

# 2016 WORCESTER HISTORIC PRESERVATION STUDY



Worcester Historical Commission  
Worcester, Massachusetts

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City of Worcester

Executive Office of Economic Development  
Planning & Regulatory Services Division



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# INTRODUCTION AND STUDY SUMMARY

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The Worcester Historic Preservation Study was conducted to assess historic preservation programs and related activities administered by the Worcester Historical Commission and City of Worcester. The study evaluated general administration of historic preservation programs in Worcester, including two key historic preservation regulatory tools (demolition delay and local historic districts) currently used by the City of Worcester, and recommends refinements to improve their effectiveness and administration. Additionally, the study evaluated issues, opportunities and potential strategies related to the preservation and reuse of historic buildings in the context of the City's downtown area specifically.

## **Organization of the study**

The Worcester Historical Commission and City of Worcester initiated the Worcester Historic Preservation Study in November 2015, with financial support from the Massachusetts Historical Commission's (MHC) Survey and Planning Grant program. The Pioneer Valley Planning Commission (PVPC), which offers expertise in historic preservation planning, was selected to conduct the study. The City of Worcester's Planning & Regulatory Services Division assisted in conducting the study and preparing the final report.

The study process involved initial background investigations, identification of issues and needs, development of recommendations, and documentation. This report is organized into five sections:

- I. Administration of Historic Preservation Programs
- II. Historic Building Demolition Delay
- III. Local Historic Districts
- IV. Preservation in Downtown Worcester
- V. Prioritization and Action Plan

Recommendations include immediate actions that could be implemented by staff or the Commission, as well as regulatory recommendations that would require development of formal ordinance proposals for consideration by the City Council. Some of the recommendations of the study are not actions that could be accomplished in the near-term, but rather identify potential actions to evaluate or monitor over the longer-term.

## ***Public participation***

The study team conducted targeted outreach as well as public meetings to gather community input concerning local historic preservation efforts and their effectiveness. Public comment was sought in three ways:

Interviews - Direct interviews were conducted with staff, business organizations, developers, preservation organizations, and Commissioners. A list of interviewees is included in Appendix I.

Public Forums - A community forum was held on May 12, 2016 to solicit public input on existing historic preservation activity, threatened resources, and recommendations for the future (Appendix K).

Public presentations to the Worcester Historical Commission were made at two meetings:

- February 25, 2016, where an overview of the study and initial findings regarding issues and needs.
- August 3, 2016, where study findings and preliminary recommendations were discussed (Appendix K).

## *Summary of study recommendations*

### **Planning and administration of historic preservation programs**

A central recommendation of the study is to provide additional staffing resources and expertise to the Commission, preferably through the addition of a dedicated preservation planner to the Planning & Regulatory Services staff. The long-standing staffing model has been to assign a staff person with a general planning or administrative background to support the Commission at approximately ½ full-time (FTE) equivalent level (or less), which is sufficient to provide only basic administrative support. Dedication of a full-time staff person who has training in preservation planning is a prerequisite to implementing many of the recommendations of this study. In addition to the administrative functions provided now, a staff preservation planner would be able to better fulfill the required duties to maintain Certified Local Government (CLG) status, provide substantive feedback to both applicants and the Commission, advance long-standing preservation related projects such as design guidelines and Commission rules and regulations, work to proactively expand and strengthen preservation programs, and support other municipal economic development and facility management efforts. A dedicated staff preservation planner, by virtue of their training and expertise, would also more efficiently administer preservation programs, allowing other Planning & Regulatory Services staff to focus additional effort into other key areas of their work program.

Other administrative recommendations are intended to improve the application and hearing processes, ensure that work is conducted in accordance with approvals, and provide necessary resources to Commissioners and staff.

#### Commission staffing

- Establish a preservation-focused staff position to support the Historical Commission.
- Procure “on-call” consultant support for the Historical Commission.

#### Application requirements

- Require digital submission of application materials.
- Edit application to be more specific with regard to supporting documentation requirements.
- Streamline the application and review process.

#### Meeting procedures

- Update meeting procedures for public hearings.
- Reorganize the meeting room to better serve both the public and the Commissioners.

#### Commission membership

- Consider changes to how Local Historic Districts are allocated seats on the Commission.
- Clarify who may represent a Local Historic District as a member of the Commission.
- Consider establishing additional eligibility and expertise requirements for membership on the Commission.

#### Training and resources for Commissioners

- Provide Commissioners and staff with training and professional development opportunities.
- Develop a Commissioner Guidebook.

#### Compliance with decisions

- Initiate a compliance review process to follow up on approval or denial of applications.
- Develop workable forms of enforcement and/or penalties for unauthorized work.

#### Engagement and advisement

- Encourage other city departments to utilize the Historical Commission as a consultation resource on municipal projects.

### **Demolition delay**

The study recommendations call for the preparation of an ordinance for consideration by the City Council that would restructure the city's demolition delay program to ensure that all historically significant structures are reviewed, that the program is better aligned with its intended purpose of temporarily halting demolitions of historic buildings in order to provide an opportunity to explore other preferable options, and to improve the predictability and transparency of the demolition delay process. Additionally, administrative measures are suggested to implement the proposed ordinance revisions, better inform and educate the community to requirements of the ordinance, and more effectively utilize the delay period to seek preferred outcomes.

With regard specifically to the Historic Buildings Demolition Ordinance, the study recommends preparation of an amendment for Council consideration that incorporates the following changes:

#### Properties subject to the ordinance

- Employ an age-based system for determining which buildings are subject to review under the demolition delay ordinance.

#### Work subject to the ordinance

- Demolition should be more narrowly defined to cover full demolition or substantial alterations only.

#### The length of the demolition delay period

- Retain the current 12-month delay period.

### Redundant approvals

- Exclude local historic district properties from Historic Demolition Ordinance.

A number of administrative changes are recommended as well, which can be initiated by staff or the Commission:

### Economic hardship

- Establish specific criteria and application requirements for an economic hardship waiver.

### Taking advantage of the delay period

- Actively engage with the property owner and potential alternative developers.
- Require posting of a sign at the property during the demolition period.
- Publish an online listing of properties under demolition delay.
- Require photo-documentation prior to full or substantial demolition.

## **Local historic districts**

Worcester's three local historic districts - Massachusetts Avenue, Montvale, and Crown Hill - provide permanent protection to some 247 properties. Within a local historic district, exterior alterations or demolition that is visible from a public way must be authorized by a Certificate of Appropriateness issued by the Worcester Historical Commission following approval of the proposed work.

Processes for administration of the local historic districts in Worcester have been in place since 1975 and are well-established. Still, several recommendations are proposed to raise public awareness, improve review of applications, and eliminate unnecessary administrative processes.

### Awareness of local historic districts

- Send periodic reminder postcards to all property owners.
- Continue proactive outreach activities.
- Add local historic district designations to Assessor's records.
- Create additional website content aimed toward local historic districts.

### Guidelines for evaluation of proposed work

- Finalize and adopt design guidelines for local historic districts.
- Update Commission Rules and Regulations.

### Redundant approvals

- Exclude local historic district properties from Historic Demolition Ordinance.

Local historic districts are the primary tool available to communities to ensure that buildings and neighborhoods that are historically significant are permanently protected. A detailed evaluation of the

potential to expand or establish additional local historic districts is beyond the scope of this study, but a process for future consideration of local historic district expansion is outlined.

#### Potential expansion or creation of additional local historic districts

- Establish ongoing process to identify and prioritize potential candidate local historic districts.
- Complete or update inventory forms in areas considered for study.

### **Downtown preservation**

Downtowns are unique places in terms of density of development, mix of commercial, retail and residential uses, and uniqueness and scale of architecture. The study specifically looked at how preservation programs can be more effectively administered in the downtown context to improve preservation outcomes while also furthering economic development and other objectives (livability, sustainability, etc.). A basic need that was identified was better documentation of historic resources in the downtown. Based on the Massachusetts Cultural Resource Information System (MACRIS) database, within the identified downtown target area, 96 extant properties are listed on the National Register of Historic Places, either individually or as part of one of seven districts. 49 additional properties either have individual inventory forms or have been noted as part of an area inventory. While most historic properties have been surveyed previously, very few have been surveyed in recent decades and information on these properties is lacking or out of date. Of the non-National Register listed properties included in the MACRIS search results, 42% were inventoried between 1970 and 1979, while only nine properties have been inventoried or updated since 2010.

The Commission can help foster historic preservation in the downtown context by building support for preservation and effectively demonstrating its importance. Engagement with stakeholders is important to developing an understanding of issues and challenges associated with redevelopment, and conversely conveying the importance of and opportunities associated with preservation.

Both incentives and regulations can play a role in preservation. State and Federal Historic Rehabilitation Incentive Tax Credits are a key financial tool available to developers of historic properties. The Commission can encourage, actively support or even initiate the process to list properties on the National Register of Historic Places, a prerequisite to their being eligible for Federal tax credits. From a regulatory perspective, zoning provisions that encourage redevelopment of existing structures and/or make demolition of important structures more difficult should be considered.

#### Identification of historic resources

- Update and complete inventory forms for downtown properties.

#### Information, marketing, partnerships and perception

- Develop and distribute educational materials for property owners and developers, on topics such as National Register listing, tax credit eligibility, and preservation methods.
- Establish an awards program.
- Expand partnerships with the development communities.
- Engage the cultural and academic communities.

### Protection of historic resources

- Develop a program to encourage the voluntary donation of preservation restrictions.
- Strengthen regulations to prevent demolition by neglect.
- Consider requiring plan approval before permitting demolition.
- Proactively study creation of local historic districts in downtown.
- Start applying existing guidelines to downtown development
- In cases where demolition is inevitable, explore façade preservation as a means of preserving the historical street-face appearance.

### Incentivizing preservation

- The City, as a Certified Local Government, should proactively pursue National Register eligibility opinions to confirm the significance and potential for National Register listing of downtown properties.
- Promote the use of Federal and/or State Historic Rehabilitation Tax Credits.
- Promote other available incentives.
- Explore long-term options for local incentives for rehabilitation.
- Ensure zoning encourages and simplifies reuse of existing buildings.

# I. ADMINISTRATION OF HISTORIC PRESERVATION PROGRAMS

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Municipal historic preservation programs are administered by the Worcester Historical Commission with staff support from the Planning & Regulatory Services Division, which is part of the Executive Office of Economic Development.

The Historical Commission is established by Article 3, Section 18 of the Revised Ordinances of Worcester, Part Two, Organizations of City Agencies, 2015. Worcester has a combined Historical and Historic District Commission, with seven members and two alternates. The responsibilities include administering the local historic districts, issuing certificates of appropriateness, non-applicability and hardship for structures within the districts, administering the demolition delay ordinance, keeping records, holding public hearings and meetings, conducting research “for places of historic value, to coordinate the activities of unofficial bodies organized for similar purposes, to advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it deems necessary for its work,” proposing the establishment of additional historic districts, arranging for historic markers, advising city agencies in historic matters, cooperating with other agencies outside the city, and advising homeowners on “problems and solutions of preservation.”

The responsibilities of administering the demolition delay ordinance and issuing certificates of appropriateness for the local historic districts account for the bulk of the Commission’s time. Of the meetings observed over the course of the study, hearings took up the majority of the time, with 10 to 20 minutes at the end typically dedicated to reviewing correspondence.

The administration of the Commission and related preservation activities is the focus of this section of the study. All aspects of the Commission’s operations were assessed, including the application process and review of applications, meeting administration, staffing support, and availability of supporting resources.

## **Findings and recommendations**

The study considered how the Commission and city staff review properties and administer preservation programs in the local historic districts. The consultant reviewed Worcester Historical Commission meetings, interviewed staff and Commission members, spoke with applicants, and reviewed practices in other communities.

In researching and reviewing the historic preservation program in Worcester, it became clear that there were several common issue areas that needed to be addressed separately from the discussions specific to demolition delay or local historic districts. These pertain to the general administration and operation of the Historical Commission, and include staffing, running of meetings, and application procedures.

## *Commission staffing*

The Planning & Regulatory Services Division (Planning Division) provides staffing for the Commission, including intake and processing of applications, preparing legal notices for meetings, organizing and posting meeting agendas, assembling meeting packets for board members, and taking meeting minutes.

The Planning Division additionally has responsibilities associated with land use planning, zoning, long-range planning, sustainability, conservation, licensing, and economic development. There are currently seven (7) staff positions in the division, including the Assistant Chief Development Officer (Planning Director), a Chief Planner, a Sustainability Project Manager, a Senior Planner, two Planning Analysts, and a Principal Staff Assistant. The Historical Commission has been staffed by various Planning Division staff over time, although none of the staff have training specifically in a preservation related field. Currently, a Principal Staff Assistant is assigned to support the Commission at a level of approximately ½ full-time equivalent (FTE) position.

Commission meetings are typically attended by the staff member assigned to support the Commission, but are not staffed by representatives from other departments. Staff provides the Commission with meeting packets that include the applications and related MACRIS listings (if one is available). In addition they prepare agendas, minutes, and decisions, and complete all the related filing processes. Administrative duties alone constitute a ½ FTE position, without allowing sufficient time to review applications for content, prepare review memos for items before the Commission, or expand preservation related initiatives.

The 1987 *Preservation Plan* for the City of Worcester recommended that the Historical Commission be provided with a dedicated staff member to “bring preservation into the planning process.”<sup>1</sup> Despite this recommendation, staffing has always been provided as a shared resource, which may be a result of the staff resources available relative to the other responsibilities of the Division.

Under the current staffing model, the Planning Division is able to provide basic administrative support to the Commission. However, limited staffing resources and the lack of preservation-trained staff preclude the implementation of a more proactive preservation program. The ability to implement many of the recommendations of this study is predicated on having sufficient and properly trained staff to do so.

As shown in Table I-1, many communities in New England provide dedicated preservation staffing to their Commissions. While the list is not exhaustive, it does demonstrate that dedicated preservation staffing is commonplace for both peer communities as well as many smaller municipalities.

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<sup>1</sup> *Worcester Preservation Plan (1987)*, p. 81.

**Table I-1: Staffing examples for municipalities with dedicated preservation staff**

	<b>Historic Commission Staffing (Estimated FTE)</b>	<b>Preservation Programs Administered</b>
Worcester	Principal Staff Assistant (part-time) (approximately 0.5 FTE)	<ul style="list-style-type: none"> <li>• Demolition Delay Ordinance</li> <li>• 3 Local Historic Districts</li> <li>• Certified Local Government</li> <li>• Preservation Restrictions</li> </ul>
Brookline	2 Preservation Planners (1.8 FTE)	<ul style="list-style-type: none"> <li>• Demolition Delay Ordinance</li> <li>• 7 Local Historic Districts</li> <li>• Certified Local Government</li> </ul>
Cambridge	Director - Preservation Assistant Director - Preservation Archivist/Digital Collections Manager Preservation Planner Preservation Administrator (5 FTE)	<ul style="list-style-type: none"> <li>• Demolition Delay Ordinance</li> <li>• 2 Local Historic Districts</li> <li>• Certified Local Government</li> <li>• 4 Conservation Districts</li> <li>• Landmark buildings program</li> <li>• Preservation Easements</li> </ul>
Lowell	1 Historic Board Administrator (1 FTE)	<ul style="list-style-type: none"> <li>• 11 Local Historic Districts</li> <li>• Certified Local Government</li> <li>• 1 National Historical Park</li> </ul>
Newton	1 Senior Preservation Planner 1 Senior Planner (part-time) (1.5 FTE)	<ul style="list-style-type: none"> <li>• Demolition Delay Ordinance</li> <li>• 4 Local Historic Districts</li> <li>• Certified Local Government</li> <li>• City Landmarks Designation</li> <li>• Preservation Restrictions</li> </ul>
New Bedford	1 Preservation Planner (1 FTE)	<ul style="list-style-type: none"> <li>• Demolition Delay Ordinance</li> <li>• 1 Local Historic District</li> <li>• Certified Local Government</li> <li>• 1 National Historical Park</li> </ul>
Portland, ME	Historic Preservation Program Manager Historic Preservation Compliance Coordinator (1.8 FTE)	<ul style="list-style-type: none"> <li>• Demolition Delay Ordinance</li> <li>• 8 Local Historic Districts</li> <li>• Certified Local Government</li> <li>• City Landmarks</li> </ul>
Providence, RI	1 Preservation Planner (1 FTE)	<ul style="list-style-type: none"> <li>• 8 Local Historic Districts</li> <li>• Certified Local Government</li> </ul>
Somerville	1 Director (part-time) 2 Preservation Planners (2.5 FTE total)	<ul style="list-style-type: none"> <li>• Demolition Delay Ordinance</li> <li>• 209 Local Historic Districts (primarily single-building)</li> <li>• Certified Local Government</li> </ul>
Watertown	1 Preservation Agent (part-time) 1 Preservation Clerk (part-time) (1 FTE)	<ul style="list-style-type: none"> <li>• Demolition Delay Ordinance</li> <li>• 1 Local Historic Districts</li> <li>• Certified Local Government</li> </ul>

Notes: Staffing levels estimated from review of municipal budgets, organization charts, and CLG reports.

## Staffing recommendations

- **Establish a preservation-focused staff position to support to the Historical Commission.**

*Timeframe:* Underway

*Implementation:* Hire a preservation planner to fill a vacant Planning Analyst position.

Given the importance of adding preservation expertise in order to address the issues identified in this study, the Planning Division is prioritizing the need to fill a vacant Planning Analyst position with a preservation planner. The position will have primary responsibility for administering the Historical Commission and related preservation activities, and will assist with general Planning Division responsibilities as workload allows. Another option would be to ask for a new position in the upcoming fiscal year budget, but the most timely and fiscally responsible approach would be to utilize an existing staff position vacancy and begin the hiring process in the immediate future.

In terms of the additional responsibilities that could be addressed by a dedicated preservation planner, the City of Providence, RI has an excellent description of roles and responsibilities in the *Providence Historic District Commission Rules and Regulations*<sup>2</sup>. For Worcester, the responsibilities would additionally include demolition delay review and potential local historic district study committee reports.

*“The Department of Planning and Development shall supply staff for the HDC’s day-to-day operations, and a member of the staff shall serve as the secretary to the HDC. Staff shall not be eligible to vote upon any matter before the HDC. The duties of staff shall be as follows:*

- A. *Keep all records, conduct all correspondence of the HDC, provide public information, and handle the clerical and administrative work of the HDC;*
- B. *Act as liaison between the HDC and all other agencies, departments and organizations to which it must relate in the conduct of its affairs;*
- C. *Consult with applicants and property owners regarding the procedures, rules and regulations, and standards and guidelines of the HDC;*
- D. *Prepare a written analysis of each application pending before the HDC, discussing the historical and architectural significance of the property, consistency of the proposal with standards and guidelines, preservation issues, and other pertinent information;*
- E. *Issue in-house staff approvals for applications for Certificates of Appropriateness for in-kind replacement and repairs, and for other work as defined in the HDC standards and guidelines. The HDC may, by action at a public hearing, direct to staff the approval of any application. In-house staff approvals shall be consistent with the standards and guidelines. Staff may not deny an application, but shall refer such action to the HDC for a hearing; and,*

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<sup>2</sup> Providence Historic District Commission Rules and Regulations, as amended in 2003. Available at <https://www.providenceri.com/planning/boards-commissions/providence-historic-district-commission>

F. Perform such duties and assume such other responsibilities as the HDC may from time to time direct.”

- **Procure “on-call” consultant support for the Historical Commission.**

*Timeframe:* As-needed.

*Implementation:* Contract with a consultant to provide technical assistance on an on-call basis.

Given the Planning Division’s decision to hire a preservation planner, the need for on-call consulting assistance is less likely moving forward. Nonetheless, it should be retained as a recommendation here should a need arise, as in cases that require specialized knowledge or if a project’s time demand is beyond the capacity of staff.

A consultant could provide ongoing services, including application review prior to the Commission meetings, attending meetings to provide technical assistance, writing study reports or inventory forms, being available at particular “office hours” to the public, creating minutes from the meetings, and other duties. The Town of Westford hired a preservation consultant in 2012 to support its Historical Commission in grant writing, demolition delay, and scenic road building permits. An example Request for Proposals for a preservation consultant is included as *Appendix A: Preservation Staffing Resources*.

## *Application requirements*

### **Application recommendations**

- **Require digital submission of application materials.**

*Timeframe:* Near-term.

*Implementation:* Initiated by Planning Division staff at the request of the Commission, and formally voted on by the Commission, following similar procedures recently implemented for Planning Board, Zoning Board of Appeals, and Conservation Commission applications.

The City of Worcester’s Planning Board, Zoning Board of Appeals, and Conservation Commissions now require submissions to include a digital copy of all forms and supporting materials in order for them to be transferred to the boards electronically, and made available for viewing during the public hearing. The assembly of the review packets for seven Historical Commissioners is time consuming for Division staff. The creation of an electronic submission by the applicant will make it much easier to transmit this material to the Commission for review. The Historical Commission process should be updated to require electronic submissions following similar procedures established for other boards and commissions.

- **Edit application to be more specific with regard to supporting documentation requirements.**

*Timeframe:* Near-term.

*Implementation:* Staff updates Commission application forms and submits to Commission for review and Comment. Commission votes to accept updated application form.

The Commission's applications **recommend** one or more of the following items be provided as visual representation of the proposed changes, but offers little guidance to help applicants determine when specific items are warranted: "(1) plot plan of the site, (2) building elevation(s), (3) architectural rendering(s), and/or (4) a set of photograph(s)." The consistency and quality of supporting application materials therefore varies considerably, and in many cases very little supplemental information is provided with the application. This often results in the need to continue a hearing to provide additional information, which is a burden to the applicant and interested audience members, and increases the workload for the Commission and its staff.

When interviewed for this study, Commissioners generally agreed that good quality digital photographs should always be required with applications. Photographs should depict all aspects of the project visible from the public way. The applications should state "a set of photographs detailing the existing conditions of the buildings are required. This includes all elevations visible from the right of way (street)." The Commission should additionally discuss which types of work generally require plot plans, building elevations, or architectural renderings and specify when such materials are required on the application.

- **Streamline the application and review process.**

*Timeframe: Long-term.*

*Implementation: Staff coordination with the Department of Inspectional Services and Assessor's Office.*

Many applicants first become aware of the need for approval from the Commission when applying for a building permit at the Department of Inspectional Services, located at 25 Meade Street. They must then travel to City Hall, 455 Main Street, in order to submit an application for Historical Commission review. At the Planning Division's customer service desk, applicants are told that they must obtain an abutters list from the Assessor's Office, at a nominal cost, and provide a sufficient number of stamped, addressed envelopes to the Planning Division, which will be used to prepare and mail the appropriate legal notice of the hearing. Applicants must also provide multiple copies of completed applications.

While experienced developers learn to navigate the process more easily, the multiple trips required to complete an application to the Commission often leaves first-time applicants frustrated.

Effort should be made to simplify the application process and attempt to reduce the number of trips an applicant needs to make. Specific actions will require coordination and changes to long-standing procedures affecting multiple departments, but the aim should be to improve customer service by eliminating unnecessary trips from office to office. Simple changes that could be made include making sure that application materials are available at the Inspectional Services Department, so that applicants do not have to make a separate trip to City Hall just to pick up an application form. Along those lines, while the application is available on line, reorganization of the website to better clarify the application process for those downloading forms may help some applicants avoid an extra trip to City Hall.

Many municipalities prepare abutters lists and mail legal notice as part of the administrative duties in processing applications. Worcester does not do this for any of its boards, but may want to consider

whether such a change is viable. Such a change would need to be accompanied by an application fee to cover processing, and a means to transfer a portion of the fee to the Assessor's office to cover the cost of preparing abutters lists.

While Worcester still requires paper copies to accompany electronic submissions, the switch to electronic submissions could eventually reduce or eliminate requirements to provide multiple applications.

### *Meeting procedures*

Historical Commission meetings are run by the Chair of the Commission. Planning department staff attends and answers questions, through the Chair, where needed and available. Both demolition delay waiver applications and certificate applications within the local historic districts require public hearings during these meetings. Currently, during the hearing project proponents are invited to the table with the Commissioners and present any additional materials to support their application. It's likely that this arrangement is intended to make the process feel more informal and comfortable for applicants, and to allow Commissioners easy access to materials that the applicant brings to the meeting.

Photographs of the property previously submitted are shown on a large digital screen for Commissioners and the public, but can be difficult to see from the audience due to the room configuration (especially for attendees in the back of the room). It is often difficult to hear or understand the discussion with the project applicant as well, because they are seated close to the Commission and facing away from the audience.

Any new materials provided at the meeting are generally not readily accessible for viewing by the public. However, if an audience member asks to view materials before the Commission, the Chair will invite the public to approach and view the materials in question. The Commission will typically ask clarifying questions on photographs and site plans to ensure they have adequate information. In the event that the information needed has not been provided, the Commission can request the hearing be postponed and continued at a later date, as long as the hearing will still fall within the 45 day period of review specified in the ordinance, or if the applicant consents to an additional extension.

### **Meeting procedures recommendations**

- **Update meeting procedures for public hearings.**

*Timeframe:* Near-term.

*Implementation:* Chair and staff adhere to procedures outlined in Appendix B.

The Historical Commission tends to operate in a less formal manner than most other city Boards and Commissions. However, because the Commission is conducting public hearings, it is important that they follow required procedures. Every public hearing needs to be formally opened and closed on a consistent basis. The public hearing should be closed prior to taking a vote, and typically hearings on economic hardship are considered a new public hearing, not a continuation of the previous hearing. At some point during the hearing, the chair should invite audience members to review any materials

provided by the applicant that are not readily viewable from the audience. A suggested outline for public hearings and suggested meeting procedures are included as *Appendix B: Public Hearing Procedures*.

- **Reorganize the meeting room.**

*Timeframe: Near-term.*

*Implementation: Staff initiated.*

It is very difficult for audience members to follow hearings due to the applicants' location seated opposite from the Commission, and the angle of the video monitor used to display photographs and related images. Viewing the screen from the position of the audience is difficult. At the August 11<sup>th</sup> meeting, an alternate chair arrangement was used (Figure I-1) and proved beneficial to the audience, but was not optimal for staff and Commission members. New configurations will continue to be explored to identify the most effective set-up.



**Figure I-1: Typical room arrangement (left) and reorganized to improve viewing of materials (right)**

### *Commission membership*

The City's ordinance establishing the Commission requires that "One member shall be a resident of the Massachusetts Avenue Historic District, one member shall be a resident of the Montvale Historic District and one member shall be a member of the Crown Hill Historic District." Thus, currently three of seven regular positions are dedicated to members from local historic districts, and these members represent considerably different sized districts. The Massachusetts Avenue LHD seat has been particularly difficult to fill due to the small size of the district – just 16 residences and two institutional buildings.

The state enabling legislation only requires that "members of the historic district commission shall include one or more residents of or owners of property in an historic district to be administered by the commission."

Further, in Worcester, the following general requirements are stated:

*“All members and alternates shall have demonstrated a special interest, competence or knowledge in historic preservation. To the extent available in the charter appointment districts, members of the commission shall be professionals in the disciplines of architecture, history, architectural history, prehistoric archaeology, historic archaeology, urban planning, American studies, American civilization, cultural geography and cultural anthropology.”*

## **Membership recommendations**

- **Change how local historic districts are allocated seats on the Commission**

*Timeframe: Long-term.*

*Implementation: Amend city ordinances to modify composition of the Commission.*

Presently, three of seven regular positions (excluding alternates) on the Commission are reserved for a representative from each of Worcester’s local historic districts. This is problematic currently because the Massachusetts Avenue LHD seat has long remained vacant. Combining the Massachusetts Avenue LHD position with that reserved for the bordering Montvale LHD would make it easier to fill the position and would reduce the discrepancy in size represented by each appointee. These two districts are located immediately adjacent to one another, and are similar enough in composition and characteristics that a single representative could effectively represent both.

