability or a certificate of hardship, as the case may be, in such form as the commission may reasonably determine, together with such plans, elevations, specifications, material and other information, including in the case of demolition or removal a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application.

- A. All applications for certificates in the Prospect Hill historical district shall be submitted with a fee of twenty-five dollars (\$25.00) per application.
- B. The applicant shall be responsible for payment of all costs associated with the city and review by the Massachusetts Historical District Commission, if required,
- C. Application packages shall include existing photographs of the building, photographs of existing architectural moldings to be retained or replaced, one set of existing and proposed floor plans, and front and side elevation plans depicting the dimensions of the building.
- D. Application forms may be obtained and shall be filed at the community development office. Payment shall be accepted by the community development department on behalf of the Prospect Hill historical district commission. (Ord. dated 7/25/90: prior code § 32B-5)

15.36.070 Exemptions from commission review

The authority of the district commission is not extended to the review of the following:

- A. Temporary structures of signs, subject, however, to such conditions as to duration of use, location, lighting, removal and similar matters as the commission may reasonably specify;
- B. Terraces, walks, driveways, sidewalks and steps, or any one or more of them, provided that any such structure is substantially at grade level;
- C. Storm doors, screens, window air conditioning and antennae;
- D. Paint or stain of any color;
- E. Materials of uniform color used on roofs;
- F. Signs of not more than one hundred fifty (150) square inches in area in connection with use of a residence for a customary home occupation or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated only indirectly;
- G. Reconstruction of a building, structure or exterior architectural feature which has been damaged or destroyed by fire, storm or other disaster, provided that the exterior design is substantially similar to the original. (Ord. dated 3/23/89 (part): prior code § 32B-6)

15.36.080 Powers and duties of Historic District Commission

- A. The district commission shall have all the powers of an historic district commission as described in Chapter 40C of the Massachusetts General Laws. The commission shall adopt rules and regulations for the conduct of its business, not inconsistent with Chapter 40C of the General Laws, or with the purpose of this chapter, and in accordance with the procedures set out in the Chapter.
- B. The district commission may apply for, receive and accept on behalf of the city appropriations, grants and gifts for the furthering of the purposes of this chapter. It may establish an historic marker program, publish guides, maps and other appropriate publications to illustrate historical and architectural resources of the historic district. It may also administer any properties or lesser interests which may be acquired.
- C. The district commission shall propose changes in the Lawrence historic district boundaries and additional historic districts as it deems appropriate. Massachusetts General Laws, Chapter 40C, will guide the procedures for these activities.
- D. The district commission shall coordinate historic preservation activities, and oversee the preparation and implementation of historic preservation plans.
- E. The district commission shall provide assistance to owners of historic structures on matters pertaining to preservation.
- F. The district commission shall act at all times with a clear understanding of the need of the residents of the historic district to enjoy the progress of contemporary life in the use of their home and properties. (Ord. dated 3/23/89 (part): prior code § 32B-7)

15.36.090 Appeals from decisions of Historic District Commission

If a party is aggrieved by a decision made by the historical district committee, that party can, within twenty (20) days, appeal that decision to the Merrimack Valley Planning Commission, 350 Main Street, Haverhill, Massachusetts. If the party is still aggrieved, that party, under Massachusetts General Chapter 40C, can appeal to Superior Court within twenty (20) days. (Ord. dated 3/23/89 (part): prior code § 32B-8)