

City of Worcester



**RULES AND REGULATIONS
FOR
LOCAL HISTRIC DISTRICTS**

Adopted September 2, 1975



WORCESTER HISTORICAL COMMISSION

CITY HALL - ROOM 209

WORCESTER, MASSACHUSETTS 01608

FRANCIS J. McGRATH
City Manager

October 25, 1976

To: Residents of the Massachusetts Avenue Historic District
Public Officials Concerned

Herewith enclosed are informational materials explaining the functions, rights, and responsibilities connected with the Massachusetts Avenue Historic District. This District is under the jurisdiction of the Worcester Historical Commission according to the Massachusetts General Laws, Chapter 40C and the City of Worcester Revised Ordinances of 1974, Article 38.

As a resident of this District it is important to be aware of and abide by these rules and regulations governing the District. It is the Worcester Historical Commission's aim to preserve this area's unique quality and stabilize property values.

The Bureau of Land Use Control has on file a copy of the above mentioned state and local regulations for public view along with additional copies of the aforementioned material. If you have any further questions, the Worcester Historical Commission will be glad to assist you. The Commission can be contacted through the Bureau of Land Use Control, City Hall, Room 209, Tel. 799-1144.

Ms. Suzanne O. Carlson, *Chairman* Mrs. Janet K. McCorison, *Vice Chairman* Mrs. Frank Callahan, *Secretary*
Glenn C. DeMallie, John Herron, Mrs. C. Raymond Peterson

Recognizing the need to preserve historic property in Worcester, the City Council on September 2, 1975, passed legislation establishing the Worcester Historical Commission and the Massachusetts Avenue Historic District. Under Chapter 40C of the Massachusetts General Laws and Article 38 of the Revised Ordinances of 1974 for the City of Worcester, the Worcester Historical Commission has the responsibility to administer the Massachusetts Avenue Historic District and any other historic districts within the city that are established, along with preserving, promoting, and developing historical assets of the municipality.

The acts subject property owners within historic districts to specific regulations regarding their property. According to the Massachusetts General Laws Chapter 40C, Section 6:

"Except as the ordinance or by-law may otherwise provide... no building or structure within an historic district shall be constructed or altered in any way that affects exterior* architectural features unless the commission shall first have issued a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship with respect to such construction or alteration."

The Worcester Historical Commission further states that "no building or structure shall be erected, reconstructed, altered, restored, moved or demolished" without first receiving the necessary certificate from the Commission before any issuance of a building or demolition permit.

*exterior refers to that portion of building or structure open to view from a public street, way, park or body of water.

At the present time prior certification is required when the following tasks are undertaken: 1. work involving a change in design, color, texture, or type of exterior building materials; 2. work involving the changing of the color of paint or other materials applied to exterior surfaces; 3. work involving the type and style of windows and doors; 4. work involving signs, lights, and other appurtenant fixtures; 5. work involving walls and fences; 6. work involving terraces, walks, driveways and similar structures.

Prior certification is not required for the following: 1. ordinary maintenance or repairs of exterior architectural features which does not affect a change in design, color, material or outward appearance; 2. interior work that does not affect the exterior of the building; 3. work on the grounds that includes landscaping with plants, trees, or shrubs as long as it does not alter the public view.

Depending upon the particular circumstances the Worcester Historical Commission may issue one of three different types of certificates upon receipt of an application: 1. Certificate of Appropriateness; 2. Certificate of Non-Applicability; 3. Certificate of Hardship.

Certificate of Appropriateness:

This type of certificate will be issued when the proposed work is in conformity with and suitable to the preservation of the historic district.

Certificate of Non-Applicability:

This certificate will be issued when the proposed work does not require a Certificate of Appropriateness. This may be issued when the applicant has any doubts to whether the proposed work is under the jurisdiction of the Commission.

Certificate of Hardship:

This certificate will be issued when the Commission decides that "substantial hardship" is involved concerning proposed work that is not considered suitable for a Certificate of Appropriateness but would not significantly detract from state and local historic regulations nor result in any substantial detriment to the public welfare.

Procedure for Application

1. All applications must be submitted in writing to the Worcester Historical Commission in care of the Bureau of Land Use Control, Room 209, City Hall.
2. An application must include plot plans, architectural drawings, and other relevant information.
3. An application must be received at least two weeks prior to the next regularly scheduled Historical Commission meeting (third Tuesday of the month), in order that a public hearing may be held on that date.
4. The Commission will then make a ruling on the application and if appropriate issue the proper certificate at that meeting.

An applicant may appeal the Commission's decision by filing a written request to the Commission for review of the ruling within twenty days after filing of the notice of the determination with the City Clerk. A review will be undertaken by a person or persons of competence appointed by the Central Massachusetts Regional Planning Commission.

Work approved by the Historical Commission must be started within twelve months from the date of approval. A written request is necessary for an extension of time on the application. Also any changes to the findings, decisions, or the actual plans must be considered and voted upon in public meeting after proper notification.

CITY OF WORCESTER

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APPLICATION FOR CERTIFICATION
(to be submitted in duplicate)

Pursuant to the Massachusetts General Laws, Chapter 40C as amended and the City of Worcester Revised Ordinances of 1974, Article 38, application is hereby made for certification of proposed exterior work at the location described below.

DATE: _____

LOCATION (street & number): _____

APPLICANT: _____

ADDRESS: _____

TELEPHONE: _____

OWNER: _____

ADDRESS: _____

ARCHITECT OR ENGINEER: _____

ADDRESS: _____

CONTRACTOR OR BUILDER: _____

ADDRESS: _____

If applicable and known, give the following information:

Year building erected _____

Original architect or builder _____

Basic architectural style _____

TYPE OF CERTIFICATION (check one)

_____ Certificate of Appropriateness

_____ Certificate of Non-Applicability

_____ Certificate of Hardship

Please indicate the category of the proposed work. (check one)

Alteration or reconstruction _____ Relocation _____
New construction _____ Demolition _____

Write a brief description of the proposed work. Also attach plot plans, architectural drawings, and other relevant information to the application.

Check appropriate exterior features below:

- _____ chimneys; _____ roofing; _____ roof accessories; _____ antennae;
- _____ gutters & rain leaders; _____ siding; _____ exterior trim;
- _____ windows; _____ exterior doors; _____ driveways; _____ entrances;
- _____ porches & verandas; _____ exterior stairs; _____ door accessories;
- _____ shutters, blinds, and accessories; _____ awnings; _____ paint;
- _____ driveways; _____ walks; _____ parking areas; _____ sidewalks;
- _____ steps; _____ railings; _____ fences; _____ signs;
- _____ lighting fixtures; _____ monuments; _____ utilities;
- _____ other (please indicate): _____

If this is an application for a Certificate of Hardship, please give the following additional information. Please state the reasons for this application in the space below. Explain why a failure to approve the application would involve a "substantial hardship," or would not adversely affect the public welfare, or would not significantly detract from the intent and purposes of the local and state historic regulations. (Attach additional sheets if necessary.)

CITY OF WORCESTER

WORCESTER HISTORICAL COMMISSION

CERTIFICATE OF APPROPRIATENESS

CERTIFICATE NO. _____

APPLICANT: _____

ADDRESS: _____

OWNER: _____

ADDRESS: _____

DESCRIPTION OF PROPOSED WORK: _____

HEARING WAIVED: YES NO

DECISION:

APPROVED:

APPROVED WITH CONDITIONS: _____

DISAPPROVED:

DISAPPROVED FOR THE FOLLOWING REASONS: _____

WORCESTER HISTORICAL COMMISSION

Date: _____

Signed by: _____

Chairman