Over the longer-term, a change to the appointment process may become a necessity if additional Local Historic Districts are established. Rather than have a representative from each district, a certain number of positions should be reserved from representatives from all local historic districts in total. For example, three of seven regular positions could be reserved for representatives from any local historic district, with the provision that no more than one representative from a single district may be seated for one of these reserved positions.

- **Clarify who is eligible to serve as a member-representative of a local historic district.**

*Timeframe: Near-term.*

*Implementation: Review by the Law Department and proposed Ordinance change if deemed necessary.*

The Commission’s regulations state that the Montvale representative and the Massachusetts Ave representative are to be “residents”, but the Crown Hill representative should be a “member” of the district. The term member is not defined, but may be intended to allow for the Crown Hill representative to be a business owner from the Crown Hill district or a non-resident property owner. The city should clarify who is considered a “member” of the district.

- **Consider more specific requirements for membership on the Commission.**

*Timeframe: Long-term.*

*Implementation: Amend city ordinances to modify composition of the Commission.*

MGL 40C Section 4 specifies certain membership appointment requirements for the composition of the Commission, but allows that alternate procedures may be specified as provided by the local ordinance. The appointment process described in MGL 40C specifies the following:

- One member from two nominees submitted by the local historical society;
- One member from two nominees submitted by the chapter of the American Institute of Architects covering the area; and,
- One member from two nominees of the board of realtors, if any, covering the area.

Worcester's ordinance does not follow the nominating process specified by MGL 40C. Instead, it lists desired qualities (professional background, expertise) for appointees, but does not have firm requirements for expertise or assign a certain number of representatives to represent relevant stakeholders.

Somerville, by way of comparison, requires that the Commission include an architectural historian, an architect, a licensed real estate broker, a city planner, a lawyer, and two resident members with a demonstrated commitment to historic preservation. The alternates include a resident of a historic district, a landscape architect, a licensed general contractor or person in the building trades, and a person with background in any of the above-mentioned categories, and five of the alternates must be Somerville residents.

Cambridge stipulates that certain members be nominated by the Cambridge Historical Society, the American Institute of Architects, the Boston Society of Landscape Architects, and the Board of Realtors, consistent with procedures dictated in MGL 40C. One or more of the members shall be a resident of a local historic district, and one member or alternate shall be a lawyer.

Springfield has one seat designated for a nominee of the Springfield Preservation Trust.

Worcester should consider ensuring that certain skillsets are represented on the Commission (for example, architecture, historian, realtor and/or developer) to ensure a diverse range of viewpoints are represented and have a voice in preservation discussions. It may also want to consider incorporating the appointment procedures outline in MGL 40C.

### *Training and resources for Commissioners*

Commission members are volunteers, and may not have backgrounds in architecture, preservation, real estate and other areas that are relevant to the decisions they are asked to make. Therefore, it's important that Commissions be provided with training and education opportunities related to architecture, best practices, the Secretary of the Interior's Standards, the Commission's role as a consulting party in state and federal regulatory review, Secretary of the Interior's Standards for Rehabilitation, administration of local historic districts, design review and guidelines, and demolition delay ordinances.

The Massachusetts Historical Commission (MHC) provides training and workshops on a regular basis at locations throughout the state, and Commissioners are made aware of these sessions.

## Training recommendations

- **Provide Commissioners and staff with training and professional development opportunities.**

*Timeframe:* Near-term.

*Implementation:* Staff would need to identify budget sources to send Commission members to the Preservation Conference. Staff should continue to make Commissioners aware of free training opportunities, and coordinate with MHC to offer training sessions in Worcester.

Commissioners should be encouraged to attend conferences and workshops for preservation and architecture, particularly no-cost training provided periodically by the MHC. By virtue of being a Certified Local Government, the Commission can also request training on a variety of topics from the Massachusetts Historical Commission.

The Massachusetts Statewide Historic Preservation Conference is an opportunity for Commissioners and staff to keep up-to-date on current developments in the field and preservation activities around the Commonwealth. There is a cost to attend the conference, so a funding source would need to be identified. The 2017 conference will be held in Lowell, MA.

- **Develop a Commissioner Guidebook**

*Timeframe:* Near-term.

*Implementation:* Staff initiated with assistance from Commissioners.

Staff should work with the Commission to develop a guide for members detailing Commission procedures and decision making processes. Further, staff should provide the Commission with resources to explain commonly used architectural terms and characteristics of various architectural styles to ensure that all members of the Commission understand what parts of a building are being discussed.

## *Compliance with decisions*

For work on buildings outside of local historic districts, petitioners apply for a Building Demolition Delay Waiver, which the Commission may approve or deny. There is confusion and some disagreement over whether the Commission can condition their approvals for buildings that are facing a demolition delay. The long standing tradition is that officially the Commission does not regulate replacement materials on buildings outside the local historic districts, but the discussion occurs regularly during demolition delay public hearings. It is often clarified for the applicant that the comments are “advisory” or “suggested” but not mandatory. One Commissioner did admit that “something bad going in would affect the determination of appropriateness.” Proposed changes to the Demolition Delay process (see II. Historic Building Demolition Delay chapter) will reduce the frequency of this issue.

If a building is located within a local historic district, the Commission issues or denies a Certificate of Appropriateness in response to proposed work, as well as a Building Demolition Delay Waiver. This has

been identified as a redundant approval system that needs to be addressed. Within districts certain conditions, regarding material or paint color for example, may be applied.

However, regardless of whether the decision is for a demolition delay waiver or a certificate, there is no follow up by the Commission or staff to ensure that the applicant has complied. The Planning Department does not currently have the staff capacity to perform a review of every project. Additionally, the Building Inspector may not be aware of specific contingencies placed on a Certificate of Appropriateness approval. So, at the moment, an applicant could state that certain materials will be used – but as long as the final construction meets code, there is no one to inspect the work for those specific materials. The building inspector will review for code compliance, but not for historic compliance.

## **Compliance recommendations**

- **Initiate a compliance review process.**

*Timeframe: Near-term.*

*Implementation: In the near-term, Planning Division staff should conduct cursory reviews of work at completion or nearing completion to ensure compliance with terms of the approval and work within existing procedures to rectify inconsistencies. Longer-term, staff should discuss how to formalize this process as part of the permitting process with Department of Inspection Services.*

Work currently isn't reviewed for compliance with Commission decisions. In the local historic districts, a staff member from the Division of Planning and Regulatory Services must review all completed work to ensure compliance with both the overall regulations of the district and any conditions that were placed on approval. If the work does not meet the standards, the Building Inspector must not approve the final work. Outside the districts, for those buildings with a demolition delay waiver, staff should review the final project for compliance.

- **Develop workable forms of enforcement and/or penalties for unauthorized work.**

*Timeframe: Long-term.*

*Implementation: Work with the Law Department to develop an updated process and schedule for assessing penalties. Identify procedures for assessing penalties when necessary.*

Under the current Demolition Delay Ordinance, the Commission has the ability to fine “any person who, without the actual or constructive approval of the commission as required by this section, demolishes or attempts to demolish any designated historic building”. A fine of \$300 is established and authorized “each day that any portion of a designated historic building remains demolished, in whole or in part, shall constitute a separate offense.” The ordinance is silent with regard to how a demolition could be corrected, so in theory, the \$300 daily fine could continue in perpetuity. Due to the Commission’s broad interpretation of “demolition” and the lack of documentation, no firm numbers are available on the frequency of this issue becoming reality, but it does happen periodically.

To staff’s knowledge, the \$300 fine has never been assessed for unauthorized demolition. This may in part be due to reluctance to issue a recurring fine for an action that can’t be reversed. The city may

wish to consider imposing an upper limit on the fine (e.g. - 100 days) or otherwise identify how the violation could realistically be remedied. How and when the fine should be assessed, and whether the Commission itself has the authority to issue fines, should be clarified.

In addition to fines, a remedy that has been employed elsewhere is a prohibition of the issuance of building or occupancy permits for an extended period of time in the event that unauthorized demolitions are carried out. The MHC *sample demolition delay bylaw* includes a relevant provision: “If a building subject to this bylaw is demolished without first obtaining a demolition permit, no building permit shall be issued for a period of two years from the date of the demolition on the subject parcel of land or any adjoining parcels of land under common ownership and control unless the building permit is for the faithful restoration referred to above or unless otherwise agreed to by the Commission.”



## II. HISTORIC BUILDING DEMOLITION DELAY

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### Demolition delay regulations

Demolition delay ordinances are intended to provide an opportunity for community input and a time period for the exploration of alternative outcomes to the demolition of a significant historic property. The effectiveness of these ordinances is dependent on a variety of factors, including the effectiveness of advocacy efforts in terms of generating interest and support for other uses and the willingness of the property owner to consider alternatives to demolition, among others.

#### *Worcester's current demolition delay program*

The Worcester "Historic Building Demolitions" ordinance (Chapter 9, Section 13 of the General Ordinances) establishes and governs the demolition delay review process. Under the ordinance, all affected properties are prohibited from gaining a demolition permit for 12 months unless a waiver is granted by the Worcester Historical Commission.<sup>3</sup> The Commission may grant a waiver on the basis of the proposed demolition not being harmful to the historic or architectural resources of the city, or on the basis of economic hardship.

Specifically, the following buildings are defined as *designated historic buildings*, or those that are subject to review under the ordinance:

*"any building or portion thereof, including those within any historic district established by the city under the provisions of c. 40C of the General Laws and § 17(b) of Article 3 of Part II of these Revised Ordinances, and which is listed on, or within an area listed on, the National Register of Historic Places, or the State Register of Historic Places, or is the subject of a pending application for listing on said Registers, or is listed on the National Register Eligible List established by the commission pursuant to its designation as a certified local government by the Massachusetts Historical commission."*

The City has long relied on the *Massachusetts Cultural Resource Information System* (MACRIS) database as a means of capturing all of the eligible historic building types identified in the ordinance. While many National and State Register properties are listed in MACRIS, as well as properties that are potentially eligible for listing, the database is incomplete. The disclaimer on the MACRIS homepage states, "Users of the database should keep in mind that it does not include information on all historic properties and areas in Massachusetts, nor does it reflect all the information on file on historic properties and areas at the Massachusetts Historical Commission." Further, National Register eligibility is not a prerequisite for listing on MACRIS. There are no qualifying standards for completion of an inventory form, a document that constitutes the majority of MACRIS database records. The end result is the omission of properties that may be listed or eligible for National or State Register listing, and the inclusion of some inventoried properties that are not eligible. For these reasons, MACRIS is a poor proxy for a National Register Eligible List.

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<sup>3</sup> City of Worcester, REVISED ORDINANCES OF 2008, Ordained by the City Council June 24, 2008, as amended through November 24, 2015. Chapter 9, Section 13 "Historic Building Demolitions." Available at <http://www.worcesterma.gov/city-clerk/ordinances-regulations/>

## **Administration of the demolition delay process**

When a property owner arrives at the Inspectional Services Department offices (25 Meade Street) seeking a building or demolition permit, their property address is checked against a print out of the MACRIS list.

All exterior work, visible from a public way, is currently subject to review under the demolition delay ordinance if the property is on the MACRIS list. If the property is within one of the City's three local historic districts, additions and new construction are also subject to review. All properties within the three local historic districts have been surveyed and are included in MACRIS.

If the property is found on the MACRIS list, a building or demolition permit is not granted and the applicant is directed to apply for a Building Demolition Delay Waiver (BDDW) at the Planning & Regulatory Services Division, on the 4<sup>th</sup> floor of City Hall. Properties located within a local historic district must file a combined Certificate of Appropriateness and Building Demolition Delay Waiver application (COA/BDDW) (see *Appendix D: Historical Commission Applications*). The historical commission's applications are available on-line, but must be submitted in hard copy.

Applicants must submit multiple copies of the application and supporting materials, along with stamped envelopes with the abutters' address labels attached. The abutters list and mailing labels are obtained from the Worcester Assessor's Office (second floor of City Hall) for a nominal fee. Planning staff mails the hearing notices at the proper time. A completed application is stamped with the date of submittal once all of these steps have been completed. This begins the "clock" for the demolition delay period.

The planning department acts as the "officer" responsible for receiving applications and setting a public hearing no more than 45 days after receipt of the completed application. Public hearings are held at regularly scheduled meetings of the Commission. The schedule of meetings is set and advertised in advance for the year and occurs once every two to three weeks. Additional meetings are scheduled if necessary.

During the public hearing, the Chair will ask the applicant to approach the table and sit across from the Commission. The Chair will ask the applicant to describe the proposed alterations and typically walk through a series of questions pertaining to each aspect of the proposed work. When the Commission determines they have had sufficient time and information to consider the application, the Chair will call for a vote. The Commission always motions in the affirmative, as in "I move that the proposed demolition of the designated historic building is not detrimental to the historical or architectural heritage or resources of the city." If the required number of Commissioners vote "yes," the waiver is granted. If the motion does not achieve a sufficient number of yes votes, the waiver is not granted and the demolition delay is imposed on the property. Often the Commissioners pause before a potentially controversial vote to ensure that everyone understands what a "yes" or "no" vote means.

If an applicant does not receive a waiver on the basis of the work not be detrimental, the Commission will consider an economic hardship argument. There are no specific guidelines in place with regard to what constitutes economic hardship, but the Commission typically describes to the applicant the specific information they would like to see (e.g. - rehabilitation costs, potential revenue/rent, structural reports, etc.). Often, an applicant will request to continue the hearing to a subsequent meeting so that they can gather the requested information.



**Figure II-1: Worcester Historical Commission meeting**

If a waiver from the demolition period is granted, the applicant may proceed to finish applying for a demolition or building permit. If the applicant does not initiate work within one year of the waiver being granted, the waiver expires and the demolition delay process restarts. If an applicant fails to gain a waiver, they must wait for 12 months from the date of the initial application to proceed with a demolition or building permit application.

### **Review of 2015 hearings and permits**

In 2015, a total of 2,550 applications (building or demolition) were received by Inspectional Services.<sup>4</sup> The Historical Commission reviewed 95 of these permit requests, or a little less than four percent. Of these, 21 were for properties located in a local historic district. Only 36 of these applications were for complete demolitions of structures. These hearings took place over the course of 25 meetings for an average of about four hearings per meeting. In the previous fiscal year,<sup>5</sup> the Commission heard 77 BDDW hearings, with 12 of them being combined BDDW/COA hearings.

Table II-1 breaks down permits issued in 2015 by the age of the affected structure. More than half of permits issued were for work involving structures that are 75 years old or older, and more than three-quarters were issued for work to structures 50 years or older. Demolition permits were issued to 26 properties in 2015, with 61 percent of those being 100 years or older and 92 percent involving structures 50 years or older.

Of the 26 demolition permits issued in 2015, only three properties were subject to hearings under the demolition delay ordinance. A fourth property – 13 Pond Street, should have been subject to a hearing but apparently was inadvertently granted a demolition permit without a Commission hearing.

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<sup>4</sup> According to information obtained from Inspectional Services, 1/2015-12/2015.

<sup>5</sup> FY 2014: from July 1, 2013, to June 30, 2014.

Two key takeaways from this analysis are that (1) only a very small share of properties in the city are reviewed by the Commission under the demolition delay ordinance, and (2) the majority of older properties that are demolished in the city are not reviewed by the Commission.

**Table II-1: Permits Issued in 2015**

	Total permits (building or demolition)		Demolition permits only	
Total permits	2211		33	
Buildings more than 100 years old	617	28%	22	61%
Buildings between 75 and 99 years old	569	26%	5	14%
Buildings between 50 and 74 years old	495	22%	6	17%

## Findings and recommendations

### *Historic Building Demolition Ordinance*

Currently in Worcester, a very small percentage of the building stock is subject to the city’s demolition delay ordinance, despite the fact that a majority of properties are 75 years or older. Of the 1,186 buildings 75 years or older that were issued building permits in 2015, only 27 required Commission review. Due to the reliance on MACRIS to identify buildings subject to review, it is likely that many historically and architecturally significant buildings have not been subject to the demolition delay ordinance.

Conversely, the Commission currently reviews every detail of exterior work for properties that are subject to demolition delay. This means that any exterior changes to a property are reviewed based on the premise that the work is removing or altering (i.e. – “demolishing”) historically significant materials. The process as implemented is not dissimilar from a design review process.

### Ordinance recommendations

- **Amend the Historic Building Demolition Ordinance**

*Timeframe:* High-priority/Near-term.

*Implementation:* Staff and Commission formalize ordinance proposal. Ordinance voted by City Council.

The fundamental purpose of demolition delay is to temporarily stop the demolition of historic properties in order to first determine whether the property is preferably preserved, and if so, provide a window of time to possibly allow for an alternative outcome. With this in mind, a reworking of Worcester’s demolition delay process is recommended in order to extend the applicability of the ordinance to a far greater number of properties, while also limiting the Commission’s consideration to work involving a full or substantial demolition.

There are three primary considerations that must be addressed by a demolition delay ordinance. The study recommends the following changes, which are described in detail below:

- Properties subject to the Ordinance: Employ an age-based system for determining which buildings are subject to review under the demolition delay ordinance.
- Work subject to the ordinance: Demolition should be more narrowly defined to cover full demolition or substantial alterations only.
- The length of the demolition delay period: Retain the current 12-month delay period.

### **Properties subject to the Ordinance**

As described previously, the city presently uses MACRIS to collectively identify the historic properties subject to the ordinance. This type of system is classified as a “categorical” system of demolition delay. While a categorical list may be appropriate when a small number of properties are under consideration, it is not an effective system when many properties must be inventoried and assessed. The Massachusetts Historical Commission (MHC) has advised that a categorical system is not a good model for most communities.

The use of the MACRIS list to identify subject buildings is problematic in several ways. First, the list is not specifically properties eligible for inclusion on the National Register – which is one of the triggers in the ordinance. While the MHC inventory is intended to document historic buildings, properties and areas for research and planning purposes, there are no specific requirements relating to historical significance for a property to be included in the inventory of represented in the MACRIS database.

Second, the MACRIS list does not represent a complete inventory of historic resources; the MACRIS website itself notes that the system does not represent all information known about historic properties. There are approximately 3,176 Worcester listings in MACRIS, 236 of which are noted as having been demolished, a total that is not up to date. Although over 3000+ listings seems like a large number, it is in fact only about 8 percent of the assessed properties in the city.

It can be difficult to confirm whether a property is listed in MACRIS. There have been issues where the legal address of a property proposed for demolition did not match the address in MACRIS, or where a MACRIS listing covered multiple buildings spanning several (unlisted) addresses.

In general, the overall inventory does not completely reflect the architectural history of the city. Surveys have tended to concentrate on specific areas of the city, leaving other areas largely undocumented. Additionally, there is little representation of more recent historic buildings. Only 53 buildings constructed in Worcester during the 1950s, and only 45 from the 1940s, have been inventoried.

### Age-based demolition delay regulations

Age-based demolition delay regulations subject all properties over a certain age to consideration under the ordinance. An age-based system can help eliminate questions and confusion about which properties are subject to the ordinance, and significantly reduce the likelihood that historically significant properties are overlooked. The MHC generally recommends an age based system over a categorical system, and age is the most common trigger found in demolition ordinances in Massachusetts. Further, both MHC’s and the Connecticut’s model demolition

bylaws rely on age-based triggers. Table II-2 provides examples of demolition delay triggers in other Massachusetts communities.

Subjecting all buildings 50 years or older to a demolition delay process is a common approach; 50 years is also the minimum age for buildings to be considered for National Register eligibility. Some communities limit review to older buildings, sometimes with an additional provision that National Register buildings of any age are also subject to the ordinance so that “younger” properties with historical significance are also included.

**Table II-2: Sample demolition delay triggers in Massachusetts**

	<b>Initial Demo Delay Trigger</b>
Boston	<ul style="list-style-type: none"> <li>• All Downtown or Harborpark area buildings; or</li> <li>• Neighborhood buildings 50 years or older; or</li> <li>• Buildings in neighborhood design overlay district</li> </ul>
Cambridge	<ul style="list-style-type: none"> <li>• 50 years or older</li> </ul>
Somerville	<ul style="list-style-type: none"> <li>• 50 years or older</li> </ul>
Springfield	<ul style="list-style-type: none"> <li>• 100 years or older; or</li> <li>• National Register properties</li> </ul>
Newton	<ul style="list-style-type: none"> <li>• 50 years or older</li> </ul>
Brookline	<ul style="list-style-type: none"> <li>• All buildings</li> </ul>
New Bedford	<ul style="list-style-type: none"> <li>• 75 years or older</li> </ul>

Table II-3 compares the age of the building stock in Worcester to demonstrate how many properties would come under the purview of the demolition delay ordinance under various age-based triggers. According to Assessing Office data, the average age of buildings in Worcester is 78 years. Using the 75 year mark for the demolition age would allow review of 58% of buildings in the city.

A 50-year trigger would capture all potentially historic buildings to the ordinance, but would subject a large majority of the city’s buildings to review. Conversely, a 75-year or 100-year trigger would subject a smaller, yet still substantial, share of buildings to demolition regulations, but would not necessarily capture younger buildings that are nonetheless historically or architecturally important. If a 75-year or 100-year trigger is pursued, an additional provision to include all National Register properties should also be considered. This will ensure that recognized significant buildings that are shy of the 75-year threshold don’t slip through the cracks. However, targeting National Register listed buildings may have the adverse effect of stigmatizing the honor, and deterring people from pursuing listing.

To date, it cannot be quantified how many buildings have been lost or irreparably altered as a result of the current review triggers, but the potential for future loss lies at approximately 21,600. This is the number of buildings in Worcester 75 years or older, minus those listed in MACRIS in the same age range. Though not all will apply for building permits, there remains an unacceptable number at risk of compromise or total demolition.

**Table II-3: Number of buildings captured by various age-based triggers**

	Buildings	Share of city buildings
Buildings currently subject to demo delay:	3,176	8%
100 years or older (1916):	14,690	35%
75 years or older (1941):	24,416	58%
50 years or older (1966):	32,770	79%

Note: Ages of buildings determined using Worcester Tax Assessor information

*Two-step evaluation process*

Under Worcester’s current process, **all** properties that are on the MACRIS list undergo a public hearing to determine if removal of the historic material would “be detrimental to the historical and architectural history of the city.” This includes applications for in-kind replacement, and replacement of non-historic building elements.

Because age-based systems subject so many more buildings to demolition delay regulations, it is necessary to streamline the review process and limit the number of buildings that ultimately come before the Commission for public hearings. MHC has a *Sample Demolition Delay Bylaw* that establishes a two-step system for determining whether properties are subject to a full review under demolition delay. The first step is to determine if the property is “historically significant,” an initial determination made by the Commission (or in some communities, staff), based on specific criteria. For example, Newton, MA uses the following criteria in determining whether a property that is 50 years or older is historically significant:

- Listed on the National and/or State Register of Historic Places;
- Historically or architecturally important for its period, style, method of construction, or association with a particular architect or builder, either by itself or in the context of a group of buildings or structures;
- Is within 150 feet of an historic district and shares contextual similarity with that district; or
- Is importantly associated with historic person(s) or event(s) or with the architectural, cultural, political, economic, or social history of the City.

The initial determination of significance can take place without a public hearing, and therefore can occur relatively soon after an application is submitted. If the property is determined to not be historically significant, a demolition permit could be issued without further delay. Conversely, if the building is determined to be historically significant, the property would proceed to a public hearing to determine if it is “preferably preserved.” In this system, only significant properties meeting specific criteria detailed in an ordinance must go through a hearing.

It is important to remember that not all historically significant buildings are preferably preserved. The ordinance should include criteria for determining which buildings are preferably preserved. The Historical Commission should consider the following in determining whether a building is preferably preserved:

- The building or structure is of such interest or quality that it would meet National Register criteria for designation;
- The building or structure is of such architectural or historic interest that its removal would be a determinant to the public interest;
- Retention of the building or structure would help preserve and protect a historic place or area of historic interest in the city;
- The proposed reuse of the parcel on which the building or structure is located; whether it will complement or detract from the surrounding neighborhood.

## Work subject to the Ordinance

The Worcester ordinance defines demolition as,

*“any act of pulling down, destroying, removing or razing a building or any designated historic portion thereof, or commencing the work of total or substantial destruction with the intent of completing the same.”*

The definition of demolition suggested by MHC in their *Sample Demolition Delay Bylaw* is:

*“Any act of pulling down, destroying, removing, dismantling or razing a building or commencing the work of total or substantial destruction with the intent of completing the same.”<sup>6</sup>*

The addition of the phrase “or any designated historic portion of” in the Worcester ordinance has resulted in a broad interpretation of “demolition” that includes the removal or alteration of *any* exterior historic materials, meaning that work such as window or roof replacement, installation of siding, and even in-kind replacement of non-historic materials is reviewed by the Historical Commission under the demolition delay ordinance. Examples of this practice have included review of repairs to vinyl siding or asphalt roofing,

The practice has been seen by some in the community as acting as ‘design guidelines’ in areas outside of local historic districts, and seen by others as an overreach of responsibility. MHC has expressed concern that the demolition process covers things like window replacement and roof repair.

A review of over 100 demolition delay ordinances from across Massachusetts shows that Worcester’s demolition delay process is unique in the Commonwealth. No other ordinances use the phrase “any designated historic portion” of a building, though at least twenty municipalities include the similar phrase “or any portion thereof,” including Acton, Ashburnham, Barnstable, Billerica, Chelmsford, East Bridgewater, Foxborough, Kingston, Lakeville, Lawrence, Lexington, Yarmouth, Medford, Provincetown, Randolph, Sharon, Topsfield, and Weston.

Thirteen municipalities use exactly the standard MHC definition, including Bedford, Dighton, Easton, Huntington, North Adams, Pembroke, Sturbridge, Waltham, and Woburn. At least five communities use a specific percentage to indicate substantial demolition. For example, the town of Arlington defines demolition as “act of pulling down, destroying, removing, or razing a building, or commencing the work of total or substantial destruction with the intent of completing the same. A structure is considered to be demolished if it is destroyed due to the owner's failure to maintain a watertight and secure structure. A structure shall also be considered to be demolished if more

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<sup>6</sup> Massachusetts Historical Commission, *Sample Demolition Delay Bylaw*. Available upon request from the MHC.

than twenty-five percent (25%) of the front or side elevations are removed or covered. Each elevation shall be calculated separately.” In those towns where a percentage is specified, it is always 25%.

Some other sample definitions of demolition include:

Cambridge: “the complete removal of a building, and/or removal of more than 25% of a building; removal of a roof; removal of one side of a building; or the gutting of a building’s interior to the point where exterior features (windows, etc.) are impacted.”

Boston: "Demolition," means any act of pulling down, destroying, razing, or removing a building, or the commencement of such work with the intent to complete the same.

Newton: Demolition or partial demolition (Partial demolition can include removing a roof structure, a porch, a rear or side ell. The removal of an exterior wall to accommodate an addition also constitutes partial demolition.)

Brookline: "Demolition" – (a) the act of pulling down, destroying, removing or razing a Building or a significant portion thereof, by removing one side of the building, or removing the roof, or removing 25% of the structure; (ii) moving a Building from its site with no permitted new location for said Building; (iii) in the case of a Building within Section 5.3.5(b), substantially gutting (as defined by the Preservation Commission per section 5.3.14) an interior space that has generally been open to the public and is integral to the historic character of the building; (iv) in the case of a building within Section 5.3.5(b), the systematic removal, effacement, or destruction of the exterior architectural elements which define or contribute to the historic character of the Building, or (v) commencing any of the foregoing work. "Demolition" as used herein shall be deemed to include Demolition by Neglect.

