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## TOWN OF GROTON

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Office of the:  
Historic Districts Commission

September 10, 2013

**LEGAL NOTICE  
GROTON HISTORIC DISTRICTS COMMISSION  
PUBLIC HEARING NOTICE  
CHAPTER 153 HISTORIC DISTRICT COMMISSION  
BY-LAW CHANGES**

In accordance with the provisions of Massachusetts General Laws, Chapter 40C, the Groton Historic Districts Commission (GHDC) will hold a Public Hearing on **Tuesday, October 1, 2013, at 6:30 p.m. at Town Hall**, 173 Main Street, Groton, to consider revisions to the Town of Groton By-Law, Chapter 153 to be considered at the Fall Town meeting to be held on Monday, October 21, 2013. Copies of the proposed revisions are on file in the Town Clerk's office in Town Hall.

Daniel J. Barton  
Chairman



## TOWN OF GROTON

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Office of the:  
Historic Districts Commission

### Chapter 153 HISTORIC DISTRICTS AND COMMISSION

#### Section 153-1 Purpose

The purpose of this Chapter is to promote the educational, cultural, economic, and general welfare of the public through the preservation and protection of historical and/or significant buildings within the Districts, of the distinctive characteristics of buildings, places, and landscapes significant in the history of the Commonwealth and the Town of Groton through the preservation, maintenance, and development of appropriate settings, architecture, landscapes, and streetscapes within the Historic Districts; this Chapter is intended to protect the character of Groton by ensuring that changes to existing buildings, settings, landscapes, and streetscapes are compatible with and enhance the character of the Districts and that new structures as may be built within the Districts employ the degree of architectural integrity and standard of materials and construction so as to enhance rather than detract from the District.

#### Section 153-2 Establishment of Districts

A.

(1.) Beginning at a point on the center line of Main Street, at the southeast corner of the Prescott Common, thence running 300 feet northwesterly to a point opposite the boundary line between Lots 0263 and 0265; northeasterly along said boundary for 1,000 feet to a point in line with the westerly boundary of Lot 0262; thence approximately 1,450 feet to a point in the center of Lowell Road; westerly a distance of approximately 300 feet following the center of Lowell Road to a point 600 feet from the intersection of Lowell Road and Main Street, thence northwesterly on a line east of and parallel to Main Street, to a point in the center of Mayfield Road; south and westerly following the center of Mayfield Road to the center of Main Street at a point opposite Court Street; westerly on Court Street to a point 200 feet, thence on a line southeast and south 200 feet from and parallel to Main Street to a point in the Center of Old Ayer Road, thence along the center of Old Ayer Road south of the Prescott Common to the point of beginning as shown on the Plan of Historic Districts of the Town of Groton dated March 10, 2003, said plan being on record with the Town Clerk.

(2) Beginning at a point in the center of Pleasant Street 300 feet east of the Common at the intersection of Pleasant Street and Mill Street, thence running 400 feet northwesterly, thence on a line southwesterly and southerly parallel to and northwest of Pleasant Street and west of Farmers Row to the center of Joy Lane, thence easterly on a line to a point 400 feet east of Farmers Row, then on a line northerly and northeasterly to a point at the intersection of the southwest corner of Lots 090 and 089, thence on a line to the center of Pleasant Street at the point of beginning as shown on the Plan of Historic Districts of

the Town of Groton dated March 10, 2003, said plan being on record with the Town Clerk.

(3) Beginning at a point in the center of Mayfield Road and following the boundary line of Lots O-184 and O-182 to a point 200 feet east of the center of Hollis Street, thence running northerly parallel to the center of Hollis Street to a point midway between the boundary line of Lot J-120, thence northwesterly to a point 200 feet from the center of School Street on the boundary line of Lots J-115 and J-116, southwesterly from this point on a line parallel to and 200 feet northwesterly of School Street to the center of Main Street, thence along the center of Main Street to the intersection of Elm Street, southwesterly along the center of Elm Street for 200 feet, thence southeasterly parallel to and 200 feet southwesterly from the center of Main Street to the center of Court Street, then on a line in the center of Court Street to the Center of Main Street, thence on a line southeasterly to the intersection of Hollis and Main Street and along the center of Mayfield Road to the point of beginning as shown on the Plan of Historic Districts of the Town of Groton dated March 10, 2003, said plan being on record with the Town Clerk.

B. Regulation of properties, structures, and landscapes under the authority of this Chapter and by Chapter 40C of the General Laws shall involve the portions of such properties, structures, and landscapes within the Districts that are visible from public ways, ways to which the public has access, pedestrian walkways or trails to which the public has access, parking areas to which the public has access, public parks, public bodies of water, or otherwise visible to the public in the opinion of the Commission. The Commission may consider and approve screening it deems appropriate so as to obscure the view of incongruous elements. In instances where the district does not encompass an entire property (so-called split zone properties) the Commission shall be consulted as to changes to the portion(s) of such properties which lie outside the District when such portion is in view from a public way or way to which the public has access, pedestrian walkways or trails to which the public has access, parking areas to which the public has access, public parks, public bodies of water, or otherwise visible to the public in the opinion of the Commission so as to develop appropriate methods of screening if warranted in the opinion of the Commission.