The model ordinance used in Connecticut is more specific than the Massachusetts model. In addition to having a definition of “demolition,” it specifies additional items that will require a demolition permit.

*DEMOLITION – The intentional act of substantially pulling down, destroying, dismantling, defacing, removing or razing a building or structure, or commencing the work of a total, substantial, or partial destruction with the intent of completing the same; also the act or process of delaying or withholding maintenance of a building or structure in such a way as to cause or allow significant damage to occur which may result in a public hazard or nuisance.*

*In addition to complete demolition of a building or structure, the following actions shall require a demolition permit under this chapter:*

- *Removal of a roof for the purpose of: raising the overall height of a roof; rebuilding the roof to a different pitch; or adding another story to a building.*
- *Removal of one or more exterior wall(s) or partition(s) of a building.*
- *Gutting of a building’s interior to the point where exterior features (windows, doors, etc.) are impacted.*
- *Removal of more than 25% of a structure’s overall gross square footage as determined by the Department of Inspectional Services.*
- *The lifting and relocating of a building on its existing site or to another site.*

- *The delay or withholding of maintenance on a building or structure in such a way as to cause or allow a significant loss of architectural integrity or structural stability.*<sup>7</sup>

### Revising Worcester's definition of demolition

Demolition delay ordinances are intended to temporarily prevent full or substantial demolition or alteration of historic or architecturally important structures. The challenge is defining what constitutes substantial demolition in a manner that is specific, yet sufficiently encompassing. A revised definition of demolition for consideration was developed based on definitions used in other communities and input from the Historical Commission and city staff:

Demolition shall be defined as: the intentional act of substantially pulling down, destroying, removing, dismantling or razing a building or structure or commencing the work of total, substantial or partial destruction with the intent of completing same. It includes:

- Total demolition, dismantling or relocation of a structure.
- Partial demolition, dismantling, pulling down, defacing or destruction of a structure involving any of the following:
  - Removal of 50% or more of an exterior wall visible from the right of way.
  - Structural changes to a roof, including altering a roof line, installing or removing dormers, or changing roof pitch.
  - Replacement of roofing materials, except for minor repairs and the following exceptions: Replacement of roofing materials in-kind, replacement of existing asphalt shingles, or replacement of flat roofing materials not visible from an adjacent street or public property.
  - Altering a National Register listed building's key-character defining features, making it no longer eligible. This includes removal of roofing material, windows, decorative trim or molding, or porches; or the addition of vinyl, aluminum, or composite siding.

The proposed definition of demolition is specific enough that much of the work currently reviewed would no longer come before the Commission. The last bullet would specifically protect National Register listed buildings outside of local historic districts by preventing loss of integrity due to changes that are not otherwise covered by the demolition definition. Staff would need to develop a process for screening projects to determine which work clearly does not constitute "demolition" and could therefore proceed without Commission review. This will require close coordination between Inspectional Services and the Planning Division. One potential approach would be for Inspectional Services to conduct the initial age-based screening during the permit application process, which would trigger an application to the Commission. The Planning Division would be responsible for evaluating the content of the demolition delay waiver application, as well as making an initial recommendation of whether a property will require a preferably preserved public hearing, based both on the information provided and the historical and architectural significance of the property.

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<sup>7</sup> Connecticut Trust for Historic Preservation. Available at <http://ctrust.org/ctrust/page/model-demolition-delay-ordinance>. Dated October, 2015.



**Figure II-2: Daniel G. Chase House, c1851**

Another consideration is adding a demolition by neglect clause, as recommended in the Connecticut ordinance example. Buildings such as the Daniel G. Chase House, c1851, MACRIS listed (Figure II-2) are currently subject to the demolition delay and would remain so after ordinance revisions, but due to the lack of application for a building permit they are not seen by the Commission as they deteriorate. Due to the current condition of the Chase house it has been deemed unsafe for full firefighting tactics of entry, search and rescue, as designated by the red and white X. Boarded windows and a hole in the roof indicate the owners will likely soon be applying for a permit for complete demolition, which will be the first time the Commission will review the

project, or they will be issued an emergency permit if determined to be a public safety hazard. A demolition by neglect clause would allow the Commission the opportunity to be involved at an earlier stage and potentially change the outcome. This option would need to be explored in more depth to determine how it would best be applied and enforced.

### *The length of the demolition delay period*

The City's demolition delay period is currently 12 months. The original ordinance only called for a 6 month delay, but was later lengthened. The current Statewide Historic Preservation Plan, MHC recommends an 18 month delay.

In recent months, there has been considerable attention given to the City's demolition delay process as a result of several high profile cases that came before the Commission. The question of whether 12 months is a sufficiently long delay period has been raised.

A review of over 100 demolition delay ordinances in Massachusetts (Table II-4) shows that the vast majority of communities impose a delay period of either 6 months (nearly half) or one year (25 percent). Only a few communities have established a delay period longer than one year, one of which is Brookline, which has a stepped system of delay length: Eighteen months for properties already listed on the National Register of Historic Places, and one year for other preferably preserved historic buildings (Table II-5).

**Table II-4: Comparison of demolition delay period durations for Massachusetts communities**

Length of Delay	Number of Communities
21 days	1
2 months	1
3 months	6
4 months	3
5 months	2
6 months	52
8 months	1
9 months	7
12 months	26
18 months	7

The current 12 month delay period is sufficiently long to allow opportunities for community organization and exploration of alternative options, though this is not done often enough. Staff and the Commission have little to no

**Table II-5: Selected examples of demolition delay periods**

Municipality	Demolition Delay Period
Cambridge	6 months
Somerville	9 months
Springfield	9 months
Newton	12 months
New Bedford	12 months
Brookline	12 months 18 months if National Register listed

interaction with an applicant following a decision. Increasing the delay length would not necessarily result in better opportunities to identify alternative outcomes to demolition, but may have the unintended effect of damping development in general. Stakeholder interviews indicated that an extended delay period would be met with push-back from the business community. It is not uncommon for applicants to reject alternative options, choosing

instead to just wait out the delay period. There is no evidence that another 6 months would result

in a different outcome. Given that there is little precedent for a longer delay period, especially in larger cities, and the need for a longer delay period is not well established, the study recommendation is to retain the 12 month delay period currently in place.

### **Redundant approvals**

The Worcester ordinance covers all buildings in the City, including those already under the regulations of a Local Historic District. By virtue of being in a local district, all property owners must seek a Certificate of Appropriateness, a Certificate of Non-Applicability, or a Certificate of Hardship. However, under the Worcester system they must also seek a Building Demolition Delay waiver. An updated demolition delay ordinance (see Demolition Delay chapter) should exclude these properties from demolition delay review, as they are already under the more rigorous restrictions of the local historic district. Specifically, demolition can be permanently prevented within a Local Historic District, so the demolition delay review is not necessary.

### ***Economic hardship***

Worcester’s ordinance allows the Commission to approve a demolition on the basis of “economic hardship”. This is a fairly unique consideration, as a review of over 100 demolition delay ordinances shows that only Scituate and Worcester use the phrase “economic hardship” in their regulations. Like Worcester, the Scituate ordinance does not define economic hardship or provide guidance as to how to make that determination. Eleven communities also consider economic factors, but in a slightly different manner. These ordinances state “*the reason for the proposed demolition and data supporting said reasons, including, where applicable, data sufficient to establish any economic justification for demolition*” as an element to consider when determining preferably preserved status. These communities that rely on this language are Amesbury, Canton, Hingham, Kingston, Littleton, Methuen, Needham, Newburyport, Newton, Pittsfield, and Westford.

Worcester’s application states that the economic hardship argument is typically used when replacement is proposed in place of the restoration of original materials, features, or structures. It suggests attaching detailed cost estimates and comparisons of replacement versus restoration. By informing the public ahead of time what will be expected to help prove economic hardship, each applicant will be treated fairly.

## Economic hardship recommendations

- **Establish specific application requirements for an economic hardship waiver.**

*Timeframe: Near-term.*

*Implementation: Discussion by Commission and modifications to application and Rules & Regulations.*

The Commission should modify its application to require those items currently “recommended,” including detailed cost estimates of demolition versus rehabilitation, and the comparison costs of replacement materials versus restoration of existing materials.

Materials related to economic considerations that are requested in other communities’ applications are listed below. These can form a basis for the Worcester Historical Commission to begin discussions on specific information that they would like to consistently see for economic hardship considerations.

- Financial information
  - Amount paid for the property, date of purchase, party from whom purchased, and relationship between the owner of record, the applicant, and the person from whom the property was purchased.
  - Estimated market value of the property in its current condition, and after the proposed alteration or demolition.
  - Annual gross and net income from the property for the previous three years itemized operating and maintenance expenses for the previous three years.
  - Remaining balance on the mortgage or other financing, if any.
  - Real estate taxes for the previous four years and assessed value of the property.
  - All appraisals obtained within the last two years by the owner in connection with the purchase, financing, or ownership of the property.
- Real estate marketing
  - Any listing of the property for sale or rent, price asked, and offers received, if any, in the last two years.
- Feasibility of alternate uses of the property.
  - Reports on the structural soundness of the building and a condition assessment of the building.
  - Cost estimates for the proposed new construction or alteration, versus demolition.

### *Taking advantage of the delay period*

The Worcester ordinance specifies that “During the twelve-month delay period, the commission shall assist the owner in efforts to locate a purchaser to preserve, rehabilitate and restore the subject building.” In practice, the Commission is rarely involved in efforts to prevent the eventual demolition of an historic property in Worcester. They rely heavily on the efforts of Preservation Worcester, a non-profit preservation advocate. Preservation Worcester maintains a “*Most endangered list*” and is a vocal advocate for historic preservation in the city. Preservation Worcester staff often provides comments at Historical Commission hearings and work behind the scenes to save historic structures.

## Delay period recommendations

- **Actively engage with the property owner and potential alternative developers**

*Timeframe: Near-term and ongoing.*

*Implementation: Staff and Commission initiated.*

The intent of the demolition delay process is not to permanently preserve historic buildings; rather it is to allow time to find a different outcome, rather than demolition. Planning Division staff in particular have expressed that a lack of tools for the delay period is a problem, and Commissioners themselves expressed that “there is no program in place to foster alternatives for demolition.”

Staff should actively seek to engage the property owner during the delay period. Opportunities for better communication, access to resources, and professional guidance would result in a more effective use of the existing 12 month delay. While some property owners will not be amenable to seeking alternatives to demolition and simply choose to wait out the delay period, others may be willing to consider sale of the property or alternative development plans. Staff could routinely set up post-hearing meetings to gauge the willingness of developers to explore other options to demolition. If a proponent is willing to consider sale of the property or alternate development proposals, staff should work with the Business Development Division to reach out to potential developers of a property to see if there is an interest in acquiring a property. To stay engaged during the demolition process, the Commission could request periodic updates of staff with regard to outreach and coordination activities for properties under delay.

There have been occasional stories of success, such as the relocation of the Stearns Tavern, a colonial building under threat of complete demolition. The owner worked with Preservation Worcester, who negotiated with the city to secure a new lot for the building to be moved to. Though the Commission’s participation was limited to the initial demolition delay review, in future scenarios they may strive to play a larger role in facilitating notable successful outcomes.

- **Require posting of a sign at the property during the demolition period.**

*Timeframe: Near-term.*

*Implementation: Amend application and Rules & Regulations.*

New Haven, CT, among other cities, requires demolition applicants to post notice of their intent to demolish a structure on the property. Such notice could be required to be maintained during the demolition period as well.

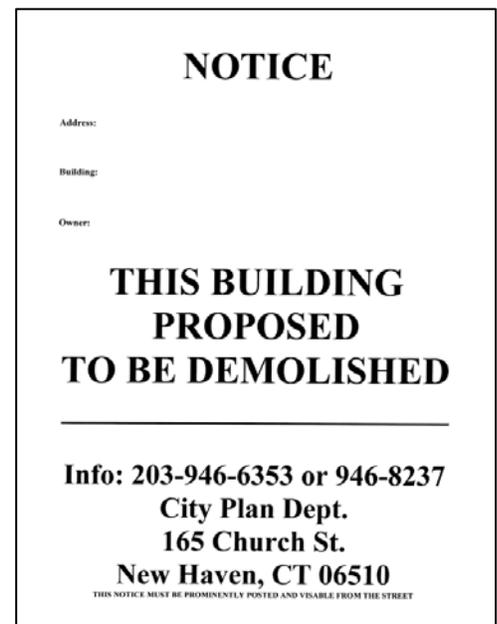


Figure II-3: Sample posted notice

- **Publish an online listing of properties under demolition delay.**

*Timeframe: Near-term.*

*Implementation: Staff maintain list of properties under demolition delay and publicize on Commission webpage.*

Publication of a list of properties currently under demolition delay on the Commission’s webpage would be a simple way to generate interest in the properties and ensure that the public is aware of the status of these properties.

- **Require photo-documentation prior to full or substantial demolition.**

*Timeframe: Near-term.*

*Implementation: Develop guidelines for documentation. Amend Rules & Regulations and/or Ordinance.*

Photo documentation of historically significant properties could be required prior to demolition in order to provide a record for properties that cannot be saved. The Commission would need to consider how this could be implemented without imposing an undue financial burden on applicants. If implemented, the Commission should first determine whether all structures should be documented or only those found to be “preferably preferred”. The Commission should also develop guidelines that establish how photo documentation should be conducted and identify the features that should be documented. While informal photo documentation of limited scope could be required by amending applications procedures and Rules & Regulations, a more complete and formal process would likely require an Ordinance amendment to specify requirements prior to demolition.



# III. LOCAL HISTORIC DISTRICTS

## Overview of local historic districts

Local historic districts are areas with specific boundaries that have been recognized for historical and architectural significance and so designated by a vote of City Council. Local historic districts have preserved the character of many neighborhoods and important buildings in Massachusetts by providing protection from demolition or inappropriate alternations. Local historic districts do not prevent any change from occurring, but rather prevent the intrusion of incongruous elements that might detract from the aesthetic and historic values of the district.

Worcester has established three local historic districts. The Massachusetts Avenue Historic District and the Montvale Historic District are located adjacent to each other on opposite sides of Salisbury Street in the city’s west side. The Crown Hill Historic District is located predominately between Pleasant Street and Chandler Street in central Worcester, just west of downtown (see Figure III-1 below, and *Appendix E: Local Historic District Maps*).

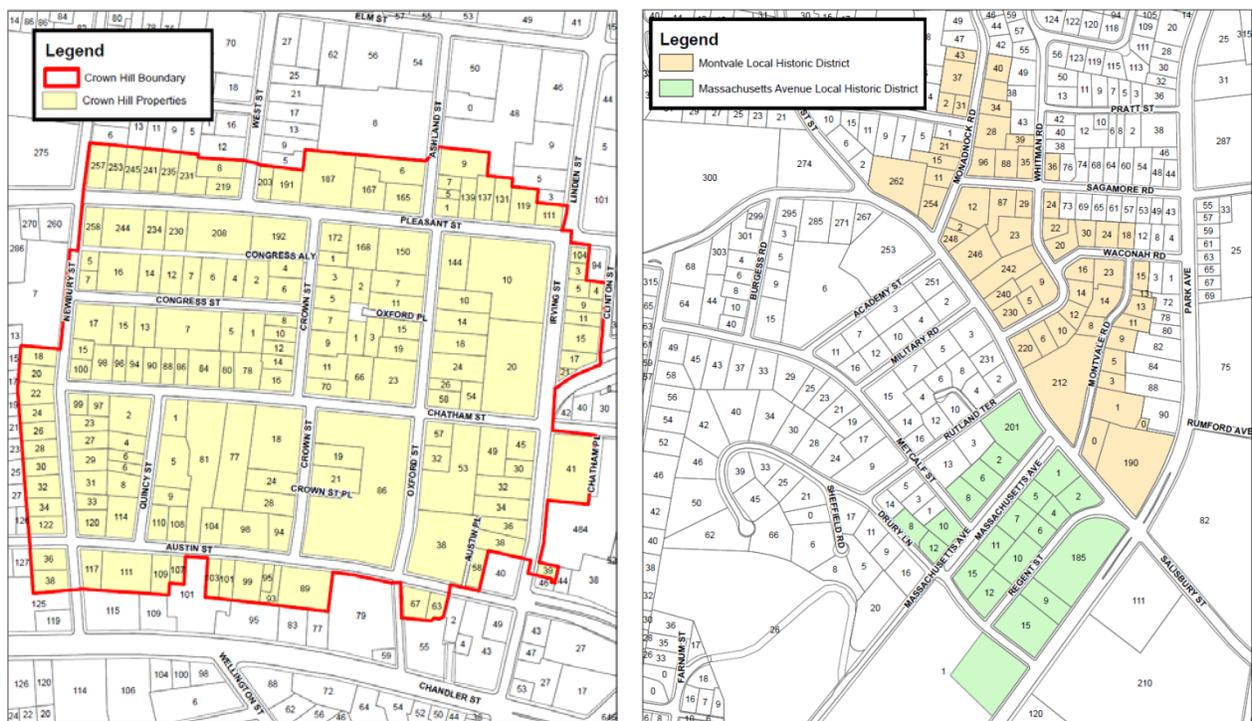


Figure III-1: Worcester’s local historic districts

The Massachusetts Avenue Local Historic District (LHD) was Worcester’s first local historic district. Established in 1975 concurrently with establishment of the Worcester Historical Commission, the district includes twenty-one properties. Except for the American Antiquarian Society’s building at 185 Salisbury Street, the Massachusetts Avenue LHD is comprised of residences generally dating from 1900-1910. Residential architectural styles popular in the early twentieth century are represented, including Colonial

Revival, Queen Anne, and Tudor Revival. The history of the district dates back to the late nineteenth century, when Stephen Salisbury, III envisioned a planned development on a portion of his family's farmland. From 1899 to 1907, eleven deeds were sold and large single-family houses were constructed for many prominent business and political figures in the city of Worcester. One interesting addition to the street was the Trumbull Mansion, which served as the county's second court house and was moved from its site on Main Street to 6 Massachusetts Avenue in 1899.



**Figure III-2: Massachusetts Avenue LHD**

The Montvale LHD is located to the north of Salisbury Street, across from the Massachusetts Avenue LHD. It was originally established as a Local Historic District in 1993 and expanded in 2010 to its present boundaries encompassing some 57 properties. The Montvale LHD consists of well-preserved Queen Anne, Colonial Revival and a range of early 20th century architecturally styled single-family homes. Most dwellings were constructed between 1895 -1932. The Montvale neighborhood is characterized by curving streets lined with large shade trees.



**Figure III-3: Montvale Avenue LHD**

Crown Hill is the city's most recently established local historic district, having been created by the city council in 2013. It is also the largest, with some 169 properties. Crown Hill is located in central Worcester just west of downtown, extending south from Pleasant Street. The well-preserved neighborhood largely

reflects mid-19th century residential development distinguished by its original street layout and period architecture. Nearly half of the neighborhood's properties are listed on the National Register of Historic Places. They include a significant collection of Greek Revival-style residences. The properties in the Crown Hill LHD provide a broad spectrum of the neighborhood's development by illuminating a better sense of its economic, ethnic and social diversity throughout Crown Hill's history. In addition to residential properties, the Crown Hill LHD includes two blocks of predominately commercial or mixed use (ground floor retail or office uses) buildings on Pleasant Street.



**Figure III-4: Crown Hill LHD (Crown Street, top; Pleasant St, bottom).**

## **Findings and recommendations**

The study considered how the Commission and city staff review properties and administer preservation programs related to local historic districts. The consultant reviewed Worcester Historical Commission

meetings, interviewed staff and Commission members, spoke with applicants, and reviewed practices in other communities. In addition, the potential role of local historic districts in preserving areas that are not currently established as districts was examined.

In general, the process for administering Worcester’s local historic districts is well-established and accepted. Nonetheless, several recommendations are made relating to the following identified issues:

Awareness of local historic districts: There is a need to better inform and educate residents, businesses and property owners of their presence in a local historic district and the associated responsibilities.

Guidelines for evaluation of proposed work: Updated and additional resources would help the Commission and applicants navigate the approval process.

Redundant approvals: Requiring demolition delay waivers for work within a local historic district is redundant and does not confer additional protections.

Establishment of local historic districts is the primary means of permanently preserving historically and architecturally important structures. While evaluation of specific locations for protection as local historic districts was not within the scope of this study, the applicability and the steps required to expand or establish additional local historic districts is discussed as well.

### *Awareness of local historic districts*

Residents of the Montvale and Massachusetts Avenue LHDs, which are long-established, appear generally to be aware that their properties reside within a local historic district and that exterior work on their properties is subject to Commission review. Staff reports that instances of unauthorized work are rare in these two districts.

The Crown Hill LHD is more recently established, and unauthorized work is more commonly reported. It can be difficult to reach property owners in Crown Hill, as the district includes a commercial area and many rental properties. Another consideration in assessing how to most effectively communicate with Crown Hill residents is that many residents are not proficient English speakers. According to the US Census Bureau’s 2014 American Community Survey, an estimated 30 percent of households in census tract 7315 do not have a household member who “speaks English very well.”



**Figure III-5: Local historic district signage**

The city does not currently have a mechanism in place to inform new property owners that they are in a local historic district, although the districts are identified on street signs (Figure III-5) and maps are posted online at the city’s website.

Staff has conducted targeted outreach on several occasions. Since its establishment in 2013, staff has twice mailed postcards to all property owners within the Crown Hill LHD to inform them of their location within the district and associated responsibilities. Staff and Commission members have previously have conducted occasional outreach programs, such as a presentation and walking tour of Crown Hill for realtors in 2015.

In any of the local historic districts, work that requires a building permit will trigger an application to the Commission when the property owner applies for a building permit if the work is visible from a public way. However, some work that does not require a building permit still requires the approval of the Commission (e.g. - exterior painting in the Crown Hill LHD), and no mechanism exists to identify and require Commission review prior to initiation of work. In these cases, education of the homeowner is especially important in gaining compliance.

### **Awareness recommendations**

- **Send reminder postcards to all property owners**

*Timeframe: Near-term.*

*Implementation: Staff initiated.*

As noted previously, postcards describing local historic district requirements have been sent to Crown Hill residents on two occasions. This should be done on a periodic basis - perhaps every two or three years - for all properties within any of Worcester's local historic districts. The postcard should notify property owners of their property's location within a local historic district, and briefly summarize the associated responsibilities. Contact information and a link to the Commission staffer to answer questions should be included.

- **Continue proactive outreach activities**

*Timeframe: Near-term.*

*Implementation: Staff initiated.*

Staff and Commission members have previously have conducted occasional outreach programs, such as a presentation and walking tour of Crown Hill for realtors in 2015. The Commission should continue to seek to engage the community proactively in ways to increase awareness and understanding. Potential target audiences include property owners, realtors, contractors, residents of local historic districts, business groups including the Worcester Regional Chamber of Commerce (particularly if new or expanded LHDs are established in commercial areas), and preservation groups such as Preservation Worcester.

- **Add local historic district designations to Assessor's records**

*Timeframe: Near-term.*

*Implementation: Staff coordinates with Technical Services and Assessing Office to add a record to properties located in LHDs.*

Staff has previously suggested noting in the Assessor's property records indicating those properties within a local historic district. This notation would be helpful to property owners, as well as city officials, as a way of quickly identifying which properties are subject to applicable regulations and benefits. Such a listing was deemed viable when initially discussed, but has yet to be implemented. This should continue to be pursued, as it is a simple method to quickly and clearly identify affected properties.

- **Create additional website content aimed toward local historic districts**

*Timeframe:* Ongoing.

*Implementation:* Commission and staff identify desired content and site organization. Staff implements and administers the webpage(s) on city website.

The City's webpage is a free outreach tool that could be used more effectively. The Commission formed a study committee in 2015 tasked with expanding and improving information available on the City's website, but relatively few changes were made at that time. With the pending addition of a dedicated preservation planner on staff, this effort should be reinitiated. The Commission and staff should consider organizing all content applicable to local historic districts on a single page so that residents and or other interested site visitors can learn about each district and easily find maps, application materials, design guidelines (when completed) and other relevant information. The Commission should also consider adding a "Frequently Asked Questions" section to the website. Planning staff should help create this document based on their interactions with applicants. Brookline, Cambridge, Newton and Somerville are a few examples of comprehensive and well organized historical commission websites that could be consulted during the website development process.

### *Guidelines for evaluation of proposed work*

The Commission does not currently have architectural/design guidelines in place. Guidelines would serve as a resource both for Commissioners and property owners alike, and would provide a consistent framework for evaluating work within the local historic districts. Draft design guidelines have been partially completed by staff, but have not been finalized or formally voted on and remain a work in progress.

The Commission's Rules and Regulations are the formal guidance for the aspects of work that fall under the Commission's purview. The current Rules and Regulations of the local historic districts require an application for the following tasks:

- Work involving a change in design, color, texture, or type of exterior building materials;
- Work involving the changing of the color of paint or other materials applied to exterior surfaces;
- Work involving the type and style of windows and doors;
- Work involving signs, lights, and other appurtenant fixtures;
- Work involving walls and fences;
- Work involving terraces, walks, driveways and similar structures.

However, these regulations were written in 1975, when only the Massachusetts Avenue Historic District was being established, and have not been updated to incorporate the addition of the Montvale LHD and Crown Hill LHD.

## Guidelines recommendations

- **Finalize and adopt design guidelines for local historic districts**

*Timeframe:* High-priority/Near-term.

*Implementation:* Staff completes draft design guidelines and submits to the Commission for review and comment. Once finalized, the Commission would update the Rules & Regulations to reference the Design Guidelines.

A substantially complete draft of design guidelines has been developed by staff, but they have yet to be finalized or reviewed by the Commission. The completion and adoption of these guidelines should be a priority for the Commission in 2017.

Design guidelines are, as their name implies, intended to guide and encourage appropriate design by applicants, foster predictability in Commission actions, and assist in facilitating a consistent and high quality review process. While the Commission would have the authority, in its exercise of discretion, to permit applicants to depart from the guidelines, applicants should be encouraged to follow them to the greatest extent possible. Design guidelines should be tailored to each local historic district to illustrate those features which make them unique and significant.

According to the 1987 *Preservation Plan*, the Commission was at that time relying on design guidelines from the City of Savannah. While these guidelines likely included useful architectural information, they were neither tailored to Worcester nor appropriate for continuing use. An appendix of the Plan proposed some residential rehabilitation guidelines for housing rehabilitation projects in the city. They were based on a 1983 document called the “Watertown Old House Handbook,” and altered for Worcester. The intent was to use these guidelines in combination with a Worcester Heritage Preservation Society pamphlet called “What Style is Your House?”

More recently, the Commission has not relied on published design guidelines at all. One Commissioner noted, “There are no ‘criteria’ for determining what a building should look like after work is done – should it go back to as built, or ‘how the building exists in the collective conscious of the city?’” Design guidelines would address this question and improve the consistency of Commission decisions.

The design guidelines should be tailored to each district, and prior study reports and National Register nominations provide useful information that should be incorporated:

Massachusetts Avenue Historic District: According to the 1974 study report for the establishment of the district, the area “represents an early attempt at street planning and coordinates residential subdivision.” The neighborhood includes 19 residential buildings and the American Antiquarian

Society building; nine residences were “unified by an interest in colonial architecture and the use of black shutters against a light painted surface.” The original report also noted that because of the “special nature of the Society’s activities,” that future Commissions take into account the unique use of that site when considering changes to the exterior of the building. When projects are proposed, the buildings integrity should be checked against the original study report which noted the then-existing historic detailing. The study report also proposed “that none of the categories listed in Section 8 of Chapter 40C ... be exempted from review.” (see *Appendix F: Massachusetts Preservation Legislation* for this legislation).

Montvale Historic District: According to the National Register nomination for the district, the area “contains a group of well-preserved turn of the century and early twentieth century houses with excellent individual examples of the various architectural styles popular during this period.” The period of significance is from 1851-1920. In 1992 when the original study report for the district was completed, it was recommended that the same guidelines used for the Massachusetts Avenue district be used in Montvale. It also notes that “maintaining as many trees as possible on this and other buildable lots within the district is strongly encouraged.” At the time, the integrity of the buildings in the district was considered good to excellent, with original siding, windows, and ornamentation present. These parts of the buildings should be specifically noted in the design guidelines as important to preserve. Additionally the design guidelines should encourage the retention of the original twenty to forty foot setbacks, cast iron street lights, granite curbing, and sidewalks. When projects are proposed, the buildings integrity should be checked against the original study report which noted the then-existing historic detailing.

Crown Hill Historic District: The 2012 study report for the district notes that the area is “distinguished by its large concentration of well-intact homes of mid to late 19th century period architecture” including Greek Revival, Gothic Revival, Classical Revival, Italianate, and Second Empire structures. It is also notable for its original street plan. A complete survey of the area was undertaken as part of the study. Similar to the decision made for Massachusetts Avenue, the study committee decided “not to exclude any of the ... items from consideration.”

- **Update Commission Rules and Regulations.**

*Timeframe: High-priority/Near-term.*

*Implementation: Staff drafts updated Rules and Regulations document for review and comment by Commission. Once finalized, Commission advertises and holds a public hearing to vote to accept the amended Rules and Regulations.*

Rules and regulations dictate how the Commission conducts business. The “Rules and Regulations for Local Historic Districts” has not been updated since its adoption in 1975 and are very outdated. It refers to outdated applications and materials, requirements, and submittal procedures, and does not specifically reference the Montvale or Crown Hill districts.

Adopting updated Rules and Regulations that reflect the current programs and requirements of the Historical Commission should be a top priority. The document should include the current application

form and address issues associated with each of the three existing local historic districts. When design guidelines are established, they too should be incorporated.

### *Redundant approvals*

Reducing or streamlining review processes without harming preservation outcomes is of benefit both to the Commission and applicants.

### **Administrative recommendations**

- **Exclude local historic district properties from Historic Demolition Ordinance.**

*Timeframe:* Near-term.

*Implementation:* Amend the local demolition delay ordinance to exclude properties from the demolition delay process provided that they have been granted a Certificate of Appropriateness, Certificate of Non-Applicability, or Certificate of Economic Hardship.

The current demolition delay process includes all properties within the local historic districts. An updated demolition delay ordinance (see Demolition Delay chapter) will specifically exclude these properties from demolition delay review, as they are already under the more rigorous restrictions of the local historic district.

### *Protection of resources through local historic districts and preservation restrictions*

The establishment of local historic districts is the primary tool available to local municipalities to permanently protect historically significant buildings and neighborhoods. The intent behind local historic districts is to ensure that any changes to exterior architectural features – whether new construction, alternations, or demolitions – are consistent with the character of the district and do not adversely affect the historical resources of the community. As described the Massachusetts Historical Commission’s publication *Establishing Local Historic Districts*, local historic districts have three major purposes:

- To preserve and protect the distinctive characteristics of buildings and places significant in the history of the Commonwealth and its cities and towns;
- To maintain and improve the settings of those buildings and places; and,
- To encourage new designs compatible with existing buildings in the district.

In Worcester, local historic districts have been established for the adjacent Massachusetts Avenue and Montvale neighborhoods, as well as the Crown Hill neighborhood. Significant buildings and neighborhoods elsewhere in Worcester are not protected as local historic districts, although several prominent buildings are protected by preservation restrictions that govern how they may be altered and the approval process for conducting alternations. A list of properties known to be protected by preservation restrictions is included in Appendix G. Both of these practices are effective tools in creating protections for individual buildings or neighborhoods.

## Permanent protections for individual buildings

- **Local historic districts**

Local historic districts typically encompass a neighborhood or district of similar character, architectural styles, or history. However, a district may also be established for an individual building. While not a widespread practice, several communities have established single-building historic districts, and they can be an effective tool for protecting significant resources that are not proximate to other such resources worthy of protection. Most prominently, Somerville regularly establishes single-building local historic districts, and as a result has over 200 local historic districts in the city today.

The Massachusetts Historical Commission's *Establishing Local Historic Districts* has this to say about single-building local historic districts:

*Local Historic District boundaries throughout the state vary greatly. For instance, the entire island of Nantucket is a local historic district while at the same time, the city of Somerville has several hundred single property local historic districts. In some instances it may be necessary or desirable to protect buildings, structures, or sites which are isolated in terms of their setting. Examples include houses or farmsteads in rural areas, or significant buildings which may be surrounded by contemporary development or significantly altered properties. Although the Historic Districts Act does not make reference to the designation of individual properties as protected "landmarks," Section 3 of the Act does provide that proposed historic districts may consist of one or more parcels or lots of land, or one or more buildings or structures on one or more parcels or lots of land." This provision clearly allows communities to establish single building districts. When possible however, it is generally more desirable to protect the character of a larger surrounding area, thereby protecting the district's historic setting in addition to individual historic resources. In areas where a larger historic district is feasible, there should be clear justification for the establishment of single building districts.*

- **Preservation restrictions/easements**

A preservation restriction is an alternative means of protecting an individual historic building. The restriction is a legal agreement (often called an easement), that prohibits or conditions specified physical changes to or uses of the property by current and future owners. The property owner grants to another party (either a governmental entity or a qualified non-profit) the rights to administer and enforce the agreement. Unlike local historic districts, preservation restrictions may include the protection of interior features. Activities governed by the agreement require prior approval by the holder. Preservation restrictions, which fall under state statute (MGL Ch.184, ss. 31-33) may be granted for a term of years or in perpetuity, and the agreements require MHC approval. If donated, restrictions that meet specified IRS requirements may qualify the property owner for a federal income tax deduction. The City, through the Historical Commission, is empowered to hold preservation restrictions, and it should seek opportunities to employ this tool to protect historically significant properties. For a list of current preservation restrictions in Worcester, see *Appendix G, Table I*.

## Prior consideration of local historic district expansion

Worcester's 1987 *Preservation Plan* recommended the creation of eight local historic districts. The Massachusetts Avenue Study Report stated that the committee hoped that "other historic districts will be

studied, specifically Oxford-Crown.” Since that time, the Montvale Historic District and the Crown Hill District have been created. The districts proposed in the 1987 plan, all of which are National Register districts, are summarized in Table III-1.

Stakeholders interviewed for this plan further identified a number of additional areas containing historically and/or architecturally important resources. These included:

- Greenleaf Terrace/Richardson Terrace area in the vicinity of Newton Square, which is a unique urban development created with terraced streets and only accessible by foot;
- Downtown Worcester;
- Areas bordering the existing Massachusetts Avenue district;
- Institute Park;
- Green Hill;
- Elm Street neighborhood;
- The Canal District;
- A district comprised of prominent Three-Deckers located throughout the city; and,
- Lincoln Square extending toward the Worcester Art Museum and Tuckerman Hall.

Stakeholders also acknowledged the need in some cases to consider protections for individual buildings outside of neighborhood districts.

**Table III-1: Potential local historic districts described in 1987 Preservation Plan**

MHC ID	District Name
WOR.AA	Woodland Street Historic District
WOR.R	May Street Historic District
WOR.P	Lincoln Estate-Elm Park Historic District
WOR.I	Hammond Heights Historic District
WOR.Y	Wellington Street Apartment House Historic District
WOR.V	Oxford-Crown
WOR.G	Castle Street Row Historic District

Local historic districts are often established where a National Register district is already located. In Worcester, there are 47 National Register districts (*Appendix G, Table II*). Listing in a National Register district or as an individual property on the National Register of Historic Places does not itself establish protections for historic properties. However, in Worcester all National Register properties are subject to the demolition delay waiver process, but not necessarily the more stringent standards associated with local historic districts. Using existing National Register districts as a baseline, areas should be evaluated against current preservation conditions, development threats, planning concerns, and public support to determine which neighborhoods present viable models that would benefit from the establishment of a local historic district.

## Process for establishing local historic districts

The process for establishing a local historic district is explained in detail in the Massachusetts Historical Commission's *Establishing Local Historic Districts*. The process involves detailed documentation and study by the Commission, a public hearing, and if creation of a district is ultimately recommended, a two-thirds vote by the City Council.

Local historic districts have been established in other Massachusetts communities during demolition delay periods in order to protect structures facing imminent threat of demolition. This is far from an ideal process, however, as establishment of a district under such circumstances is likely to be controversial. Further, organizing the study of the proposed district and completing the required procedural aspects for establishment of a district in the timeframe afforded by a demolition delay period is challenging.

A better approach is to be proactive in considering potential expansion of local historic districts. This would ensure that proposals to expand or establish local historic districts can be adequately studied and deliberated, and that the threat of imminent loss does not become a single dominating factor in the decision making process.

The study process to establish a local historic district often requires considerable effort and time. The Commission can put itself in a better position to initiate such studies by considering where, over the longer-term, local historic districts may be appropriate and conducting outreach to those communities to gauge support and interest. An ongoing effort to identify and prioritize properties that are potential candidates for new or expanded local historic districts, and a concentrated data collection effort in those areas, is recommended.

- **Establish ongoing process to identify and prioritize potential candidate local historic districts.**

*Timeframe:* Ongoing.

*Implementation:* Working sessions at Commission meetings; community outreach.

The Commission should establish a regular work program to formulate, review and prioritize areas and structures that may be candidates for inclusion in local historic districts. This effort should involve outreach to neighborhoods to gauge interest and support for the creation of such districts.

- **Complete or update inventory forms in areas considered for study.**

*Timeframe:* Ongoing.

*Implementation:* Staff of Commissioners complete inventory forms; Consultant support required for larger survey efforts.

Property inventories should be prioritized for those locations identified as potential candidates for future consideration as local historic districts. Inventories of individual buildings or small areas could potentially be conducted by staff or Commissioners, though larger neighborhood wide inventories would likely require consultant support. MHC planning and survey grants could be pursued for such efforts.

# IV. PRESERVATION IN DOWNTOWN WORCESTER

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## Overview

*“Once a rural agricultural community that became the county seat, Worcester evolved into a major manufacturing center for small industries as well as the large, nationally important producers of machinery, hardware and wire. The development of the built environment and the preservation of open spaces and parks are reflective of this economic and social history. As the City examines its past and establishes its course into the twenty-first century, it will want to create strategies that will allow planning to adjust to the shifts in land-uses, in population type and distribution, and in economic growth, while retaining evidence of its illustrious past. The present day approach to the past through the preservation of historic resources can be a guide for future land-use planning and development.”*

- City of Worcester Preservation Plan, 1987.

The sentiments expressed in the 1987 Preservation Plan for the City of Worcester remain true today; Worcester should look to its past as it moves forward with the redevelopment of downtown. Integration of historic resources into an evolving downtown not only retains those features as reminders of our history, but can help establish an interesting and authentic urban environment. In many ways, the traditional urban design characteristics of cities a century ago are excellent models for new development, and are well suited to creating mixed-use, walkable communities.

This section of the preservation program plan focuses on strategies for preserving historic buildings in the downtown and integrating these into the economic development program for the downtown target area. For the purposes of this plan, downtown has been generally defined as the area between Linden Street to the west, Highland Street to the north, 391 to the east, and Madison/Chandler Streets to the south (Figure IV-1).

Downtown Worcester’s architectural fabric is composed of a variety of styles reflecting development periods from the mid-19th century to the present. Examples of 19th and early 20th century architectural styles include Romanesque, Italianate, and Classical Revival. Downtown is anchored by a grouping of prominent institutional buildings at the north end of Main Street, including the Worcester County Courthouse, the Worcester Boys Club, and the Worcester Memorial Auditorium, and in the center by City Hall, in a distinctive Renaissance Revival style. While continuing development over time has changed the character of downtown, with few blocks fully retaining original period architecture, there are nonetheless many fine examples of historical architectural throughout the downtown.

Like many American cities, Worcester’s urban form and architectural heritage were significantly impacted by urban renewal efforts in the 1960’s – 1970’s, particularly in and around downtown. During this time period, Interstate 290 was constructed through the center of Worcester, resulting in the demolition of

# City of Worcester Downtown Preservation Plan

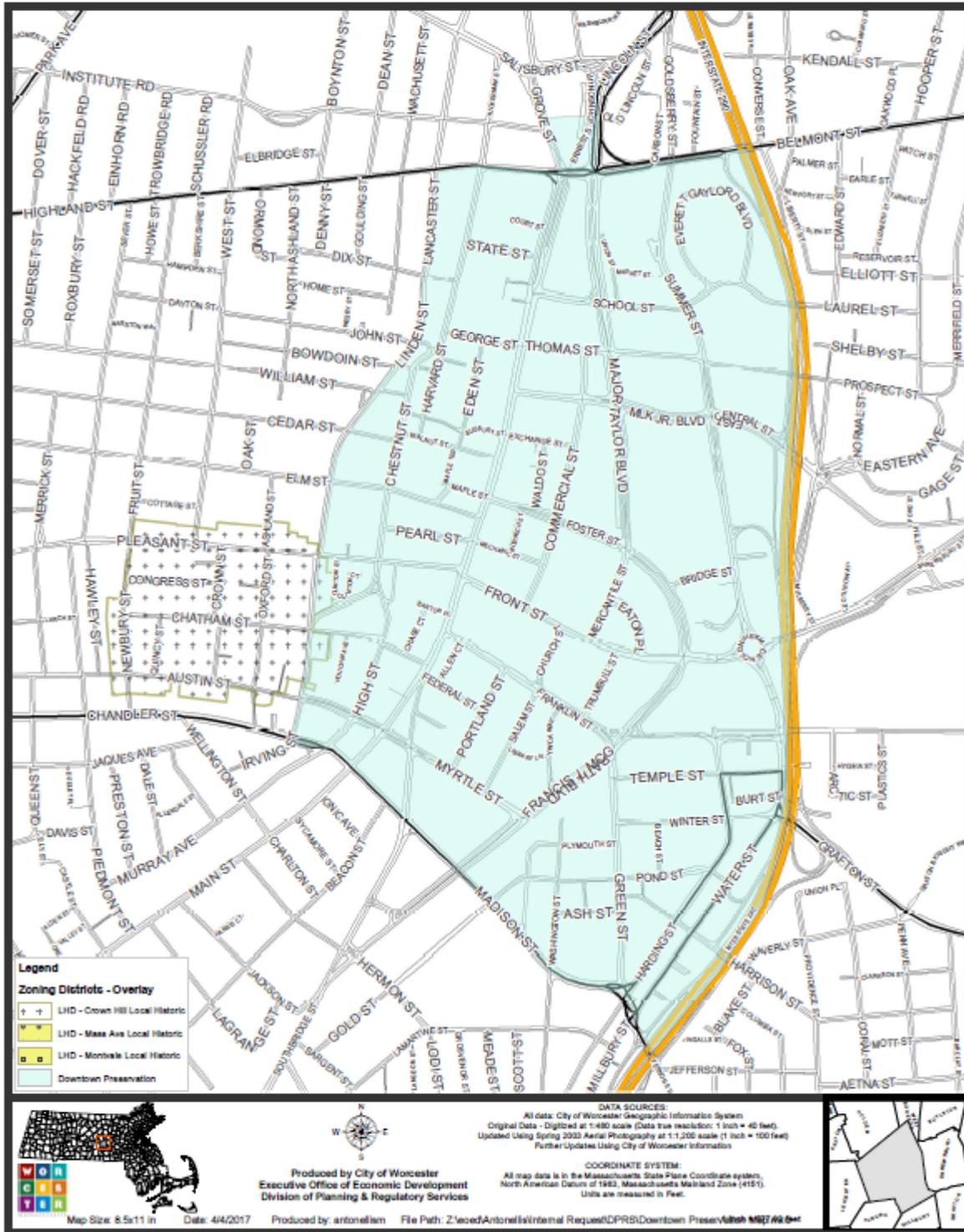


Figure IV-1: Downtown focus area

many structures and physically bisecting long-established neighborhoods. A large section of downtown was demolished and rebuilt as the Worcester Center Galleria shopping mall and parking garage, while other nearby areas were cleared and used for parking or remained vacant for many years. More recently, the City and private development partners have worked to reestablish a more walkable, mixed use downtown, reflecting the pattern that had been historically present prior to the 1960's. These efforts are described later under *Recent and Ongoing Development Projects*.

### ***Recent studies and initiatives***

Several studies and initiatives have been conducted in recent years that considered redevelopment in the downtown area.

#### **The Beacon/Federal Neighborhood Revitalization Plan and Project Workbook (2009)**

This project discussed abandoned and vacant properties as a larger issue.

*“...the Beacon/Federal neighborhood exemplifies the “Broken Windows” theory of neighborhood quality. The neighborhood is troubled because so many buildings are abandoned and boarded up, because the streets, curbs and sidewalks are in disrepair, because there are weeds everywhere, and because of the daily impact of emergency shelters attracting and then placing on the streets people with difficult problems. All of these indices of neglect and disrepair are self-reinforcing. They all say – “no one really cares about this neighborhood – so it is OK to act inappropriately and to treat the neighborhood badly.”*

The plan discusses social and market issues that have led to the decline in the area, and proposes some community policing strategies to address them. Subsequently, it identifies key parcels and projects that will help lead to revitalization.

#### **North Main Economic Development Strategy (2008)**

The North Main/Lincoln Square area of Downtown has undergone substantial changes in recent history. The relocation of the Worcester County Courthouse and Vocational School as well as the construction of Gateway Park have had a major impact on the area, leaving a number of historically and architecturally significant buildings within Lincoln Square vacant. In 2008, the City of Worcester worked in coordination with consultant VHB to conduct an economic strategy study of the area. The purpose of the study was to identify new opportunities for development that will be integrated with the various existing projects and plans in the area into a market-driven, financially-responsible, and sustainable redevelopment strategy. The effort resulted in a comprehensive plan that identified short-term, mid-term and long-term development concepts for both public and private properties within the area.

This study investigated architecture and history of this area was noted as strength during the Community Process. Historic Tax Credits are mentioned as a funding tool and in the development proposals.

#### **Theater District Initiative (2012)**

The City and the Worcester Business Development Corporation (WBDC) have entered into a partnership to strategically focus on master planning and infrastructure improvements to promote economic development within an approximately 30+ acre area surrounding the Hanover Theatre for the Performing

Arts. A draft Master Plan was completed and City Council approved the plan in concept in December 2013. Since 2014, the City's Executive Office of Economic Development partnered with various property owners to run the Worcester PopUp. The PopUp concept is to offer a free, collaborative space for artists and creative entrepreneurs to share their arts & crafts, host a creative workshop, or perform a concert, stage-reading, or poetry slam. The Theatre District Master Plan area serves as the basis for the creation of an urban revitalization plan, currently in development. A Theatre District Alliance has been established and is currently working to brand the District and program the area with cultural opportunities, block parties, and other unique events.

While the Theater District Master Plan identified the presence of historic buildings as a strength for the area, rehabilitation costs are noted as a challenge.

### **Downtown Worcester Urban Revitalization Plan (2016)**

The Worcester Redevelopment Authority (WRA) and the Worcester City Council recently approved the Downtown Worcester Urban Revitalization Plan, as established by M.G.L. Chapter 121B, for strategic portions of the City's downtown and its surrounds. The Plan identifies critical properties within the Revitalization Plan boundary that have suffered ongoing disinvestment and decay. It builds upon the prior development efforts of the Theatre District Master Plan. This 118 acre, \$100M plan was approved by the Massachusetts Department of Housing and Community Development in September 2016. Unlike Urban Renewal Plans of the past, the Downtown Worcester Urban Revitalization Plan emphasizes restoration, rehabilitation and repurposing existing buildings as the preferred course of action for all but a handful of properties.

### **Gateway Cities Compact**

In December 2014, MassDevelopment announced the award of ten Gateway City Districts identified for enhanced assistance through its Transformative Development Initiative (TDI). Worcester was named as a recipient, for an application concentrating on the Theatre District Master Plan area. The ten TDI Districts in Development will receive enhanced technical assistance, real-estate services, and equity investments in real estate to support local visions for redevelopment, and to catalyze and leverage investments and economic activities. A TDI Kickoff event was held in December 2015 and a consultant has been engaged on behalf of the city to develop a strategy and implementation plans for ground floor real estate and business enhancement, placemaking and public realm activation, support for the Theatre District Urban Revitalization Plan, and support for the development of a Theatre District Business Improvement District (BID).

### **Complementary City Programs**

The Division of Housing Development has a Neighborhood Stabilization program. It provides funding to assist homeowners in improving their homes, and includes:

- Board up/Demolition of abandoned/blighted properties;
- Disposition of tax title properties;
- Neighborhood Revitalization Strategy Areas;

- Neighborhood Stabilization Program; and
- Problem and Nuisance property abatement.<sup>8</sup>

The City of Worcester is also an entitlement community within the Community Development Block Grant program. Eligible activities under this program also include rehabilitation of homes and acquisition of property.

The City of Worcester offers several business assistance programs. The City has partnered with the Commonwealth’s Office of Business Development to create an economic development incentive program designed to promote job growth and support businesses in Worcester. It includes an Abandoned Building Tax Deduction. According to the City’s website, “If the project involves the renovation and reuse of an abandoned building in which 75% of the space has been vacant for a period of 24 months, the project may be entitled to receive a one-time corporate tax deduction equal to 10% of the cost associated with the renovation of the abandoned building.”<sup>9</sup>

A Microloan Program assists new and existing businesses by providing short- and long-term, fixed-rate, low-interest loans to qualified borrowers. Since its inception, the City has awarded 38 loans. Public funding totals approximately \$804,000 while leveraging over \$6.7 million in private investment.

The Facade Program leverages private investment in the physical and aesthetic improvement of commercial properties and enhances the attractiveness of targeted areas within the City. Since its inception, the City has supported 34 facade improvement projects. The public investment totals approximately \$479,000 and has leveraged over \$366,000 in private investment.

### *Recent and ongoing development projects*

Downtown Worcester is experiencing development at a rate unprecedented in recent times. This can present opportunities for reuse of historic structures, as well as threats to those that are deemed not viable for reuse. In the past year, demolition permits were sought for the complete demolition of the Notre Dame cathedral, adjacent to the City Square development, as well as the Paris Cinema on Franklin Street. The demolition delay waiver for Notre Dame was denied, resulting in a one-year delay period that will end on April 15, 2017. The Worcester Historical Commission approved a delay waiver for the Paris Cinema, which will be redeveloped into an active outdoor space to support redevelopment of the adjacent historical properties that are branded “The Grid”.

Recent development downtown has included both new construction and rehabilitation of existing buildings. The largest of these is City Square, which demolished the Worcester Common Fashion Outlets mall and portions of the adjacent parking garage to allow restoration of the city’s street grid and creation of new development parcels in downtown. Several major developments have been completed or are under construction at City Square:

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<sup>8</sup> <http://www.worcesterma.gov/development/housing-development/neighborhood-stabilization>

<sup>9</sup> <http://www.worcestermass.org/real-estate-development/economic-development-incentive-program-edip>

- A new 214,000 square foot office building for Unum currently employs 550;
- Saint Vincent Hospital campus Cancer and Wellness Center;
- A two-level 550-car underground public parking garage topped by a public park providing needed open space in the area;
- 365-unit residential development with a dedicated 479 space parking structure, and approximately 10,000 square feet of ground floor retail broke ground in late 2015; and
- A 168 room AC Marriott hotel currently under construction.

Adjacent to City Square, Mercantile Center is redeveloping and upgrading several existing (non-historic) buildings and office towers into an office and commercial/retail complex.

Significant restoration and redevelopment of historic properties is occurring as well. The Grid district includes 70 new units of housing at the former Bancroft Motors property on Portland Street, as well as renovation of 400+ units of housing and the development of ground-floor retail opportunities along Franklin Street and Portland Street in the Bancroft and Houghton Buildings. A craft coffee shop and restaurant have been launched, with four additional restaurants planned.

Other significant redevelopment projects in the downtown area involving redevelopment of historic or existing buildings include:

- Voke Lofts - the former Worcester Vocational High School Buildings B & C, located on Salisbury Street, were redeveloped as 84-unit mixed-income residential development in 2014.
- Junction Shops - The historic Junction Shops mill complex at Hermon Street and Beacon Street has been converted into 172 market rate apartments.
- Massachusetts College of Pharmacy and Health Sciences University (MCPHS) Worcester - MCPHS has invested over \$350 million in downtown Worcester to date and currently owns 18 buildings in the area. This includes several prominent historical buildings in the vicinity of Foster Street and Commercial Street, which have been fully renovated and redeveloped. Most recently, MCPHS began a \$15 million renovation of the five-story, 34,000 square foot building at 19 Norwich Street.
- 371 - 379 Main Street - These properties were renovated into market-rate housing geared toward graduate students and young urban professionals. The first floor of both buildings has remained commercial while the upper floors have been converted into 55 micro-loft units, 26 of which have been committed to Massachusetts College of Pharmacy and Health Sciences.
- 18-20 Franklin Street - the Worcester Business Development Corporation (WBDC) renovated the former Telegram & Gazette building, including two floors which now comprise a satellite campus for Quinsigamond Community College. Renovation continues on the first floor to develop a 300 seat black box theater and gallery and subterranean levels to create a 2,600 square foot café and a community space open to the public.

- Becker College – To keep up with the college’s demand for additional student housing, Becker College has marked a presence in the downtown by providing student housing for over 150 students within downtown residential buildings since January 2014.
- The Edge at Union Station - The vacant Osgood Bradley building, 8 Grafton Street, was redeveloped with the assistance of historic tax credits the Commonwealth’s Housing Development Incentive Program (HDIP), into a state-of-the-art 82 unit, 250 bedroom market-rate student housing complex.

## Public investments

Significant public investment is being made in the downtown area as well:

- Streetscape improvements throughout downtown, in addition to the redevelopment of the street grid at City Square.
- Planned reconstruction of Main Street as a “Complete Street”, which will improve walking and bicycle access and improve the streetscape.
- Planned city-wide implementation of a comprehensive wayfinding initiative to guide visitors through the City using place-making signage, destination identifiers, information kiosks, and a mobile app, with a public art component.
- Ongoing art installations and activation of public spaces, including installation of more than a dozen large-scale murals in the downtown area and regular programming of the Common.

## Findings and recommendations

Preservation of historic resources in downtown should focus on identifying those structures that are preferably preserved, identifying viable uses and redevelopment options, streamlining the redevelopment process for reuse of these structures, and making sure that preservation incentives are available and promoted. The ultimate goal is to position historic properties to be integral components of the redevelopment and growth of downtown.