**Section 153-3 Establishment of Historic Districts Commission; membership. [Amended 4-27-2009 ATM, Art. 19]**

There is hereby established an Historic District Commission, under the provisions of MGL Chapter 40C, consisting of five members and two alternate members to be appointed by the Town Manager.

- A. When the Historic District Commission is first established, one member shall be appointed for a term of one year, and one alternate member shall be appointed for a term of two years, and their successors shall be appointed in like manner for terms of three years.
- B. The members of the Historic District Commission shall be made up as follows:

Two from three nominees submitted by the Groton Historical Society.

One, if possible from two nominees, one of whom shall be submitted by the Massachusetts State Chapter of the American Institute of Architects and one of whom shall be submitted by the Boston Society of Landscape Architects.

Two additional members without designation.

One or more of the foregoing shall, if possible, be a resident of the area or areas included in the Groton Historic Districts.

#### **Section 153-4 Powers and Duties of Commission**

- A. The Historic Districts Commission shall have all of the authority, power, and duties of Historic District Commissions provided in Chapter 40C as it may be hereafter amended, including but not limited to:
  1. Alterations and/or additions to the exterior of structures and buildings within the district;
  2. Construction of new structures and buildings within the District;
  3. The incorporation of or removal of landscaping and/or landscape features within the District including but not limited to driveways, guardrails, bollards walkways, fences, retaining walls, lighting, light fixtures, and yard ornaments;
  4. The attachment to the exterior of a building or structure or the freestanding placement adjacent thereto of satellite dishes, antennae, awnings, utility connections, structures, or other apparatus, heating or air conditioning units or equipment, or other appendages; signage, temporary or permanent;
  5. Signage, temporary or permanent, attached or freestanding, except for road signs installed in accordance with and following the specifications of Mass Highway the installation of which and the location thereof have been coordinated with and reviewed and approved by the Commission;
  6. Temporary or permanent recreational features such as tennis courts, swimming pools, or skating rinks;
  7. Changes of material, style, or color of exterior elements;
  8. The approval or prohibition of the demolition or removal of structures or buildings or portions thereof;
  9. The installation of solar or wind utility structures, components, or apparatus; and
  10. Alterations or changes to landscapes, streetscapes, or other elements which in a material way impact the visual integrity of the Districts.
  
- B. In the review of all matters submitted to it for approval under Chapter 40C Section 6 the Commission shall consider those matters set forth in Chapter 40C Section 7. The Commission may approve significant alterations or additions to existing structures or landscapes when the final result as proposed will be historically and/or architecturally

appropriate, and may approve the use of materials or design elements which while not historically accurate are visually appropriate in the opinion of the Commission.

- C. Submissions to the Commission shall follow the procedural and notice requirements of a submission under Chapter 40C Section 11, provided, however, that the Commission may determine during a pre-submission review that a formal submission and further review is not necessary as provided by the final paragraph of Section 11.
- D. The Commission may conduct studies of properties and areas in Groton it deems significant, and shall endeavor to create an archive of buildings within the Districts so as to enable people in the future to understand the evolution of the District over time.
- E. The Commission may hold and enforce Easements, Restrictions, or such other grants of an interest in land or rights, whether gifted, granted as part of an approval process, or acquired in any other manner, the purpose of such Easements, Restrictions, grant, or right shall be to preserve or enhance a building, property, or area which is significant to the character of Groton, whether such building, property, or area is within one of the Historic Districts or outside of the Historic Districts.
- F. In determining the jurisdiction of the Commission as to matters it is empowered to review hereunder or by Chapter 40C of the General Laws, jurisdiction shall be determined by the degree to which the proposed alteration or construction is visible from public ways, ways to which the public has access, pedestrian walkways or trails to which the public has access, parking areas to which the public has access, public parks, public bodies of water, or when such alteration or construction is otherwise visible to the general public in the opinion of the Commission.

#### **Section 153-5 Rules and Regulations; Gifts**

The Historic District Commission shall adopt rules and regulations for the conduct of its business, not inconsistent with the provisions of MGL C. 40C, and may, subject to appropriation, employ clerical and technical assistants or consultants and may accept money gifts and expend the same for such services.

#### **Section 153-6 Time Limits on Certain Actions**

When taking action under the provisions of MGL C. 40C, Section 7, the Historic District Commission shall make its determination within 45 days after completion of the public hearing.

#### **Section 153-7 Severability**

In case any section, paragraph or part of this chapter is for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.