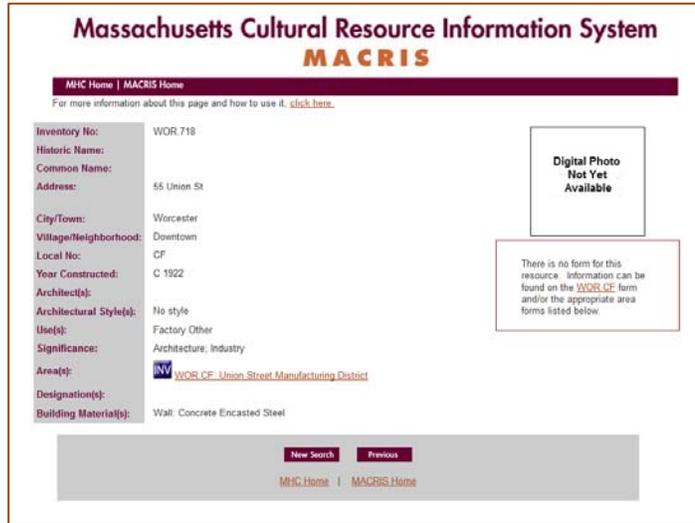
### *Documentation of historic resources*

Massachusetts General Law establishes that Historical Commissions are responsible “for the preservation, protection and development of the historical or archeological assets of such city or town.” An important initial step in accomplishing these duties is to develop and maintain a current inventory of the city’s historic buildings. The Massachusetts Cultural Resource Information System (MACRIS) database serves as a searchable, digital library for such inventories. MACRIS is compiled from a variety of records and files maintained by the Massachusetts Historical Commission (MHC), including but not limited to, the Inventory of Historic Assets of the Commonwealth, National Register of Historic Places nominations, State Register of Historic Places listings, and local historic district study reports.<sup>10</sup>

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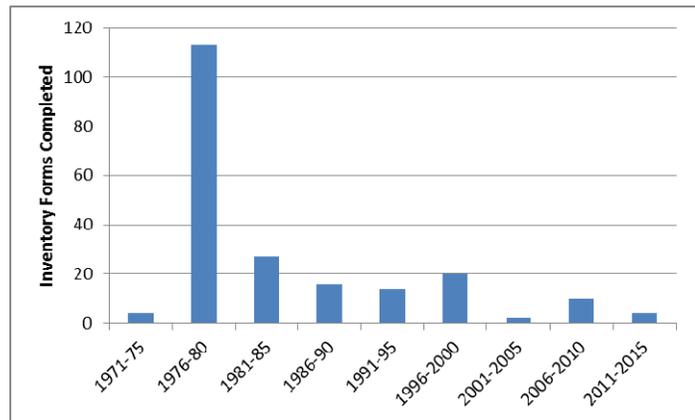
<sup>10</sup> <http://mhc-macris.net/macrisdisclaimer.htm>

According to the Assessor’s Office, there are approximately 400 parcels in the downtown target area. The current MACRIS inventory for downtown buildings includes 245 individual buildings, monuments, and areas. (Appendix G: Table III) Of those included in the inventory, 39 have been demolished. Sixteen entries into the MACRIS database have only a photograph of the building and an assigned an MHC identification code (WOR. + a number). Thirty-six additional properties have been assigned a number but have no form or photograph. In most cases, this is a result of the building being included in an area or streetscape inventory form but not being surveyed individually. For example WOR.718 (Figure IV-2), 55 Union Street, is included as part of WOR.CF, the Union Street Manufacturing District, but was never surveyed as an individual building.



**Figure IV-2: MACRIS entry lacking inventory form**

The majority of the inventoried properties in the downtown were surveyed between 1976 and 1980 (Figure IV-3). While these forms contain valuable information, documentation standards have since changed. For example, detailed architectural descriptions were not typically included at the time the existing surveys were completed. Further, the condition of buildings change over time, so properties inventoried 30 or more years ago may be in very different condition today.



**Figure IV-3: Historic Resource Inventories Conducted**

Twenty-two historic areas in the downtown target area are listed in MACRIS. Seven (7) of these are listed in the National Register; 3 have opinions of eligibility from the Massachusetts Historical Commission; one has a Certified Local Government opinion letter.

A total of 92 extant properties in downtown are listed on the National Register of Historic Places, either individually or as part of a district. An additional 30 have been noted by consultants, the Worcester Historical Commission, or the Massachusetts Historical Commission, as potentially eligible for the Register.<sup>11</sup>

<sup>11</sup> Complete summary of survey information can be found in Appendix G: Worcester Historic Inventory.

## Documentation recommendations

- **Update and complete inventory forms for downtown properties**

*Timeframe:* Ongoing.

*Implementation:* Staff initiated with participation of the Commission. Collect and evaluate MACRIS Inventory forms for downtown and prioritize updates. Consider future MHC grant applications to fund the work.

Because many of the inventory forms for downtown properties are outdated or incomplete, the Historical Commission should undertake an update of the downtown inventory. Inventory forms should be updated to current standards, and include a complete architectural description of each property and a historical significance and context statement. An assessors map and digital photograph should also be included, along with interior photos if available. A survey effort would help ensure that the most significant buildings, the oldest buildings, and any threatened buildings are fully documented, and that these records are up to date.

Those buildings that have no form should similarly be inventoried. If they were previously included in an area description, it is likely that the building description and significance was brief, and in many cases, photos of each building are missing.

Many downtown monuments have been previously documented during the early 1990's by *Save Outdoor Sculpture!*, a program of the National Institute for the Conservation of Cultural Property (these are designated as "1993 SOS!" forms). In some cases these forms provide more information than a Massachusetts Historical Commission inventory form requires. The monuments should be re-photographed and their forms updated to current standards.

Inventories of individual buildings or small areas could be conducted by staff or Commissioners, though given the number of properties to be surveyed, consultant support is likely needed. MHC planning and survey grants could be pursued for such efforts; a matched grant of \$20,000 (\$10,000 from the city and \$10,000 from MHC) generally can create or update 100 inventory forms. Further, Preservation Worcester should be consulted to see if they are able to provide assistance in surveying efforts.

## *Information, marketing, partnerships and perception*

Historic preservation is sometime perceived as burdensome, a hindrance to development, or an infringement on property rights. Its role in placemaking, community building and as a potential attractor of economic development is often undervalued.

Historic preservation can be beneficial to a community in many ways. A 2011 study for the Advisory Council on Historic Preservation, *Measuring Economic Impacts of Historic Preservation*, considers it a "a fundamental tool for strengthening American communities. It has proven to be an effective tool for a wide range of public goals including small business incubation, affordable housing, sustainable development, neighborhood stabilization, center city revitalization, job creation, promotion of the arts and culture, small

town renewal, heritage tourism, economic development, and others.”<sup>12</sup> Historic preservation is also sustainable – by reusing buildings that are already there for new purposes, a city is essentially recycling itself. There is no need to reconstruct infrastructure to connect a new building; no need to worry about where to dispose of an entire building once it is torn down.

## Information and marketing recommendations

- **Develop and distribute educational materials for property owners and developers.**

*Timeframe:* Near-term/ongoing.

*Implementation:* Staff initiated with participation of the Commission. Coordinate with preservation organizations and business/development organizations to prepare and disseminate information.

The Commission should take an active role in acquiring, developing and disseminating informational materials regarding the benefits of preservation and programs available to help make preservation economically feasible.

The cost of redevelopment and rehabilitation is a significant factor in determining whether a historic building is preserved and repurposed, or is instead demolished. A common belief is that rehabilitation of historic buildings is nearly always more expensive than building a new one. While every case is different, rehabilitation is not always a more costly approach, and can in many cases be made more cost effective through incentivizing preservation. Further, when demolishing and disposal costs are considered, the price comparisons may be much closer than they appear when these cost factors are not considered. Rehabilitation can also save time in the course of a project. Some estimates show that there can be an up to 18% time savings when reusing an existing building.<sup>13</sup> Reuse can also save the time that may be required for a demolition delay to expire. The sustainability argument also is important – the “greenest” option is to reuse an existing building.

There is also a need to educate people about the benefits of historic preservation, and about the programs that exist to support the reuse of historic buildings. The 20 percent Federal Historic Rehabilitation Tax Credit and up to 20 percent state credit are fairly well known by those in the development and business community, although smaller businesses and individual property owners may be less aware of these programs, or how to access them. Additionally, there is also a 10 percent federal tax credit available for historic, but not certified (i.e. not eligible for listing on the National Register) properties. This credit has been used successfully in Worcester several times, most recently with 20 Franklin Street. The 10 percent credit holds none of the Secretary of the Interior’s Standards for Rehabilitation compliance requirements that the 20 percent credit does, but still encourages the reuse of existing properties.

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<sup>12</sup> Donovan Rypkema and Randall Mason. Measuring Economic Impacts of Historic Preservation, A Report to the Advisory Council on Historic Preservation, Dec. 2011, p. 1

<sup>13</sup> Rypkema, p, 85

- **Establish an awards program.**

*Timeframe:* Ongoing.

*Implementation:* Commission develops and annually administers programs, possibly in partnership with Preservation Worcester.

The Commission can help build awareness and strengthen relationships with residents, businesses and the development community by celebrating success. One way of doing this would be to develop an annual awards program to draw attention to preservation success stories and acknowledge those property owners who completed successful, high-quality projects.

One local model of such a program is the Worcester Regional Chamber of Commerce’s “Silver Hammer” awards, which are awarded each year to preservation projects. They “acknowledge construction or rehabilitation projects that have an extraordinary visual and aesthetic impact on our physical landscape and that have brought new life to some of the region’s most historic assets. Generally, buildings that qualify are in excess of 100 years old, have undergone extensive renovation, and are located within the Chamber’s service area – generally Central Mass.”

This program would present an opportunity to partner with Preservation Worcester, possibly even presenting the awards jointly. Most importantly, it would provide some balance to the regulatory aspect of the Historical Commission and shine a positive light on their role in the city. Public acknowledgement of a job well done is an appealing reward for many people, and encouragement to make preservation a priority.

- **Expand partnerships with the development community.**

*Timeframe:* Ongoing.

*Implementation:* To be determined.

The Commission primarily operates in a regulatory capacity today, and therefore may be viewed by some as a barrier to development rather than an advocate for not only preservation, but also for *redevelopment*. The Commission should actively engage business, realtor groups and development organizations to find common ground and work together to promote redevelopment. This could take the form of presentations about tax credits, periodic roundtable discussions about successes and hurdles in preservation projects, and outreach through email to share positive local stories and available resources.

- **Engage the cultural and academic communities.**

*Timeframe:* Ongoing.

*Implementation:* To be determined.

The Executive Office of Economic Development houses the Planning Division (staff for the Commission) and the Cultural Development Division, recognizing the roles of preservation and the cultural community in community development. Staff and the Commission should continue to

explore how preservation and cultural development goals and programs can be aligned in Worcester to create a livable, vibrant and economically healthy community. Possibilities include partnering with cultural institutions such as Preservation Worcester, the Worcester Historical Museum and the American Antiquarian Society to offer regular tours of City Hall, curate periodic exhibits about Worcester architecture and history to be displayed at City Hall, and better promote these organizations through the city's website. Additionally, collaborative opportunities lie with the many colleges and universities in Worcester, several of which offer classes in history, planning, architecture, and other related fields. Marrying the curriculum with preservation would allow the students to be more invested in the city through real life experience, and leverage their labor and knowledge to address surveying and planning needs.

### *Protection of historic resources*

Local historic districts are perhaps the best known means of permanently protecting buildings and neighborhoods from inappropriate alternations, but several other regulatory tools and programs can also be used to establish protections for historic resources.

- **Develop a program to encourage the voluntary donations of preservation restrictions.**

*Timeframe:* Ongoing.

*Implementation:* To be determined.

A preservation restriction is a legal agreement (often called an easement), that prohibits or conditions specified physical changes to or uses of a historic property by current and future owners. The property owner grants to another party (either a governmental entity or a qualified non-profit) the rights to administer and enforce the agreement to assure the property's continued preservation. Activities governed by the agreement require prior approval by the holder. Preservation restrictions may be granted for a term of years or in perpetuity.

If donated, restrictions that meet specified IRS requirements may qualify the property owner for a federal income tax deduction. The City, through the Historical Commission, is empowered to hold preservation restrictions, although not on City-owned properties.

The Cambridge Historical Commission encourages such donations and provides information on its website about the program, though their program is linked to their CPA grant program, and generally a requirement of qualification. Cambridge's Preservation Restriction Policy is available in *Appendix H: Cambridge Preservation Restriction Policy*. Though the City of Worcester currently holds several preservation restrictions, the furtherance of this program should be on a passive basis until an organized management system is established.

- **Strengthen regulations to prevent demolition by neglect.**

*Timeframe:* Longer-term.

*Implementation:* Staff (Planning, Inspectional Services, and Law) develops proposed regulatory changes for consideration by City Council, as well as enforcement protocols.

Demolition by neglect refers to situations where a property owner does not invest in a property sufficiently to ensure its physical integrity, thereby eventually leading to a condition where the building cannot practically be restored or becomes a public safety hazard. In some cases, a property owner may rely on demolition by neglect as a means to ultimately justify a case of economic hardship.

A number of cities have implemented regulations and supporting programs to address these types of situations before it is too late. Some examples include<sup>14</sup>:

- Raleigh, NC has established a neighborhood driven process using progressive responses that ultimately can lead to enforcement action.
- San Francisco, CA has enacted code language that establishes requirements for protecting specific characteristics of historic buildings.
- Portland, ME has established specific maintenance requirements with strong penalties; property owners are prohibited from rebuilding on a site for five years if a building is demolished due to neglect, and any redevelopment is subject to specified design standards for a period of 25 years.

Worcester has provisions in its ordinance to address the condition of vacant or foreclosed properties (Chapter Nine, section 14), but these regulations focus on public safety and nuisances only and do not address preservation considerations. Options to additionally protect historical structures from damage due to neglect should be considered.

- **Consider requiring plan approval before a demolition permit can be issued.**

*Timeframe:* Longer-term (further study needed).

*Implementation:* Staff (Planning, Inspectional Services, and Law) investigates and develop proposed regulatory changes for consideration by City Council.

Some municipalities require that development plans be approved before certain buildings, such as historically significant structures, may be demolished. Examples include Phoenix, AZ, which requires approval of a reuse plan by the Historical Commission and Grand Rapids, MI, whose zoning ordinance requires that site plan for the redevelopment of the property be approved prior to securing a demolition permit.

Salt Lake City enacted a demolition ordinance that forbids demolition prior to approval of plans for replacement, and further implements measures aimed to prevent demolition by neglect. In addition, Salt Lake City banned the creation of surface parking lots downtown, except for specifically regulated accessory lots to the rear of buildings.

This measure would require further study before determining if it were appropriate for Worcester. If such a change were instituted, the one-year window to commence with demolition may need to be

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<sup>14</sup> Source: Preservation Law Educational Materials: DEMOLITION BY NEGLECT, National Trust for Historic Preservation. <http://forum.savingplaces.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=d14f259d-2652-bfcb-333f-521361d652db&forceDialog=1>

extended to allow for applicants to gain other necessary development approvals prior to commencing with demolition.

- **Proactively study creation of local historic districts in downtown.**

*Timeframe:* Longer-term (further study needed).

*Implementation:* Initial study to determine feasibility/appropriateness, followed by formal study, public process and vote by City Council to consider establishment of each district.

Many of the historically significant buildings in downtown Worcester have already been placed on the National Register of Historic Places; this designation provides recognition and the ability for owners of income-producing properties to apply for Federal and/or State Historic Rehabilitation Tax Credits. However, National Register listing does not subject building alteration to review by the Worcester Historical Commission or otherwise confer protections.

The Commission should study whether one or more local historic districts are appropriate for the downtown area. There currently exist several clusters of National Register listed buildings that can be used as a basis for creating a local historic district boundary. While ideally historic districts should encompass neighborhoods or areas, implementation at the block level or even for individual buildings may be considered. All local historic districts, whether for a group of buildings or just one, require a public process, a study report, and ultimately a vote of City Council to create the district.

With the proposed changes to the demolition delay process (see Historic Building Demolition chapter), fewer projects may come before the Commission for review. The Commission should develop a process to identify and prioritize historic districts. The creation of local districts would allow the Commission to review proposed work to the exterior of designated buildings.

- **Start applying existing guidelines to downtown development.**

*Timeframe:* Short-term and ongoing

*Implementation:* Reintroduce existing guidelines to commissions to be used as reference for Historical Commission and Planning Board for project review.

In 2012, the City of Worcester developed a set of design guidelines for the “Design Guideline District.” The boundaries of the district closely mirror the defined “downtown” target area considered here. The guidelines were developed by the City’s Executive Office of Economic Development (EOED) and Department of Public Works and Parks (DPWP), with assistance by Sasaki Associates, Inc. The guidelines have recommendations for two distinct areas – the historic core and the innovation area, recognizing that the historic character of downtown Worcester is an asset worth preserving.

If the Historical Commission were to determine a boundary for a potential Downtown Local Historic District, these guidelines would be a good place to start for evaluating project appropriateness. Design guidelines must be written so that property owners are aware of the requirements of the district. The

City of Portland, Maine, uses design guidelines within its site plan approvals for development projects. It notes that the economic purpose of these design guidelines is:

*“To recognize the fundamental relationships between property values, livability, and the character and quality of the physical environment; to protect and enhance public and private investments throughout the Downtown by assuring respectful and compatible new development; and to minimize development costs by providing specific guidelines at the outset of the development process.”<sup>15</sup>*

Implementation of design guidelines in the downtown can and should be supportive of economic development. There is a precedent for including commercial buildings in a local historic district in Worcester, as the Crown Hill Historic District is a mixed use district with small scale businesses included in the boundary. Other cities have similarly been able to successfully integrate historic preservation into commercial areas, including the City of Boston, which has created several local historic districts in commercial areas. The city’s guidelines for the Back Bay include two separate versions – one for residential and one for commercial – in recognition of both the design differences between the two, and in an effort to not make the process prohibitive for commercial properties.

In the meantime the existing guidelines should be incorporated into Historical Commission review as well site plan review by the Planning Board. Though the guidelines have very little legal backing, they do provide a foundation and general parameters for the desired future of the identified areas.

- **In cases where demolition is inevitable, explore façade preservation as a means of preserving the historical street-face appearance.**

*Timeframe: Ongoing/Longer-term.*

*Implementation: Commission could suggest façade preservation as alternative to complete demolition during public hearings when all other options have failed. A stronger regulatory framework to facilitate façade preservation when appropriate could be considered over the long-term.*

In cases where adaptive reuse of a building is deemed infeasible and its historical value is primarily in the exterior façade and its relation to the streetscape, façade preservation and incorporation into the replacement building’s design may be a tolerable alternative to full demolition. This is particularly true for intact blocks that retain traditional, street fronting buildings of a consistent scale and period architectural details.

A criticism of façade preservation is that the resulting outcome is inauthentic and much of the historical integrity is lost when the remainder of the building is demolished. While preservation or adaptive reuse are generally preferable, façade preservation can be an effective technique to retain the traditional streetscape, architecture and sense of scale in certain situations where demolition is the eventual alternative outcome. The Commission may accept façade preservation as a condition of waiving the demolition delay waiver in cases where appropriate.

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<sup>15</sup> *City of Portland Design Manual*, Adopted May 11, 2010. Available at [www.portlandmaine.gov/DocumentCenter/Home/View/1633](http://www.portlandmaine.gov/DocumentCenter/Home/View/1633)

Longer-term, the city should consider whether development regulations can be amended to encourage façade preservation in combination with retention of the whole building, through financial, permitting or zoning incentives (e.g. - density bonuses).

### *Incentivizing preservation*

The Federal and State Historic Rehabilitation Tax Credit programs are the most common and impactful ways for developers to capitalize on historic preservation. While the federal credit is restricted to those properties that are listed on the National Register of Historic Places, a site need only be deemed National Register eligible by the Massachusetts Historical Commission to qualify for the state credit. This creates an incentive to have a property nominated. Identifying and pursuing new nominations, and assisting interested owners with the application process will increase awareness and understanding of the National Register, while creating a larger potential user base for tax credits.

However, there is presently no credit available in Massachusetts for owner-occupied buildings, which means the Rehabilitation Tax Credits are only available for work on income-producing properties. The creation of a local historic tax credit program could fill a need in the residential sector and encourage owners to pursue National Register nomination so that they might take advantage of the program. While it likely requires a legislative movement, the local tax credit has proven to be a valuable tool in other communities. Residents could use this type of credit on their own residence for qualified improvements. The credit then stays with the property, effectively creating property tax abatements for the life of the credit.

Public education plays a pivotal role in these goals. The addition of thorough, user-friendly online material, and semi-annual seminars or conferences will help disseminate information and increase awareness. Leveraging relationships with the business and academic communities to reach a broader audience will be a key to effectiveness.

- **Proactively pursue National Register eligibility opinions.**

*Timeframe:* Ongoing.

*Implementation:* Commission to identify potential National Register Districts. Nomination process could be conducted by a staff preservation planner or consultant (funding would need to be secured for this purpose).

Buildings must be listed on the National Register of Historic Places in order to be eligible for Federal Historic Tax Credits, which are key to successfully financing preservation and adaptive reuse projects. The process of nominating a building to the National Register is also timely and may involve some cost. Completed by a professional preservationist, a district nomination could cost thousands of dollars. If the City were to identify boundaries for one or more potential new National Register districts (or specific buildings) and complete the nomination process itself, it would make the newly listed areas more development ready for adaptive reuse areas. The Commission could start including this as a regular meeting item to suggest and discuss potential nominations. As a Certified Local Government Worcester is responsible for preparing National Register eligibility opinions and should be doing this on an ongoing basis. Survey and Planning grants from MHC can also be used for these types of projects.

- **Promote the use of Federal and/or State Historic Rehabilitation Tax Credits**

*Timeframe:* Ongoing.

*Implementation:* Commission continues to support applicants. Increase local promotion of tax credits as a development tool. Advocate at the State and Federal level for tax credit funding.

There are at least 22 Federal and/or State Historic Rehabilitation Tax Credit projects proposed, ongoing, or completed in the Downtown target area since 1999. All of these projects were made possible by virtue of the building's placement on or eligibility for, the National Register of Historic Places.

The Federal credit is for 20% of the qualified rehabilitation expenses. All work to the property must meet the Secretary of the Interior's Standards for Rehabilitation. The state credit is for up to 20% of the qualified expenses; often it requires multiple applications to achieve the full 20%. According to a report by Preservation Massachusetts, "from 2004 to 2008, \$74 million in state historic tax credits leveraged close to \$1 billion in private investment for the state of Massachusetts."<sup>16</sup> Both the Massachusetts Historical Commission and the National Park Service review federal historic tax credit projects for compliance with the Standards; the Historical Commission may have a review role if the property is within a local historic district or qualified under the new definition of demolition. Letters of support from the Worcester Historical Commission, for projects that are applying for state funding, are required as part of the submission. In 2015 the Commission issued 21 letters for 10 projects. As there is an annual cap for the state credit, the application process is competitive and occurs over three rounds each year, which accounts for multiple letters of support for a single project.

Interviews with local business representatives with the Chamber of Commerce acknowledged that many projects could not have been accomplished without tax credits, but believe that the cost of rehabilitation is higher than new construction and that the numbers don't always justify the burden of the application process. This indicates a need for more thorough, accurate, and consistent dissemination of information about tax credits, including positive examples of their implementation in Worcester. Periodic public presentations arranged through collaboration with MHC and Preservation Massachusetts, as well as circulation of print materials, would be beneficial in accomplishing this.

- **Promote other available incentives**

*Timeframe:* Ongoing.

*Implementation:* Increase local promotion of other funding programs as a development tool.

- Preservation Massachusetts' Predevelopment Loan Program is also an opportunity for preservation. The program offers funding for costs associated with architectural drawings, engineering studies, environmental assessments, or historic consultant services in amounts ranging from \$5000 to \$75000. This type of seed money can encourage developers to pursue

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<sup>16</sup> Kelly, Erin. *Massachusetts Historic Tax Credits: Jobs, Revenue and Revitalization: An Economic Update*, Volume 2, May, 2011

projects in buildings they might not typically consider. National Register-listing is required for properties in the program.

- Buildings listed on the National Register that are owned by a municipality or a non-profit may also apply for a matching grant through the Massachusetts Preservation Projects Fund (MPPF), through MHC. This highly competitive funding is available for pre-development projects, which includes feasibility studies, historic structures reports, and the preparation of plans and specifications, or development projects, which include “bricks and mortar” construction activities which “ensure the preservation, safety, and accessibility of historic cultural resources.”<sup>17</sup>

Successful projects often combine multiple credits to create the complete funding package. The Abandoned Building Renovation Deduction is allowed under Massachusetts law as an “amount equal to 10% of the costs incurred in renovating qualifying abandoned buildings located in an Economic Opportunity Area (EOA). The buildings must be designated as abandoned by the Economic Assistance Coordinating Council. The renovation deduction may be taken in addition to any other deduction for which the renovation costs qualify.”<sup>18</sup>

- **Explore long-term options for local incentives for rehabilitation.**

*Timeframe:* Long-term.

*Implementation:* Further study by staff and Commission.

The provision of additional preservation and redevelopment incentives would be valuable economic development tools that could further encourage renovation and reuse of the existing downtown building stock. Ultimately, new incentives would require further study to fully consider the economic benefits and costs, identify regulatory processes, and would likely need to be authorized at the local and State levels.

An incentive offered in many locations nationally is a local tax credit program. One example is the Baltimore City Tax Credit for Historic Rehabilitations and Restorations, which is managed at the local level but was authorized by state legislation. The program offers a tax credit on qualifying expenses for properties located within a local historic district. The credit appears on the local property tax bill, and is good to up to 10 years or the total amount of the credit. It is granted based on an increased property appraisal, resulting from the qualifying rehabilitation work. The credit stays with the property, instead of the owner, creating an opportunity for investors.

The city presently has 33 local historic districts, and one Baltimore City Commission for Historical and Architectural Preservation (CHAP) planner noted that there are 5 new historic districts in the works because residents have requested them (location within a local district is a requirement for the program). The program is open to both residential and commercial uses – making it one of the few

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<sup>17</sup> <https://www.sec.state.ma.us/mhc/mhcmppf/mppfidx.htm>

<sup>18</sup> <http://www.mass.gov/dor/individuals/filing-and-payment-information/guide-to-personal-income-tax/deductions/business-related-deductions.html#Abandoned>

resources out there for residential, owner-occupied properties. The planner noted the success the program has had in combining the local credit with state and federal credits (“the trifecta”) thereby allowing projects to get additional funding to make them possible. She said it has encouraged the revitalization of areas that formerly did not see investment. The entire program is managed at the local level – requiring city staff to review work for its adherence to the Standards. Residents and property owners are anxious to be listed so they can qualify, even knowing the regulatory oversight that they will have to undergo. A program like this could be a great opportunity for Worcester to revitalize its housing stock for not only rental properties, but owner-occupied homes as well.

According to the city’s website,

*“To date, over \$700 million dollars has been invested in historic properties since 1997, with more than 1,200 restorations currently underway in historic districts throughout the City. When these restorations are complete they will result in an additional \$600 million in investment, resulting in a total investment amount of \$1.3 billion dollars.”<sup>19</sup>*

A state-wide program in Illinois, administered by the State Historic Preservation Office, is another example of incentivizing historic preservation. Here, the program freezes the property taxes on a property if the owner completes work totaling at least 25% of the assessed value of the building and if the work meets the Standards. The “Property Tax Freeze” stays with the property for 12 years (stable for 8 years and then incrementally increasing for the last 4) unless it is sold. The program officer we spoke with notes that this has encouraged longevity of ownership in residential areas, but that it has also worked for commercial neighborhoods as well as it stabilizes ownership and encourages reinvestment. The program here is administered by the state, and there is no local review or work required unless the property requires review under another program. A similar program in Spokane, WA called “Special Valuation” adjusts the assessed value of an historic property by subtracting, for up to ten years, qualifying rehabilitation costs as approved by the Spokane City-County Historic Landmarks Commission.

- **Ensure zoning encourages and simplifies reuse of existing buildings.**

*Timeframe: Long-term.*

*Implementation: Further study by staff and Commission.*

When zoning regulations require excessive off-street parking, do not offer flexibility in provisions for reuse of existing buildings, or impose dimensional requirements that are inconsistent with historic building characteristics, they can unintentionally contribute to the likelihood that historic buildings will be demolished. Worcester has already taken steps to address these issues. In the BG-6.0 zoning district, there is no minimum off-street parking requirement, meaning that a building is not required to find adjacent land for the provision of parking. Additionally, in 2015 the City established the Commercial Corridor Overlay District (CCOD), which encompasses the downtown area. The CCOD prohibits the demolition of buildings for the provision of accessory surface parking, as well as

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<sup>19</sup> <http://chap.baltimorecity.gov/tax-credits>

implements dimensional and lot layout requirements that are more consistent with historic site layout patterns.

In addition, the CCOD established some basic provisions to encourage the reuse of historic buildings. Any existing building within the CCOD, regardless of the underlying zoning, may be converted into residential or mixed-use. Further, existing buildings with dimensional non-conformities may be altered or change use without the need for zoning relief as long as no exterior expansions are proposed. The City should continue to explore how zoning provisions can be modernized to streamline and encourage the reuse of historic buildings.

# V. ACTION PLAN

To aid in prioritization and implementation, the study recommendations are classified according to the diagram shown in Figure V-1. Those recommendations deemed to be most critical are categorized as *Immediate Priorities*, regardless of the level of effort required to implement the recommendations. All other actions are further categorized not only by the importance/ potential for impact, but also the level of effort or resources required to implement the action. Tables V-1 through V-4 summarize these categorizations and identify the current status of study recommendations. Recommendations have additionally been assigned tracking numbers (e.g. - A-1) to assist in monitoring implementation over time.

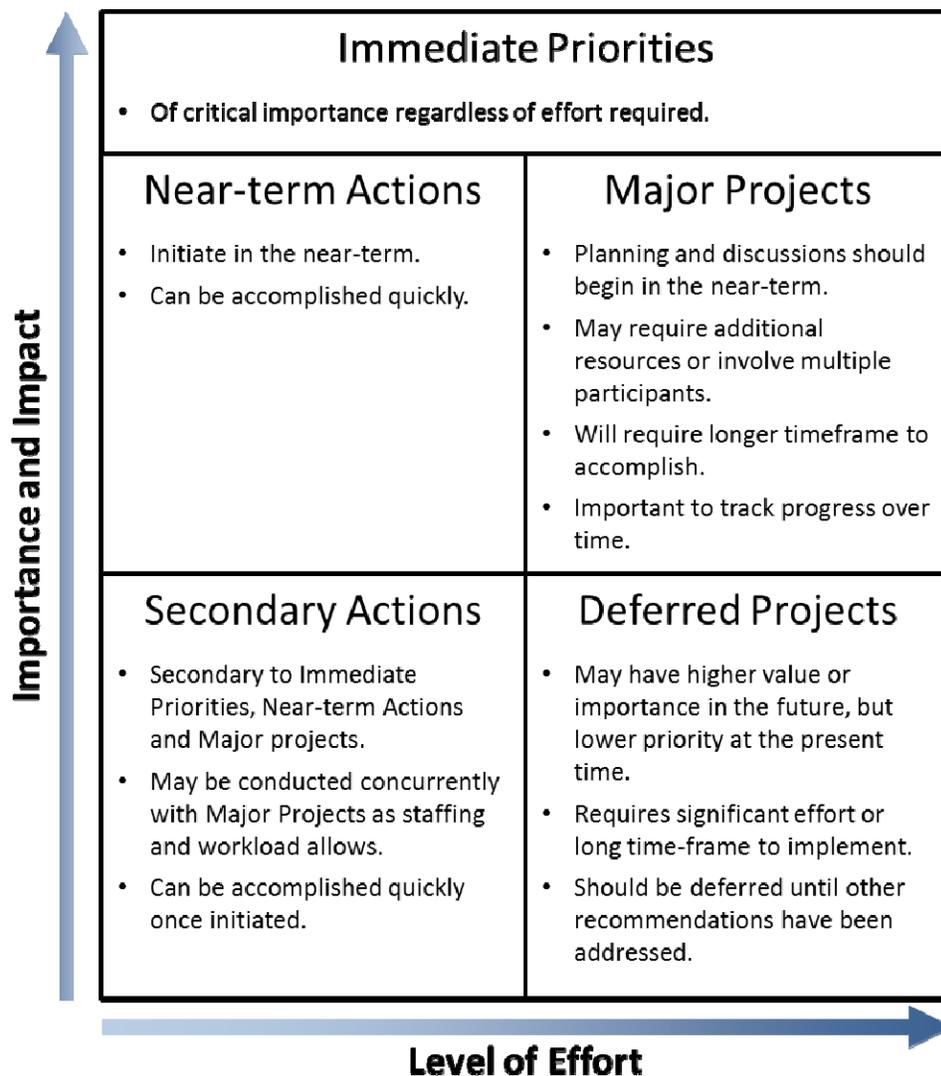


Figure V-1: Prioritization and classification of study recommendations

**Table V-1: Implementation summary – Administrative recommendations**

	<b>Recommendation</b>	<b>Priority</b>	<b>Status and Next Steps</b>
A-1	Establish a preservation-focused staff position to support the Historical Commission.	Immediate Priority	Hiring process initiated autumn 2016.
A-2	Procure “on-call” consultant support for the Historical Commission.	Deferred Project	No immediate need anticipated given preservation planner.
A-3	Require digital submission of application materials.	Major Project	Staff is implementing systems necessary to transition to all digital submittals for all Boards and Commissions.
A-4	Edit application to be more specific with regard to supporting documentation requirements.	Secondary Action	Staff to review application with Commission and make recommended changes.
A-5	Streamline the application and review process.	Secondary Action/ Deferred Project	Initiate discussions with affected departments to identify and explore means of streamlining the application process. A more comprehensive reorganization of the work flow should be studied over the longer-term, but is a lower priority.
A-6	Update meeting procedures for public hearings.	Near-term Action	Staff to develop script for Chair to use during public hearings.
A-7	Reorganize the meeting room.	Near-term Action	Staff has started testing different room configurations during Commission meetings.
A-8	Consider changes to how Local Historic Districts are allocated seats on the Commission.	Deferred Project	Consider in future. Will become an issue that needs to be addressed if additional LHDs are added.
A-9	Clarify who may represent a Local Historic District as a member of the Commission.	Secondary Action	Work with Commission and Law Department to clarify whether a LHD representative must be a resident, or if a business/property owner could be appointed.
A-10	Consider establishing additional eligibility and expertise requirements for membership on the Commission.	Deferred Project	Consider in future.
A-11	Provide Commissioners and staff with training and professional development opportunities.	Near-term Action	Work with MHC to identify and take advantage of training programs. Secure funding to send Commission members and staff to annual State Preservation Conference.
A-12	Develop a Commissioner Guidebook.	Deferred Project	Consider in future.
A-13	Initiate a compliance review process.	Immediate Priority	Begin follow-up compliance checks. Coordinate with Inspectional Services Department.
A-14	Develop workable forms of enforcement and/or penalties for unauthorized work.	Major Project	Work with Commission, Inspectional Services and Law Department to develop and document consistent approaches to addressing non-compliance.

**Table V-2: Implementation summary – Demolition delay**

	<b>Recommendation</b>	<b>Priority</b>	<b>Status and Next Steps</b>
D-1	<p>Amend the Historic Building Demolition Delay Ordinance:</p> <ul style="list-style-type: none"> <li>• Employ an age-based system for determining which buildings are subject to review under the demolition delay ordinance.</li> <li>• Demolition should be more narrowly defined to cover full demolition or substantial alterations only.</li> <li>• Retain the current 12-month delay period.</li> <li>• Exclude local historic district properties from the Ordinance.</li> </ul>	Major Project	Initiate rewrite of the Historic Building Demolition Delay Ordinance, with participation of the Commission.
D-2	Establish specific criteria and application requirements for an economic hardship waiver.	Major Project	Once ordinance is revised, amend Commission Rules to define required materials.
D-3	Actively engage with the property owner and potential alternative developers during the demolition delay period.	Near-term Action	Staff should regularly work with the Business Development Division to engage property owners and other potential developers.
D-4	Require posting of a sign at the property during the demolition delay period.	Secondary Action	Would likely need to be incorporated into revised Ordinance (D-1).
D-5	Publish an online listing of properties under demolition delay.	Deferred Project	Coordinate with expanded website presence and city-wide website redevelopment.
D-6	Require photo-documentation prior to full or substantial demolition.	Near-term Action	Commission could make this a requirement of waiver approvals. Requiring photo documentation of denied waivers would require amendments to the Ordinance.

**Table V-3: Implementation Summary – Local Historic Districts**

	<b>Recommendation</b>	<b>Priority</b>	<b>Status and Next Steps</b>
L-1	Send periodic reminder postcards to all property owners within local historic districts.	Secondary Action	Staff has previously sent reminder postcards to Crown Hill LHD properties. Recommend establishing a schedule (every 2-3 years) for recurring mailings.
L-2	Continue proactive outreach activities.	Near-term Action	Work with LHD representatives on the Commission to determine how to effectively engage their neighbors.
L-3	Add local historic district designations to Assessor's records.	Near-term Action	Discussions with Assessing Office have been initiated.
L-4	Create additional website content aimed toward local historic districts.	Secondary Action	City-wide website redevelopment to be rolled out in 2017. Work with Commission to develop improved information for district residents.
L-5	Finalize and adopt design guidelines for local historic districts.	Major Project	Draft document is well underway. Add to Commission work program for 2017/18.
L-6	Update Commission Rules and Regulations.	Immediate Priority	Staff has started drafting a proposal for discussion, which will be added to the Commission's work program for 2017.
L-7	Exclude local historic district properties from Historic Building Demolition Delay Ordinance.	Near-term Action	Incorporate as part of D-1.
L-8	Establish ongoing process to identify and prioritize potential candidate local historic districts.	Major Project	Longer-term effort that will require additional property surveys (L-9). Make study of LHDs a recurring part of the Commission's meeting activities.
L-9	Complete or update inventory forms in areas considered for study.	Major Project	In support of L-8 above.

**Table V-4: Implementation Summary – Downtown Preservation**

	<b>Recommendation</b>	<b>Priority</b>	<b>Status and Next Steps</b>
P-1	Update and complete inventory forms for downtown properties.	Major Project	Explore partnership opportunities and/or grant funding to complete work.
P-2	Develop and distribute educational materials for property owners and developers.	Secondary Action	In conjunction with new city website (L-4) as both items will contain similar information.
P-3	Establish an awards program.	Near-term Action	Discussion with Preservation Worcester has been initiated to create this annual event.
P-4	Expand partnerships with the development community.	Secondary Action	To be an ongoing effort with P-5, staff will develop outreach measures to open communication through a variety of channels.
P-5	Engage the cultural and academic communities.	Secondary Action	See P-4
P-6	Develop a program to encourage the voluntary donation of preservation restrictions.	Deferred Project	Would require additional resources to properly monitor and administer additional PRs. Potentially explore at a future date.
P-7	Strengthen regulations to prevent demolition by neglect.	Deferred Project	Work with the Commission and Law Department to create an additional ordinance. Would require significant additional investigation to determine effective means of regulation and monitoring.
P-8	Consider requiring plan approval before permitting demolition.	Secondary Action	Would require an amendment to the Historic Building Demolition Delay Ordinance. Incorporate as part of D-1.
P-9	Proactively study creation of local historic districts in downtown	Major Project	To be completed in conjunction with P-1.
P-10	Start applying existing guidelines to downtown development	Immediate Priority	Commission should become familiar with existing guidelines and utilize them during project review.
P-11	In cases where demolition is inevitable, explore façade preservation as a means of preserving the historical street-face appearance	Deferred Project	Consider in the future as part of city’s downtown revitalization plan.
P-12	Proactively pursue National Register eligibility opinions.	Near-term Action	Dependent on funding, staff or an additional consultant may lead this effort. Important to effectiveness of P-13.
P-13	Promote the use of Federal and/or State Historic Rehabilitation Tax Credits	Near-term Action	Work with MHC and Preservation Massachusetts to offer informational sessions and material to developers.
P-14	Promote Other Available Incentives	Secondary Action	Coordinate with other departments and organizations to provide web-based (L-4) and printed informational material.
P-15	Explore long-term options for local incentives for rehabilitation.	Deferred Project	Consider in future.
P-16	Ensure zoning encourages and simplifies reuse of existing buildings	Major Project	Work with Commission, Inspectional Services, and Law Department to incorporate preservation goals into the zoning ordinance.

## Implementation

The Historical Commission should periodically, once annually or more often as needed, review and update the status of all study recommendations. The priority categorization of recommendations may change over time as well; for example, Deferred Projects will eventually be reclassified as Major Projects.

Immediate priorities include fundamental requirements or issues of very high importance that should be addressed as soon as possible. These should be the initial focus of staff and the Commission, and indeed work has been initiated to address these even as the study was in-process. *Immediate Priorities* are:

- A-1: Establish a preservation-focused staff position to support the Historical Commission.
- A-13: Initiate a compliance review process.
- L-6: Update Commission Rules and Regulations
- P-10: Start applying existing guidelines to downtown development

Once *Immediate Priorities* are addressed, the Commission should turn its attention to Major Projects and Near-term Actions. Major projects will need to be further prioritized to account for staff and Commission workload, but two to three major projects should be manageable at any given time. Near-term Actions are can be implemented with relative ease.

Deferred Projects and Secondary Actions represent longer-term recommendations that are not likely to be addressed over the next several years, but none-the-less should be considered for implementation as Major Projects and Near-term Actions are completed.

The Commission and staff should make implementation of the study a regular and significant part of their work, and place a high priority on the tracking progress and evaluating the effectiveness of implemented actions on an ongoing basis.

# Appendices

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## Appendix A: Preservation Staffing Resources



## **Preservation Planner**

**Brookline.com**

**Brookline, MA, US**

- Posted 25 days ago

### **Job description**

The Town of Brookline is seeking qualified candidates for the position of Preservation Planner to perform complex administrative and professional work in administering the Town's Local Historic Districts (LHDs), Neighborhood Conservation Districts (NCDs) and Demolition Delay bylaws to identify, preserve, and protect the architectural and historical resources of the Town. Under the direction of the Assistant Director for Regulatory Planning, this position will process applications for review by the Preservation and NCD Commissions; review plans for all exterior renovations to buildings within LHDs and NCDs; prepare materials for public hearings; assist in the administration of the Demolition Delay By-law; and work with other Town departments, property owners and the general public on a wide variety of historic and preservation issues. Bachelor's degree and two years of experience in historic preservation or closely related field; Master's degree highly desirable. Working knowledge of state and federal regulations pertaining to historic preservation, architectural history, and the cultural and landscape resources of historic preservation planning. Ability to read architectural plans and assess the significance of buildings and landscapes. Excellent verbal and written communication skills. Superior organizational skills. Expertise in Microsoft Word and familiarity with graphics illustration programs such as power point and/or Adobe Create Suite products (Photoshop, Illustrator, InDesign). Starting salary \$1,243/week plus generous benefits. Resume and cover letter by July 22, 2016 . The Town of Brookline is an equal opportunity employer dedicated to maintaining a diverse workforce.

Available at <https://www.linkedin.com/jobs/view/174090006> (as of 8.1.16)



Historical Commission  
Town of Westford

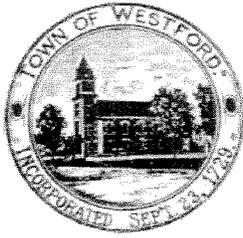


Request for Proposals  
Historical Preservation Planning Support

Issued July 19, 2012  
Proposals due prior to 2 PM on Monday, August 13, 2012



**Westford Historical Commission: RFP for Historical Preservation Planning Support**



Departments of Zoning, Planning,  
Permitting, Conservation and Building  
Town Hall 55 Main Street  
Westford, Massachusetts 01886  
TEL (978) 692-5524 FAX (978) 399-2732

July 19, 2012

To Whom It May Concern:

Enclosed is a complete package of the "Request for Proposal" for consulting services to provide historical preservation planning support to the Town of Westford Historical Commission.

Copies of the Request for Proposals may be obtained or examined beginning July 19 at the Permitting Office, Town Hall 2<sup>nd</sup> floor, 55 Main Street, Westford, MA 01886, from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding holidays.

Ten (10) hard copies of the proposal must be submitted to:

Town Manager  
Westford Town Hall  
55 Main St.  
Westford, MA 01886

Completed proposals must be received no later than 2 pm on Monday, August 13, 2012. At that time all proposals will be publicly opened and their timely receipt will be confirmed.

**Proposals and Price Proposals** must be submitted in separate, sealed envelopes clearly marked, respectively, "Historical Preservation Planning Support: Proposal" and "Historical Preservation Planning Support: Price Proposal."

The Town reserves the right to accept or reject any and all proposals and make awards as may be deemed in the Town's best interest.

Please do not hesitate to call if you have any further questions.

Sincerely,

Angus Jennings, AICP  
Director of Land Use Management



## Westford Historical Commission: RFP for Historical Preservation Planning Support

### **INTRODUCTION AND PUBLIC NOTICE:**

The Town of Westford, acting through its Historical Commission, is seeking consultant support to assist with implementation of portions of the 2009 Comprehensive Master Plan. A key Action Item in the Comprehensive Master Plan is to expand the Westford Historical Commission's role in town planning, with a supporting Action Item to consider hiring a part-time preservation planner who could also serve as staff for the Historical Commission.

In March 2012, Westford Town Meeting voters allocated Community Preservation Act (CPA) funding to enable the Commission to retain, through a competitive RFP process, a consultant to provide dedicated support to the Commission, and to advance one or more specific policy initiatives. The Historical Commission is issuing this Request for Proposal from qualified individuals or consulting firms to provide the scope of services listed in detail under Scope of Work.

Request for Proposals packages will be available at the **Town of Westford, Permitting Department, 55 Main Street, Westford, MA, 01886 on Thursday, July 19, 2012.**

The Town of Westford will receive ten (10) hard copies of sealed proposals for furnishing "Historical Preservation Planning Support" at the **Town of Westford, Office of the Town Manager, 55 Main Street, Westford, MA, 01886 no later than Monday, August 13, 2012 at 2:00 p.m.**

Proposals and Price Proposals must be submitted in separate, sealed envelopes clearly marked, respectively, "Historical Preservation Planning Support: Proposal" and "Historical Preservation Planning Support: Price Proposal." **No proposal received after the time established for receiving said proposals will be considered regardless of the cause for delay in the receipt of any such proposal(s).**

Questions concerning this Request for Proposals must be submitted in writing to: Angus Jennings AICP, Director of Land Use Management, 55 Main Street, Westford, MA, 01886. Questions may be delivered, mailed, emailed ([ajennings@westfordma.gov](mailto:ajennings@westfordma.gov)) or faxed by the close of business, Thursday, August 2, 2012. Written responses will be emailed or faxed to all proposers on record as having picked up the RFP by close of business on Monday, August 6, 2012. Only answers provided by the Town in writing may be relied upon by the proposers.

The Westford Historical Commission, serving as the selection advisory committee, will evaluate the proposals and recommend an individual or firm for selection subject to approval by the Town Manager. A contract will be executed between the selected consultant and the Town of Westford, acting through the office of the Town Manager.

It is anticipated that a contract will be executed with a qualified individual or firm on or around September 12, 2012, and all services pursuant to the contract shall be complete on or around June 30, 2013. The total contract fees, including any and all expenses, shall not exceed \$39,600.

The Town reserves the right to accept or reject any and all proposals as may be deemed to be in the best interest of the Town.



## Westford Historical Commission: RFP for Historical Preservation Planning Support

### SCOPE OF WORK

The Westford Historical Commission seeks proposals from qualified individuals or firms to provide operational and policy support to the Commission.

Purpose: Historical Preservation Planning Support

Statement of Duties: The selected consultant will complete two categories of work: baseline tasks, to be completed on an ongoing basis throughout the term of the contract; and policy support for one or more policy proposals at the direction of the Historical Commission. Further detail is as follows:

#### 1. Baseline Tasks

- a) **Dedicated Resource.** Commit a minimum number of hours per month dedicated to Historical Commission support throughout the term of the contract, within which this scope of services will be provided. The proposal shall specify the baseline commitment of hours per month.
- b) **Meeting and Action Support.** Attend monthly Historical Commission meetings, generally held on the third Wednesday of each month at 7:30 PM, in addition to additional meetings and site visits as directed, and assist with follow-up actions as directed by the Commission. Attendance at the Commission's September 19, 2012 meeting of the Commission is expected.
- c) **Public Liaison.** Respond to written, telephone and/or email inquiries from Westford staff and public officials regarding historical preservation issues as may be directed by the Chair of the Historical Commission. Provide periodic updates for inclusion on the Town of Westford website. Prepare and/or file periodic correspondences with other Town Boards and Committees as needed to keep them apprised of progress toward historical preservation goals and objectives.
- d) **Grant Support.** Identify grant funding which may support Historical Commission operations and initiatives. Upon identification of appropriate opportunities, lead preparation of one or more grant applications, including coordination among the Commission, town staff and others as appropriate.
- e) **Maintenance Protocols.** Working with the office of the Town Manager, assist the Historical Commission as needed to establish maintenance protocols for two properties under the care and custody of the Historical Commission.
- f) **Permitting Liaison.** Serve as primary liaison between landowners/applicants, the Historical Commission, the Town Planner, municipal staff and others as needed on permitting applications related to the Demolition Delay Bylaw, the Scenic Roads Bylaw, and others as directed by the Commission. (*Note: "Make the demolition delay bylaw more effective" was included as an Action Item within the 2009 Master Plan, and the Master Plan also recommends to "provide incentives for owners of historic structures to seek alternatives to teardowns and substantial alterations to older historic structures" (pg. 46).*)
- g) **Reporting.** Report to the Director of Land Use Management or designee, and to the Historical Commission Chair, on a regular basis, and to the Commission through



## Westford Historical Commission: RFP for Historical Preservation Planning Support

attendance at monthly meetings, and keep them fully and accurately informed on important matters related to the consultant's activities.

2. **Support for Policy Initiative(s).** The text of the 2009 Master Plan references several potential policy initiatives such as creating "a scenic overlay (zoning) district with a no-disturb buffer along designated roads" (pg. 46); establishment of "development review guidelines for preserving and enhancing existing architectural and historic character and resources" (pg. 46); and creation of one or more Neighborhood Conservation District and/or Local Historic District. There may also be value to designate additional Scenic Roads, and/or propose amendments to the Demolition Delay Bylaw.

At its initial monthly meeting with the consultant, the Historical Commission will provide the consultant with a list of potential policy initiatives under consideration. Prior to the second monthly meeting, the consultant will prepare a briefing memo regarding one or more policy initiatives that could be completed and/or substantially advanced within the term of the contract. At the third monthly meeting, the Historical Commission and the consultant will agree to a work program to satisfy the **Support for Policy Initiative(s)** goal of the CPA funding based on the Commission's priorities and project feasibility.

3. **Supervision:** The consultant will report to the Commission Chair and the Director of Land Use Management.
4. **Compensation:** The consultant will be compensated in accordance with the terms of a negotiated contract with the Town of Westford. Budget range up to \$39,600. The selected consultant will be provided work space in Town Hall and/or the Historical Society Cottage for office hours and on an as-needed basis for work to be completed locally, and will be provided access as needed to printer/copier in the Permitting Department, but will be required to provide any other equipment needed (laptop, software, cell phone etc) as may be needed. Health insurance, liability insurance or additional benefits will not be provided.
5. **Term:** Contract for term of one year from date of execution. Contract may be extended and/or renewed upon mutual agreement and subject to funding availability. In the event that the contract is cancelled or not renewed, for whatever reason, the consultant will be required to transfer to the Town all complete and incomplete work products and materials to support the Commission's ability to advance the work. The Commission will conduct a review after three months, and retains the option to terminate the contract at any time if unsatisfied with results.



## Westford Historical Commission: RFP for Historical Preservation Planning Support

### REQUIRED INFORMATION

Ten (10) hard copies of the proposal must be submitted and the information included in Form 1, included in this proposal, is required in each consultant's qualification and proposal package.

**Proposals** and **Price Proposals** must be submitted in separate, sealed envelopes clearly marked, respectively, "Historical Preservation Planning Support: Proposal" and "Historical Preservation Planning Support: Price Proposal."

### COMPARATIVE EVALUATION CRITERIA

Each proposal will be reviewed based on the following criteria:

- 1. Education.** The Consultant should specify their level of education in Historical Preservation, Planning, Community Development or related field.
  - Highly Advantageous: A Master's or other advanced degree in Historical Preservation, Planning, Community Development or a related field.
  - Advantageous: A Bachelor's degree in Historical Preservation, Planning, Community Development or a related field.
  - Not Advantageous: A Bachelor's or advanced degree in an unrelated field.
  - Unacceptable: No Bachelor's or advanced degree.
- 2. Demonstrated experience implementing historical preservation strategies and action plans at the municipal level.** Experience in the field of historical preservation at the municipal level in the Commonwealth of Massachusetts as evidenced by an extensive knowledge of, among other things, MGL chapter 40C, the Community Preservation Act, programs and resources associated with the Massachusetts Historical Commission, National Register filings, and statutes, regulations and guidelines associated with various state and federal historical preservation policies. The consultant should have demonstrated experience with public outreach and education strategies, and should be able to demonstrate knowledge of how to create incentives for homeowners and developers of historical assets and options for the financing of historical renovation projects.
  - Highly Advantageous: 7 or more years of related experience including at least five examples of high level involvement in the adoption of municipal historical preservation plans or policies and implementation of a historical renovation project. Recognized as subject matter expert regarding Massachusetts historical preservation programs, as demonstrated by authorship of books or articles and presentations at related conferences or seminars.
  - Advantageous: 4-6 years of related experience including at least three examples of high level involvement in the adoption of municipal historical preservation plans or policies and implementation of a historical renovation project. Demonstrated participation in related conferences or seminars.
  - Not Advantageous: 1-3 years of related experience including at least one example of high level involvement in the adoption of municipal historical preservation plans or policies and in the implementation of a historical renovation project.
  - Unacceptable: Less than one year of related experience.
- 3. Presentation.** Writing skills and the ability to make persuasive public presentations, based on the town's evaluation of the quality of the written proposal; review of the consultant's prior experience presenting in public forums and, for those consultants selected for interview, evaluation of quality of interview.



## Westford Historical Commission: RFP for Historical Preservation Planning Support

Highly Advantageous: Excellent written and verbal presentation ability.

Advantageous: Very good written and verbal presentation ability.

Not Advantageous: Average written and/or verbal presentation ability.

Unacceptable: Poor written and/or verbal presentation ability.

4. **Community Understanding.** Understanding of the importance of building community awareness of and support for the town's historical preservation policy objectives, and ability to communicate effectively with the public. Preference may be given to an individual applicant over a firm if it is believed that an individual may more effectively build a relationship with the community.

Highly Advantageous: Prior experience on 5 or more historical preservation initiatives in Massachusetts municipalities with a Town Meeting form of government. Familiarity with the Town of Westford and/or the immediate region, including the particular development trends affecting historical properties and resources in the region.

Advantageous: Prior experience on 2 to 5 or more historical preservation initiatives in Massachusetts municipalities with a Town Meeting form of government. Familiarity with the Town of Westford and/or the immediate region, including the particular development trends affecting historical properties and resources in the region.

Not Advantageous: Prior experience on 1 historical preservation initiative in a Massachusetts municipality with a Town Meeting form of government.

Unacceptable: No prior experience on historical preservation initiatives in Massachusetts municipalities with a Town Meeting form of government.

### METHOD OF SELECTION:

**Proposals and Price Proposals** must be submitted in separate, sealed envelopes clearly marked, respectively, "Historical Preservation Planning Support: Proposal" and "Historical Preservation Planning Support: Price Proposal."

Complete proposals will be reviewed and evaluated by the Westford Historical Commission, with non-voting participation of the Assistant Town Manager and the Director of Land Use Management. The selection committee may interview one or more consultants meeting the qualification requirements. Upon rating the proposals based on the Comparative Evaluation Criteria the Historical Commission will submit its recommendation to the office of the Town Manager which, acting in its capacity as the town's Chief Procurement Officer, will work to execute a contract with the recommended consultant subject to approval by the Town Manager.

The Town of Westford reserves the right to reject any and all proposals and parts of any and all proposals, and to waive any or all conditions, terms or requirements of this Request for Proposal. The contract will be awarded to the most advantageous proposal from a responsive and responsible proposer taking into consideration price and evaluation criteria. Cost shall not be a sole consideration for consultant selection.



## Form 1: Required Information – Proposal

All proposals shall include the following information:

1. Cover letter with description of consultant including type of organization (i.e. individual, corporation, partnership, joint venture, etc) including a list of the principals.
2. A narrative proposing how the consultant plans to address:
  - a. each of the Tasks included in the Scope of Work herein.
  - b. the number of baseline hours proposed per month (see Scope of Work item 2(a))
  - c. a discussion of how the consultant proposes to meet this baseline commitment through the term of the contract while providing enough time during peak months, such as in support of a policy proposal.
  - d. demonstrated experience implementing historical preservation strategies and action plans at the municipal level.
3. List all current projects of principal staff including the following information for each project:
  - a. Location
  - b. Scope
  - c. References (name, title, and current contact information)
  - d. Start date and projected completion date
4. List three or more relevant public projects undertaken in Massachusetts in the past three years. Please include the following information for each project:
  - a. Location
  - b. Scope
  - c. References (name, title, and current phone numbers)
  - d. Start date, projected completion date, and actual completion date
5. A list of any litigation pending on any of your projects.
6. Résumés for each of the principal consulting staff and key personnel to be associated with the project:
  - a. Name, mailing and email address and telephone number
  - b. Education
  - c. Prior work experience
7. A **Price Proposal** in a separate, sealed envelope. There is no specified format for the price proposal but the consultant shall include proposed hourly rates for personnel, shall specify whether the proposed price is inclusive of anticipated expenses, and shall specify whether travel time will be billed and if so at what rate and/or submitted for mileage reimbursement. The price proposal shall be submitted in a separately marked envelope.

POSTED: 09/09/2016

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EMPLOYER City Of Worcester  
Division of Planning & Regulatory Services

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POSITION Planning Analyst

TYPE Professional Opportunity

LOCATION Worcester, MA

US

DETAILS

The City of Worcester is seeking qualified applicants for the position of Planning Analyst. This position will be responsible for administering the Worcester Historical Commission and programs related to historic preservation. Other duties include planning and research in the areas of land use, zoning, and community development, as well as providing technical and administrative support to the city's development boards and commissions. This job requires night and weekend hours as needed. A Bachelors degree and two years of professional experience in a related field is required. A Masters degree is preferred. Starting salary is \$49,152 plus benefits. To submit letter, resume, and a writing sample, please visit: [www.worcesterma.gov/employment](http://www.worcesterma.gov/employment) or send to: City of Worcester, 455 Main Street, Room 109, Worcester, MA 01608. The City Worcester is an EOE/AA employer. Preference will be given to Worcester residents. Open until filled.

OPEN UNTIL Until Filled

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HOW TO APPLY [www.worcesterma.gov/employment](http://www.worcesterma.gov/employment)



## Appendix B: Public Hearing Procedures



## Meeting Procedures

- Chair reads the application
- The applicant is given opportunity to present
- HisCom members will be given an opportunity to ask questions about the application in order to clarify what is being presented. Commission members should only ask questions to understand what is being proposed and not provide comment or opinion.
- The letters received will be read into the record.
- Chair will open the public meeting to allow the audience to speak. Speakers should state their name and address and try to be as brief and concise as possible. Neither the applicant, nor Commission members should respond to each individual comment as it is made. If an audience member asks a question, the Chair should respond or a Commission member (or Clerk) may ask the Chair if he/she can respond.
- The Chair will ask the applicant if they have anything more to say on behalf of their application.
- The Chair will ask for a motion from one of the board members to close the public hearing.
  - *From this point, there will be no more comment allowed from the audience or applicant unless a Commission member has a direct question for the applicant or an audience member.*
- The Chair will go around the table and ask the Commission members to make their comments/opinions – once around the table. Commissioners should not simply start talking or carry on conversation. There should be no back and forth discussion with the applicant.
- The Chair will provide his opinion/comment.
- The Chair will go around the table once more for final Commission comment/opinion. Members should not be repetitive.
- The Chair will ask for a motion....and a second.
- The Chair will ask if there is any further discussion from the Commission prior to the vote.
  - *Note: If at this point, further discussion breaks out that is redundant, any Commission member may at any time "Move the question". If this motion is seconded by another member, you must call for a vote on the motion to move the question. If voted in favor, all further discussion on the application ends and the original motion is voted upon.*
- Vote taken

If in favor.....No further discussion required and we all move on.

If vote does not carry, the Chair will ask if there is another motion....or the Commission may offer the applicant advice on what might likely get approved if they reapply.

## CONDUCTING A PUBLIC HEARING

1. Chair opens Public Hearing by reading Legal Notice
2. Chair explains Purpose of the Hearing
3. Chair explains Ground Rules of the Hearing
  - a. Turn off phones
  - b. Raise hand if you would like to speak
  - c. Nobody speaks until recognized by the Chair
  - d. No outbursts or catcalls
  - e. Everybody should conduct themselves in a respectful manner
  - f. All questions should be asked through the Chair
  - g. How the Hearing will be conducted (Steps 4 - 12)
4. Proponent explains proposal
5. Board Members ask questions
6. Chair opens Hearing to attendees for questions of fact (no comments or opinions)
7. Board asks follow-up questions
8. Chair opens Hearing to attendees for comments (sometimes separate it between those in favor, those opposed and those who are neutral)
9. If Board determines that they have all of the information required to render their decision:
  - a. motion/second/vote is made to close the Hearing
10. If Board determines that they require additional information in order to render their decision:
  - a. motion/second/vote is made identifying specifically what additional information is required and who shall provide it, and
  - b. motion/second/vote is made to continue the Hearing to a certain/specific date/time/location
  - c. at Hearing continuation limit discussion & comments to new information presented, don't re-hash information from previous Hearing(s)
  - d. If Board determines that they have all of the information required to render their decision:
    - i. motion/second/vote is made to close the Hearing
11. Once the Public Hearing has been closed no more information or testimony can be taken from proponent or members of the public.
12. Board deliberations take place after the Public Hearing has been closed and during the Public Meeting:
  - a. First motion/second/vote on any proposed Conditions,
  - b. Second motion/second/vote on approving application (with conditions) or disapproving

**Appendix C: Historic Building Demolition Ordinance**



**CITY OF WORCESTER**  
**REVISED ORDINANCES OF 2008**  
**Ordained by the City Council June 24, 2008**  
**As amended through November 24, 2015**  
**Part I: Regulatory Ordinances**

**Chapter 9 § 13. Historic Building Demolitions**

(a) This section thirteen is enacted to preserve and protect historically significant buildings, landmarks and places within the city and to encourage owners of such buildings to seek out persons who might be willing to purchase, preserve, rehabilitate or restore such buildings rather than demolish them.

(b) The following words and phrases, when used in this section thirteen, shall have the following meanings:

*building* - any combination of materials forming a shelter for persons, animals or property. 145

*commission* - the Worcester Historical Commission established by section 17 of Article 3 of Part II of these Revised Ordinances.

*demolition* - any act of pulling down, destroying, removing or razing a building or any designated historic portion thereof, or commencing the work of total or substantial destruction with the intent of completing the same.

*designated historic building* - any building or portion thereof, including those within any historic district established by the city under the provisions of c. 40C of the General Laws and § 17(b) of Article 3 of Part II of these Revised Ordinances, and which is listed on, or within an area listed on, the National Register of Historic Places, or the State Register of Historic Places, or is the subject of a pending application for listing on said Registers, or is listed on the National Register Eligible List established by the commission pursuant to its designation as a certified local government by the Massachusetts Historical commission.

(c) No person shall demolish any designated historic building without the approval of the commission as herein provided. The building commissioner shall not issue any permit for the demolition of any designated historic building unless the applicant for any such permit presents evidence of the approval of the commission as provided herein. The provisions of this subsection (c) shall not apply to the demolition of any designated historic building which has been approved in a Final Environmental Impact Report issued by the Secretary of Environmental Affairs under the Massachusetts Environmental Protection Act, G.L. c.30, § 61 - § 62H.

(d) The commission shall maintain a list of every designated historic building and shall keep a copy of such list on file with the building commissioner. The commission shall notify the building commissioner whenever it makes any changes to the list of designated historic buildings in Worcester.

(e) Any person may request the commission for approval of the demolition of a designated historic building. Such requests shall be filed in accordance with the procedure established by the commission. The commission shall designate an officer responsible for the receipt of such requests who shall establish a date and time for a public hearing on the application. Such hearing shall occur not more than forty-five days from the date the application for approval has been received by the commission. The commission shall publish a notice of the hearing in a local newspaper not less than fourteen days before

the date of the hearing. The commission shall send by regular mail at least fourteen days before the hearing a notice of the hearing to any person whose property abuts the property of the applicant as determined from the records of the city assessor. The commission shall also notify the building commissioner of any such hearing and shall send notice by regular mail to any person who files a written request with the commission to receive such notices.

(f) At such hearing, the commission may receive information regarding the current condition of the building, its conformity with the standards for designation as a designated historic building, the cost to repair or maintain the building, the ability of the owner to provide such funds either directly or through third party financing, the economic viability of the current or potential uses of the building, as well as any other factor relevant to the application of this ordinance to the building. 146

(g) If, after such hearing, the commission determines either (1) that the demolition of the designated historic building would not be detrimental to the historical or architectural heritage or resources of the city, or (2) that the issuance of a demolition approval is necessary to avoid an undue economic hardship to the property owner, the commission shall approve the request and forthwith notify the applicant and the building commissioner of such determination. Upon receipt of such notification, or upon the failure by the commission to make the determinations described herein after forty-five days from the date the application was filed with the commission, the owner may, upon receipt of a permit from the building commissioner, proceed with the demolition of the building.

(h) If, after such hearing, the commission determines both (1) that the demolition of the designated historic building would be detrimental to the historical or architectural heritage or resources of the city, and (2) that the immediate demolition of the building is not necessary to avoid an undue economic hardship to the property owner, the building may not be demolished until twelve months after the date upon which the request was filed with the commission. In notifying the property owner of its decision the commission shall specify the date upon which the twelve-month delay period expires. The twelve-month delay period established herein may be reduced at any time by the commission whenever it is satisfied that there is no reasonable likelihood that either the owner or some other person or group is willing to purchase, preserve, rehabilitate, or restore such building. During the twelve-month delay period, the commission shall assist the owner in efforts to locate a purchaser to preserve, rehabilitate and restore the subject building.

(i) The approval of the commission, whether granted directly by vote of the commission or constructively by the passage of the forty-five day or twelve-month periods established herein, shall be valid for one year from the date of such approval.

(j) The commission is authorized to institute any and all proceedings in law or equity as it deems necessary and appropriate to obtain compliance with the requirements of this section, or to prevent violation thereof. The city solicitor shall represent the commission in all such proceedings.

(k) Any person who, without the actual or constructive approval of the commission as required by this section, demolishes or attempts to demolish any designated historic building, either as the owner of the building or acting as an agent or independent contractor engaged under authority of the owner, shall be punished by a fine of \$300.00. Each day that any portion of a designated historic building remains demolished, in whole or in part, shall constitute a separate offense.

(l) The provisions of subsection (c) of this section shall not apply if such building is the subject of an emergency order issued under authority of G.L. c. 143, §§ 6-9, or § 124 of the state building code, or an *Executive Order Concerning Demolition Procedures*, as issued and revised from time to time by the city

manager. The provisions of subsection (c) of this section shall also not apply whenever, in the opinion of the building commissioner, the condition of any designated historic building requires immediate emergency action to abate a threat to the health or safety of the public. Nor shall the provisions of said subsection (c) apply to the demolition of a designated historic building located on any priority development site designated by the city council pursuant to G.L. c. 43D. 147



Appendix D: Historical Commission Application Forms



# WORCESTER HISTORICAL COMMISSION



## CERTIFICATE OF APPROPRIATENESS & BUILDING DEMOLITION DELAY WAIVER CHECKLIST

(For properties located in the Crown Hill, Massachusetts Avenue or Montvale Local Historic District)

Planning & Regulatory Services Division • 455 Main St. Suite 404, Worcester, MA 01608 • Phone: 508-799-1400, ext. 260  
Office Hours are 8:30 am – 2:00 pm

**STEP 1:** Obtain applications from the City's website: [www.worcesterma.gov](http://www.worcesterma.gov) (Document Center), or contact our office. Complete the following components:

**A. Certificate of Appropriateness & Building Demolition Delay Waiver Application**

- Application must be signed by the applicant or applicant's representative.
- Answer all applicable questions.

**B. Certified List of Abutters and Map:** *There is a minimal fee for this service.*

- Obtained from the Worcester Assessing Division, City Hall, 455 Main Street, Room 209, (508) 799-1098.
- Please contact this office at a minimum one week in advance.

**C. Visual Representation of Proposed Changes to Structures.** Recommended representations include one or more of the following: (1) plot plan of the site, (2) building elevation(s), (3) architectural rendering(s), and/or (4) a set of photograph(s). These representations should provide sufficient information to the Historical Commission to render an informed decision and should depict the following:

- Current conditions of the structure or parts of the structure to be changed.
- Proposed renovations, changes, or removal of exterior features (windows, roof, doors, porches, etc.)
- If available, applicants may submit brochures showing materials to be used in restoration, such as window frames, roofing samples, door samples, etc.

**D. Stamped and Addressed Envelopes with Abutters' Address Labels (Do NOT Stuff Envelopes)**

- Assemble stamped envelopes with the abutters' address labels provided by the Assessor's Office.
- The return address on the envelopes should be: *City of Worcester, Division of Planning & Regulatory Services; 455 Main Street, Suite 404; Worcester, MA 01608.* (Please note: This office has a return address stamp for your convenience if you wish to use it.)

**STEP 2: Assemble your application package and submit the following to the office** (there is no fee for this filing):

- Combine items A, B, & C - this constitutes the "original application package". Afterwards, make ten (10) copies of the application package (*double-sided printing is encouraged*).
- Bring the original application package, its 10 copies, and stamped and addressed envelopes (see D above) to the Planning & Regulatory Services Division.

**STEP 3:** After the Planning & Regulatory Services Division staff has reviewed and approved the application package for completeness and accuracy, it will be date-stamped and registered in the Historical Commission log. You will then be asked to bring the **original application package to the City Clerk's office to be filed** in the Worcester City Hall, 455 Main Street, Room 206 (2<sup>nd</sup> floor), Phone (508) 799-1121. (There is no fee for this filing.)

**NEXT STEPS:** You and your abutters will receive a Public Hearing Notice two (2) weeks prior to the Historical Commission meeting. The notice will include the date, time and location of the meeting. Please note that you or your representative are required to attend the meeting to answer any questions the Historical Commission members may have. Following the meeting at which the Commission will vote on the matter, a signed decision will be issued within 1-2 weeks. This decision is necessary for obtaining a Building Permit.

All application deadlines are 2:00 P.M. unless otherwise specified.

Historical Commission meetings are regularly held on a Thursday, at 5:30 pm, in the City Hall, Room 309, unless otherwise specified.

**WORCESTER HISTORICAL COMMISSION**



**CERTIFICATE OF APPROPRIATENESS & BUILDING DEMOLITION DELAY WAIVER APPLICATION**  
(For properties located in the Crown Hill, Massachusetts Avenue or Montvale Local Historic District)

Planning & Regulatory Services Division • 455 Main St. Suite 404, Worcester, MA 01608 • Phone: 508-799-1400, ext. 260  
Office Hours are 8:30 am – 2:00 pm

1. **Building Location:** \_\_\_\_\_ **Date:** \_\_\_\_\_

2. **Crown Hill, Montvale or Massachusetts Local Historic District:** \_\_\_\_\_

3. **Date or Estimation of Original Construction:** \_\_\_\_\_

4. **Description of Work** (please list and explain each proposed change separately. Attach additional pages if necessary. If replacing with like materials, note accordingly):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. **Owner of Property:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **City:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

6. **Contractor:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **City:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

7. **Type of Building Construction:** \_\_\_\_\_  
(Wood, Concrete, Steel, Etc.)

8. **List all the Uses of the Building:** \_\_\_\_\_ **# of Stories:** \_\_\_\_  
(Residence, Business, Industrial, Etc.)

9. **Code Violations/Health/Safety Issues:** \_\_\_\_\_

10. **Reasons** for full or partial demolition (i.e. changes to the exterior) including other alternatives explored:

\_\_\_\_\_  
\_\_\_\_\_

11. **Economic Hardship**, if applicable (usually is used when replacement is proposed in place of restoration of the original historic materials, features, or structures. Detailed cost estimates & comparisons of replacement v. restoration may be attached separately for the Commission's review):

\_\_\_\_\_  
\_\_\_\_\_

**Owner's Signature** certifying that the above information is true and accurate to the best of his/her knowledge:

\_\_\_\_\_

**Date:** \_\_\_\_\_

# WORCESTER HISTORICAL COMMISSION



## BUILDING DEMOLITION DELAY WAIVER CHECKLIST

(For properties listed on the Massachusetts Cultural Resource Information System)

Planning & Regulatory Services Division • 455 Main St., Room 404, Worcester, MA 01608 •  
Phone: 508-799-1400 - Office Hours: 8:30 am – 2:00 pm

**STEP 1:** Obtain applications from the City's website: [www.ci.worcester.ma.us](http://www.ci.worcester.ma.us) (Quick Find → Forms), or contact our office. Complete the following components:

**A. Building Demolition Delay Waiver Application**

- Application must be signed by the applicant or applicant's representative.
- Answer all applicable questions.

**B. Certified List of Abutters and Map:** There is a minimal fee for this service.

- Obtained from the Worcester Assessing Division, City Hall, 455 Main Street, Room 201, (508) 799-1098.
- Please contact this office at a minimum one week in advance.

**C. Visual Representation of Proposed Changes to Structures.** Recommended representations include one or more of the following: (1) plot plan of the site, (2) building elevation(s), (3) architectural rendering(s), and/or (4) a set of photograph(s). These representations should provide sufficient information to the Historical Commission to render an informed decision and should depict the following:

- Current conditions of the structure or parts of the structure to be changed.
- Proposed renovations, changes, or removal of exterior features (windows, roof, doors, porches, etc.)
- If available, applicants may submit brochures showing materials to be used in restoration, such as window frames, roofing samples, door samples, etc.

**D. Stamped and Addressed Envelopes with Abutters' Address Labels**

- Assemble stamped envelopes with the abutters' address labels provided by the Assessor's Office.
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- Combine items A, B, & C - this constitutes the "original application package". Afterwards, make ten (10) copies of the application package (double-sided printing is encouraged).
- Bring the original application package, its 10 copies, and stamped and addressed envelopes (see D. above) to the Planning & Regulatory Services Division.

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**NEXT STEPS:** You and your abutters will receive a Public Hearing Notice two (2) weeks prior to the Historical Commission meeting. The notice will include the date, time and location of the meeting. Please note that you or your representative are required to attend the meeting to answer any questions the Historical Commission members may have. Following the meeting at which the Commission will vote on the matter, a signed decision will be issued within 1-2 weeks. This decision is necessary for obtaining a Building Permit.

All application deadlines are 2:00 P.M. unless otherwise specified.

Historical Commission meetings are regularly held on a Thursday, at 5:30 pm, in the City Hall, Room 309, unless otherwise specified.

**WORCESTER HISTORICAL COMMISSION**



**BUILDING DEMOLITION DELAY WAIVER APPLICATION**

(For properties listed on the Massachusetts Cultural Resource Information System)

Planning & Regulatory Services Division • 44 Front St. Suite 510, Worcester, MA 01608 • Phone: 508-799-1400, ext. 1  
Office Hours are 8:30 am – 2:00 pm

1. **Building Location:** \_\_\_\_\_ **Date:** \_\_\_\_\_

2. **Date or Estimation of Original Construction:** \_\_\_\_\_

3. **Description of Work** (please list and explain each proposed change separately. Attach additional pages if necessary. If replacing with like materials, note accordingly):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. **Owner of Property:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **City:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

5. **Contractor:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **City:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

6. **Type of Building Construction:** \_\_\_\_\_  
(Wood, Concrete, Steel, Etc.)

7. **List all the Uses of the Building:** \_\_\_\_\_ **# of Stories:** \_\_\_\_  
(Residence, Business, Industrial, Etc.)

8. **Code Violations/Health/Safety Issues:** \_\_\_\_\_

9. **Reasons** for full or partial demolition (i.e. changes to the exterior) including other alternatives explored:

\_\_\_\_\_

10. **Economic Hardship**, if applicable (usually is used when replacement is proposed in place of restoration of the original historic materials, features, or structures. Detailed cost estimates & comparisons of replacement v. restoration may be attached separately for the Commission's review):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Owner's Signature** certifying that the above information is true and accurate to the best of his/her knowledge:

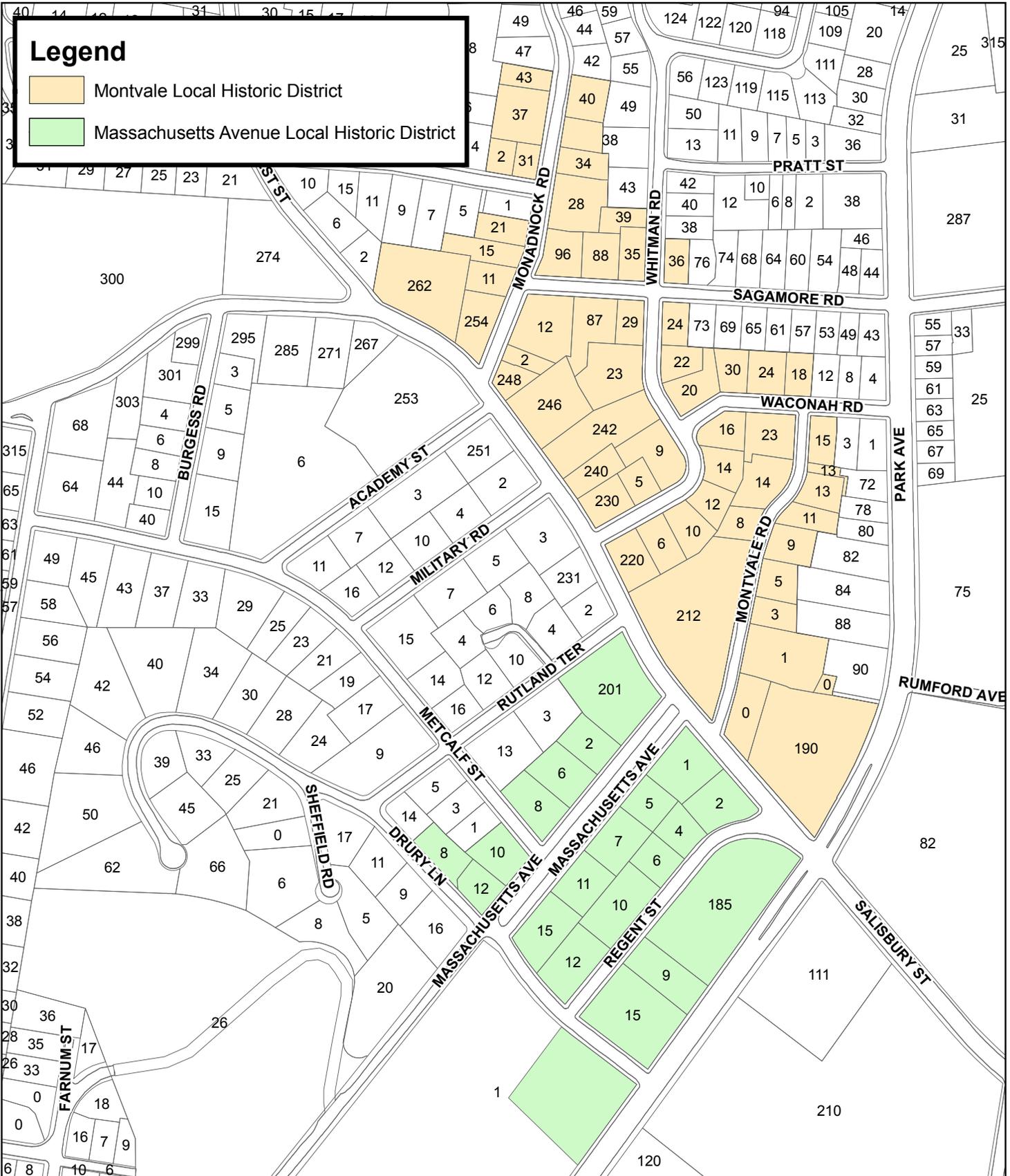
\_\_\_\_\_  
**Date:** \_\_\_\_\_

Appendix E: Local Historic District Maps



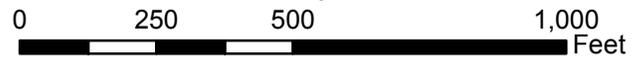
# Local Historic Districts Massachusetts Avenue & Montvale

Massachusetts Avenue LHD - Ordained September 3, 1975  
Montvale LHD - Ordained April 27, 1993; Amendment Ordained October 12, 2010



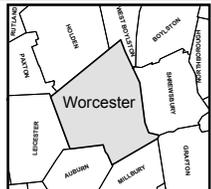
**Legend**

- Montvale Local Historic District
- Massachusetts Avenue Local Historic District



Produced by City of Worcester  
Executive Office of Economic Development  
Division of Planning and Regulatory Services

DATA SOURCES:  
All data: City of Worcester Geographic Information System  
COORDINATE SYSTEM:  
North American Datum of 1983, Massachusetts Mainland Zone (4151)  
Units are measured in Feet.



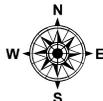
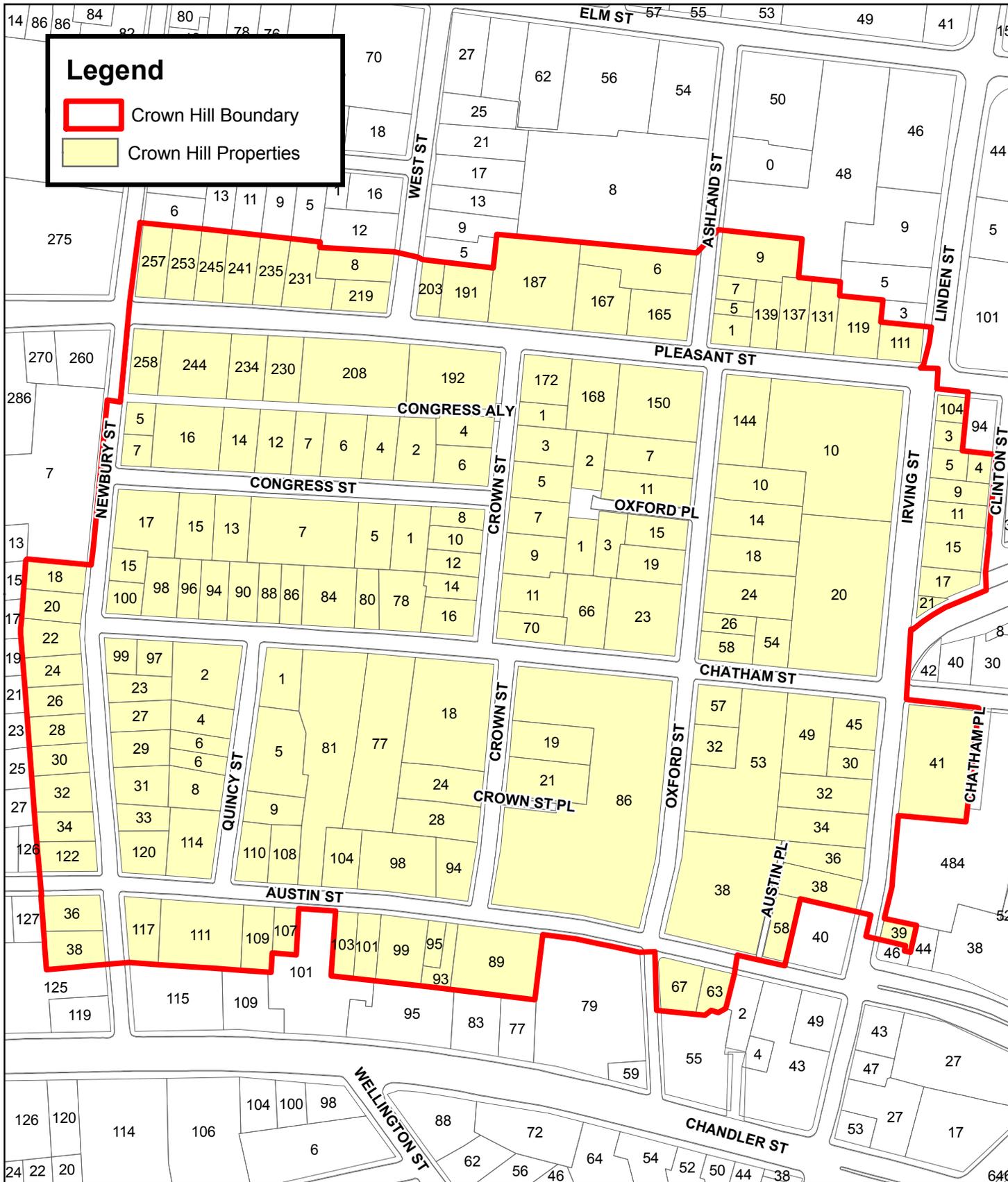
Produced by Triam | Date: March 21, 2012 | File: MassAveMontvale.mxd

# Crown Hill Local Historic District Boundaries

Recommended by the Historical Commission October 5, 2012  
 Revised February 12, 2013 by the Economic Development Committee of City Council  
 Ordained on March 12, 2013

## Legend

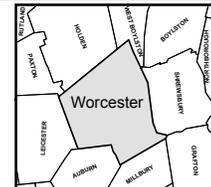
-  Crown Hill Boundary
-  Crown Hill Properties



Produced by City of Worcester  
 Executive Office of Economic Development  
 Division of Planning and Regulatory Services

DATA SOURCES:  
 All data: City of Worcester Geographic Information System  
 COORDINATE SYSTEM:  
 All map data is in the Massachusetts State Plane Coordinate system,  
 North American Datum of 1983, Massachusetts Meridian Zone (41S).  
 Units are measured in Feet.

Produced by: Train Date: February 19, 2012 File: CHLHD\_2013-02-19.mxd



Appendix F: Massachusetts Preservation Legislation



## **General Laws**

### **PART I ADMINISTRATION OF THE GOVERNMENT**

#### **TITLE VII CITIES, TOWNS AND DISTRICTS**

##### **CHAPTER 40 POWERS AND DUTIES OF CITIES AND TOWNS**

###### **Section 8D Historical commission; establishment; powers and duties**

###### **Chapter 40: Section 8D. Historical commission; establishment; powers and duties**

*[ Text of section as amended by 2013, 193, Secs. 1 to 3 effective April 2, 2014.]*

Section 8D. A city or town which accepts this section may establish an historical commission, hereinafter called the commission, for the preservation, protection and development of the historical or archeological assets of such city or town. Such commission shall conduct researches for places of historic or archeological value, shall cooperate with the state archeologist in conducting such researches or other surveys, and shall seek to coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it deems necessary for its work. For the purpose of protecting and preserving such places, it may make such recommendations as it deems necessary to the city council or the selectmen and, subject to the approval of the city council or the selectmen, to the Massachusetts historical commission, that any such place be certified as an historical or archeological landmark. It shall report to the state archeologist the existence of any archeological, paleontological or historical site or object discovered in accordance with section twenty-seven C of chapter nine, and shall apply for permits necessary pursuant to said section twenty-seven C. Any information received by a local historical commission with respect to the location of sites and specimens, as defined in section twenty-six B of chapter nine, shall not be a public record. The commission may hold hearings, may enter into contracts with individuals, organizations and institutions for services furthering the objectives of the commission's program; may enter into contracts with local or regional associations for cooperative endeavors furthering the commission's program; may accept gifts, contributions and bequests of funds from individuals, foundations and from federal, state or other governmental bodies for the purpose of furthering the commission's program; may make and sign any agreements and may do and perform any and all acts which may be necessary or desirable to carry out the purposes of this

section. It shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the case of towns in the annual town report. The commission may appoint such clerks and other employees as it may from time to time require. The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having a city manager form of government, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns they shall be appointed by the selectmen, excepting towns having a town manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen. Alternate members may be appointed in like manner as provided for in this section not exceeding in number the principal members. In the case of the absence or inability to act on the part of a principal member, the place of the principal member shall be taken by an alternate member designated by the chairman. When a commission is first established, the terms of the members and alternate members shall be for one, two or three years, and so arranged that the terms of approximately one third of the members and alternate members will expire each year, and their successors shall be appointed for terms of three years each. Any member or alternate member of a commission so appointed may, after a public hearing if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall in a city or town be filled for the unexpired term in the same manner as an original appointment. Said commission may acquire in the name of the city or town by gift, purchase, grant, bequest, devise, lease or otherwise the fee or lesser interest in real or personal property of significant historical value and may manage the same.

## General Laws

### PART I ADMINISTRATION OF THE GOVERNMENT

#### TITLE VII CITIES, TOWNS AND DISTRICTS

##### CHAPTER 40C HISTORIC DISTRICTS

###### Section 1 Citation

Section 1. This chapter shall be known and may be cited as the Historic Districts Act.

###### Section 2 Purpose

Section 2. 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 commonwealth and its cities and towns or their architecture, and through the maintenance and improvement of settings for such buildings and places and the encouragement of design compatible therewith.

###### Section 3 Establishment of historic districts; pre-requisites; enlargement or reduction of boundaries; amendment of creating ordinance; filing of maps

Section 3. A city or town may, by ordinance or by-law adopted by two-thirds vote of the city council in a city or by a two-thirds vote of a town meeting in a town, establish historic districts subject to the following provisions:— Prior to the establishment of any historic district in a city or town an investigation and report on the historical and architectural significance of the buildings, structures or sites to be included in the proposed historic district or districts shall be made by an historic district study committee or by an historic district commission, as provided in this section and in section four, who shall transmit copies of the report to the planning board, if any, of the city or town, and to the Massachusetts historical commission for their respective consideration and recommendations. The buildings, structures or sites to be included in the proposed historic district may consist of one or more parcels or lots of land, or one or more buildings or structures on one or more parcels or lots of land. The Massachusetts historical commission may consult with the director of economic development, the director of housing and community development and the commissioner of environmental management with respect to such reports, and may make guidelines for such reports, and, after public hearing, establish rules as to their form and manner of transmission. Not less than sixty days after such transmittal the study committee shall hold a public hearing on the report after due notice given at least fourteen days prior to the date thereof, which shall include a written notice mailed postage prepaid, to the owners as they appear on the most recent real estate tax list of the board of assessors of all properties to be included in such district or districts. The committee shall submit a final report with its recommendations, a map of the proposed district or districts and a draft of a proposed ordinance or by-law, to the city council or town meeting.

An historic district may be enlarged or reduced or an additional historic district in a city or town created in the manner provided for creation of the initial district, except that (a) in the case of the enlargement or reduction of an existing historic district the investigation, report and hearing shall be by the historic district commission having jurisdiction over such historic district instead of by a study committee; (b) in the case of creation of an additional historic district the investigation, report and hearing shall be by the historic district commission of the city or town, or by the historic district commissions acting jointly if there be more than one, instead of by a study committee unless the commission or commissions recommend otherwise; and (c) if the district is to be reduced written notice as above provided of the commission's hearing on the proposal shall be given to said owners of each property in the district.

Any ordinance or by-law creating an historic district may, from time to time, be amended in any manner not inconsistent with the provisions of this chapter by a two-thirds vote of the city council in a city or by a two-thirds vote of a town meeting in a town, provided that the substance of such amendment has first been submitted to the historic district commission having jurisdiction over such district for its recommendation and its recommendation has been received or sixty days have elapsed without such recommendation.

No ordinance or by-law creating an historic district, or changing the boundaries of an historic district, shall become effective until a map or maps setting forth the boundaries of the historic district, or the change in the boundaries thereof, has been filed with the city clerk or town clerk and has been recorded in the registry of deeds for the county or district in which the city or town is located, and the provisions of section thirteen A of chapter thirty-six shall not apply.

#### **Section 4 Study committees; commissions; establishment; membership; terms; vacancies; compensation; officers**

Section 4. An historic district study committee may be established in any city or town by vote of the city council or board of selectmen for the purpose of making an investigation of the desirability of establishing an historic district or districts therein. The study committee shall consist of not less than three nor more than seven members appointed in a city by the mayor, subject to confirmation by the city council, or in a town by the board of selectmen, including one member from two nominees submitted by the local historical society or, in the absence thereof, by the Society for the Preservation of New England Antiquities, one member from two nominees submitted by the chapter of the American Institute of Architects covering the area, and one member from two nominees of the board of realtors, if any, covering the area. If within thirty days after submission of a written request for nominees to any of the organizations herein named no such nominations have been made the appointing body may proceed to appoint the study committee without nominations by such organization.

Whenever an historic district is established as provided in section three an historic district commission shall be established which shall consist of not less than three nor more than seven members. An historic district commission shall be appointed in a city by the mayor, subject to confirmation by the city council, or in a town by the board of selectmen, in the same manner as

an historic district study committee unless (a) the report recommending its establishment recommends alternate or additional organizations to submit nominees for membership and states reasons why such alternate or additional organizations would be appropriate or more appropriate for the particular city or town, the Massachusetts historical commission does not recommend otherwise prior to the public hearing on the establishment of the district, and the ordinance or by-law so provides; or (b) there is an existing historic district commission in the city or town which the report recommends should administer the new district, and the ordinance or by-law so provides. Unless the report recommends otherwise on account of the small number of residents or individual property owners, and the ordinance or by-law so provides, the members of the historic district commission shall include one or more residents of or owners of property in an historic district to be administered by the commission. If within thirty days after submission of a written request for nominees to an organization entitled to submit nominations for membership on the commission no such nominations have been made the appointing body may proceed to make the appointment to the commission without nomination by such organization. The appointments to membership in the commission shall be so arranged that the term of at least one member will expire each year, and their successors shall be appointed in the same manner as the original appointment for terms of three years. Vacancies shall be filled in the same manner as the original appointment for the unexpired term. Ordinances or by-laws adopted hereunder may provide for the appointment of alternate members not exceeding in number the principal members who need not be from nominees of organizations entitled to nominate members. In case of the absence, inability to act or unwillingness to act because of self-interest on the part of a member of the commission, his place shall be taken by an alternate member designated by the chairman. Each member and alternate shall continue in office after the expiration of his term until his successor is duly appointed and qualified. All members shall serve without compensation. The commission shall elect annually a chairman and vice-chairman from its own number and a secretary from within or without its number.

## **Section 5 Definitions**

Section 5. As used in this chapter the word "altered" includes the words "rebuilt", "reconstructed", "restored", "removed" and "demolished" and the phrase "changed in exterior color"; the word "building" means a combination of materials forming a shelter for persons, animals or property; the word "commission" means the commission acting as the historic district commission; the word "constructed" includes the words "built", "erected", "installed", "enlarged", and "moved"; the words "exterior architectural feature" means such portion of the exterior of a building or structure as is open to view from a public street, public way, public park or public body of water, including but not limited to the architectural style and general arrangement and setting thereof, the kind, color and texture of exterior building materials, the color of paint or other materials applied to exterior surfaces and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures; the words "person aggrieved" mean the applicant, an owner of adjoining property, an owner of property within the same historic district as property within one hundred feet of said property lines and any charitable corporation in which one of its purposes is the preservation of historic structures or districts;

and the word “structure” means a combination of materials other than a building, including a sign, fence, wall, terrace, walk or driveway.

### **Section 6 Certificates of appropriateness, non-applicability or hardship; necessity; applications and plans, etc.; building and demolition permits restricted**

Section 6. Except as the ordinance or by-law may otherwise provide in accordance with section eight or said section eight or nine, 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.

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 non-applicability 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.

No building permit for construction of a building or structure or for alteration of an exterior architectural feature within an historic district and no demolition permit for demolition or removal of a building or structure within an historic district shall be issued by a city or town or any department thereof until the certificate required by this section has been issued by the commission.

### **Section 7 Factors to be considered by commission**

Section 7. In passing upon matters before it the commission shall consider, among other things, the historic and architectural value and significance of the site, building or structure, the general design, arrangement, texture, material and color of the features involved, and the relation of such features to similar features of buildings and structures in the surrounding area. In the case of new construction or additions to existing buildings or structures the commission shall consider the appropriateness of the size and shape of the building or structure both in relation to the land area upon which the building or structure is situated and to buildings and structures in the vicinity, and the commission may in appropriate cases impose dimensional and set-back requirements in addition to those required by applicable ordinance or by-law. When ruling on applications for certificates of appropriateness for solar energy systems, as defined in section one A of chapter forty A, the commission shall also consider the policy of the commonwealth to encourage the use of solar energy systems and to protect solar access. The commission shall not consider interior arrangements or architectural features not subject to public view.

The commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects or the architectural characteristics of the surroundings and of the historic district.

**Section 8 Review authority of commission over certain categories of buildings, structures or exterior architectural features limited; authorization**

Section 8. (a) Any city or town may provide in the ordinance or by-law establishing a district or in any amendment thereof that the authority of the commission shall not extend to the review of one or more of the following categories of buildings or structures or exterior architectural features in the historic district, and, in this event, the buildings or structures or exterior architectural features so excluded may be constructed or altered within the historic district without review by the commission:

(1) Temporary structures or signs, subject, however, to such conditions as to duration of use, location, lighting, removal and similar matters as the commission may reasonably specify.

(2) Terraces, walks, driveways, sidewalks and similar structures, or any one or more of them, provided that any such structure is substantially at grade level.

(3) Walls and fences, or either of them.

(4) Storm doors and windows, screens, window air conditioners, lighting fixtures, antennae and similar appurtenances, or any one or more of them.

(5) The color of paint.

(6) The color of materials used on roofs.

(7) Signs of not more than one square foot 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 is illuminated only indirectly; and one sign in connection with the nonresidential use of each building or structure which is not more than twelve square feet in area, consist of letters painted on wood without symbol or trademark and if illuminated is illuminated only indirectly; or either of them.

(8) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

(b) A commission may determine from time to time after public hearing that certain categories of exterior architectural features, colors, structures or signs, including, without limitation, any of those enumerated under paragraph (a), if the provisions of the ordinance or by-law do not limit the authority of the commission with respect thereto, may be constructed or altered

without review by the commission without causing substantial derogation from the intent and purposes of this chapter.

(c) A city or town may provide in its ordinance or by-law, or in any amendment thereof, that the authority of the commission shall be limited to exterior architectural features within a district which are subject to view from one or more designated public streets, public ways, public parks or public bodies of water, although other portions of buildings or structures within the district may be otherwise subject to public view, and, in the absence of such provision of the ordinance or by-law, a commission may determine from time to time after public hearing that the authority of the commission may be so limited without substantial derogation from the intent and purposes of this chapter.

(d) Upon request the commission shall issue a certificate of nonapplicability with respect to construction or alteration in any category then not subject to review by the commission in accordance with the provisions of paragraph (a), (b) or (c).

#### **Section 9 Maintenance, repair or replacement.**

Section 9. Nothing in this chapter shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature within an historic district which does not involve a change in design, material, color or the outward appearance thereof, nor to prevent landscaping with plants, trees or shrubs, nor construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any construction or alteration under a permit duly issued prior to the effective date of the applicable historic district ordinance or by-law.

#### **Section 10 Additional powers, functions and duties of commission**

Section 10. The commission shall have the following additional powers, functions and duties:—  
(a) If the commission determines that the construction or alteration for which an application for a certificate of appropriateness has been filed will be appropriate for or compatible with the preservation or protection of the historic district, the commission shall cause a certificate of appropriateness to be issued to the applicant. In the case of a disapproval of an application for a certificate of appropriateness the commission shall place upon its records the reasons for such determination and shall forthwith cause a notice of its determination, accompanied by a copy of the reasons therefor as set forth in the records of the commission, to be issued to the applicant, and the commission may make recommendations to the applicant with respect to appropriateness of design, arrangement, texture, material and similar features. Prior to the issuance of any disapproval the commission may notify the applicant of its proposed action accompanied by recommendations of changes in the applicant's proposal which, if made, would make the application acceptable to the commission. If within fourteen days of the receipt of such a notice the applicant files a written modification of his application in

conformity with the recommended changes of the commission, the commission shall cause a certificate of appropriateness to be issued to the applicant.

(b) In the case of a determination by the commission that an application for a certificate of appropriateness or for a certificate of nonapplicability does not involve any exterior architectural feature, or involves an exterior architectural feature which is not then subject to review by the commission in accordance with the provisions of section eight, the commission shall cause a certificate of nonapplicability to be issued to the applicant.

(c) If the construction or alteration for which an application for a certificate of appropriateness has been filed shall be determined to be inappropriate, or in the event of an application for a certificate of hardship, the commission shall determine whether, owing to conditions especially affecting the building or structure involved, but not affecting the historic district generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and whether such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this chapter. If the commission determines that owing to such conditions failure to approve an application will involve substantial hardship to the applicant and approval thereof may be made without such substantial detriment or derogation, or in the event of failure to make a determination on an application within the time specified in section eleven, the commission shall cause a certificate of hardship to be issued to the applicant.

(d) Each certificate issued by the commission shall be dated and signed by its chairman, vice-chairman, secretary or such other person designated by the commission to sign such certificates on its behalf.

(e) The commission shall keep a permanent record of its resolutions, transactions, and determinations and of the vote of each member participating therein, and may adopt and amend such rules and regulations not inconsistent with the provisions of this act and prescribe such forms as it shall deem desirable and necessary for the regulation of its affairs and the conduct of its business. The commission shall file a copy of any such rules and regulations with the city or town clerk.

(f) The commission shall file with the city or town clerk and with any department of the city or town having authority to issue building permits a copy or notice of all certificates and determinations of disapproval issued by it.

(g) A commission may after public hearing set forth in such manner as it may determine the various designs of certain appurtenances, such as light fixtures, which will meet the requirements of an historic district and a roster of certain colors of paint and roofing materials which will meet the requirements of an historic district, but no such determination shall limit the right of an applicant to present other designs or colors to the commission for its approval.

(h) The commission may, subject to appropriation, employ clerical and technical assistants or consultants and incur other expenses appropriate to the carrying on of its work, and may accept money gifts and expend the same for such purposes. The commission may administer on behalf of the city or town any properties or easements, restrictions or other interests in real property which the city or town may have or may accept as gifts or otherwise and which the city or town may designate the commission as the administrator thereof.

(i) The commission shall have, in addition to the powers, authority and duties granted to it by this act, such other powers, authority and duties as may be delegated or assigned to it from time to time by vote of the city council or town meeting.

**Section 11 Approval or disapproval of exterior architectural features by commission; meetings; applications for certificates; public hearings; notices**

Section 11. Meetings of a commission shall be held at the call of the chairman and shall be called at the request of two members of the commission and in such other manner as the commission shall determine in its rules. A majority of the members of a commission shall constitute a quorum. The concurring vote of a majority of the members of the commission shall be necessary to issue a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship.

A commission shall determine promptly, and in all events within fourteen days after the filing of an application for a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship, as the case may be, whether the application involves any exterior architectural features which are subject to approval by the commission. If a commission determines that such application involves any such features which are subject to approval by the commission the commission shall hold a public hearing on such application unless such hearing is dispensed with as hereinafter provided.

The commission shall fix a reasonable time for the hearing on any application and shall give public notice of the time, place and purposes thereof at least fourteen days before said hearing in such manner as it may determine, and by mailing, postage prepaid, a copy of said notice to the applicant, to the owners of all adjoining property and other property deemed by the commission to be materially affected thereby as they appear on the most recent real estate tax list of the board of assessors, to the planning board of the city or town, to any person filing written request for notice of hearings, such request to be renewed yearly in December, and to such other persons as the commission shall deem entitled to notice.

As soon as convenient after such public hearing but in any event within sixty days after the filing of the application, or such lesser period as the ordinance or by-law may provide, or within such further time as the applicant may allow in writing, the commission shall make a determination on the application. If the commission shall fail to make a determination within such period of time the commission shall thereupon issue a certificate of hardship.

A public hearing on an application need not be held if such hearing is waived in writing by all persons entitled to notice thereof. In addition, a public hearing on an application may be waived by the commission if the commission determines that the exterior architectural feature involved or its category or color, as the case may be, is so insubstantial in its effect on the historic district that it may be reviewed by the commission without public hearing on the application, provided, however, that if the commission dispenses with a public hearing on an application notice of the application shall be given to the owners of all adjoining property and other property deemed by the commission to be materially affected thereby as above provided and ten days shall elapse after the mailing of such notice before the commission may act upon such application.

### **Section 12 Review procedure provided by local ordinance or by-law**

Section 12. A city or town may provide in its ordinance or by-law or in any amendment thereof, for a review procedure whereby any person aggrieved by a determination of the commission may, within twenty days after the filing of the notice of such determination with the city or town clerk, file a written request with the commission for a review by a person or persons of competence and experience in such matters, designated by the regional planning agency of which the city or town is a member. If the city or town is not a member of a regional planning agency, the department of community affairs shall select the appropriate regional planning agency.

The finding of the person or persons making such review shall be filed with the city or town clerk within forty-five days after the request, and shall be binding on the applicant and the commission, unless a further appeal is sought in the superior court as provided in section twelve A.

### **Section 12A Appeal to superior court**

Section 12A. Any person aggrieved by a determination of the commission, or by the finding of a person or persons making a review, if the provisions of section twelve are included in a local ordinance or by-law, may, within twenty days after the filing of the notice of such determination or such finding with the city or town clerk, appeal to the superior court sitting in equity for the county in which the city or town is situated. The court shall hear all pertinent evidence and shall annul the determination of the commission if it finds the decision of the commission to be unsupported by the evidence or to exceed the authority of the commission, or may remand the case for further action by the commission or make such other decree as justice and equity may require. The remedy provided by this section shall be exclusive but the parties shall have all rights of appeal and exception as in other equity cases. Costs shall not be allowed against the commission unless it shall appear to the court that the commission acted with gross negligence, in bad faith or with malice in the matter from which the appeal was taken. Costs shall not be allowed against the party appealing from such determination of the commission unless it shall appear to the court that such party acted in bad faith or with malice in making the appeal to the court.

### **Section 13 Jurisdiction of superior court; penalty**

Section 13. The superior court sitting in equity for the county in which the city or town is situated shall have jurisdiction to enforce the provisions of this chapter and any ordinance or by-law enacted hereunder and the determinations, rulings and regulations issued pursuant thereto and may, upon the petition of the mayor or of the board of selectmen or of the commission, restrain by injunction violations thereof; and, without limitation, such court may order the removal of any building, structure or exterior architectural feature constructed in violation thereof, or the substantial restoration of any building, structure or exterior architectural feature altered or demolished in violation thereof, and may issue such other orders for relief as may be equitable.

Whoever violates any of the provisions of this chapter shall be punished by a fine of not less than ten dollars nor more than five hundred dollars. Each day during any portion of which a violation continues to exist shall constitute a separate offense.

### **Section 14 Powers and duties of commissions established as historical commissions**

Section 14. If the city council or town meeting so votes a commission established hereunder shall have the powers and duties of an historical commission as provided in section eight D of chapter forty and, in this event, a commission may be entitled an historical commission.

### **Section 15 Filing of ordinances, maps, reports, etc.**

Section 15. All ordinance or by-laws creating an historic district adopted by a city or town under authority of this chapter and under authority of any special law, unless the special law shall otherwise provide, amendments thereto, maps of historic districts created thereunder, and annual reports and other publications of commissions, and rosters of membership therein, shall be filed with the Massachusetts historical commission.

### **Section 16 Special historic districts; acceptance and effect of this chapter**

Section 16. A city or town in which there is located an historic district established under a special law may, upon recommendation of the historic district commission having jurisdiction over such district, accept the provisions of this chapter with respect to such district by a two-thirds vote of the city council in a city or by two-thirds vote of a town meeting in a town, and thereafter such historic district shall be subject to the provisions of this chapter notwithstanding the terms of any special act pursuant to which such historic district was created. The provisions of this chapter shall not impair the validity of an historic district established under any special act.

### **Section 17 Severability**

Section 17. The provisions of this chapter shall be deemed to be severable. If any of its provisions shall be held to be invalid or unconstitutional by any court of competent jurisdiction the remaining provisions shall continue in full force and effect.



## Appendix G: Worcester Downtown Historic Inventory

*Preservation Restrictions*

*National Register Districts and Properties in Downtown Worcester*



**Table G-I: Worcester Preservation Restrictions**

Property Name	Address
Bancroft Building	60 Franklin Street
George S. Barton House	6 Crown Street
Samuel Copeland Carriage House	31 Harvard Street
Walter Daniels House	2 Congress Street
Horace H. Dayton House	12 Crown Street
Frank L. and Mabel H. Dean House	10 Cedar Street
Levi A. Dowley - Taylor House	770 Main Street
Evangelical Mission Chapel	205 Summer Street
Jonathan C. French - Fannie C. Fales House	9 Crown Street
Friends' Meetinghouse	23 Oxford Street
G.A.R. Hall	55 Pearl Street
Samuel A. Gross House	11 Oxford Street
Green Hill Park Shelter	Green Hill Parkway
John Woodman Higgins Armory Museum	100 Barber Avenue
Hope Cemetery - James A. Norcross Mausoleum	119 Webster Street
Henry Augustus Lee House	4 Crown Street
Main Street Baptist Church	717 Main Street
Raymond Tilley House	12 George Street
Rogers - Kennedy Memorial Monument	Elm Park
Salisbury Mansion	40 Highland Street
Ezra Sawyer House	7 Crown Street
Dea. Constant Shepard - Ephraim C. Tainter House	14 Crown Street
Isaac C. Taylor - Lorenzo Harding House	3 Crown Street
Union Station	Washington Square
Henry G. Whitcomb House	51 Harvard Street
Worcester Academy - Abercrombie House	81 Providence Street
Worcester Academy - The Megaron	81 Providence Street
Worcester City Hall	455 Main Street

**Table G- II: National Register districts in Worcester**

MHC ID	District Name
WOR.A	Massachusetts Avenue Historic District
WOR.B	Hope Cemetery
WOR.C	Oxford - Crown Historic District
WOR.D	Salisbury Mansion and Store
WOR.E	Worcester City Hall and Common
WOR.F	The Boynton and The Windsor
WOR.G	Castle Street Row
WOR.H	Clark University Historic District
WOR.I	Hammond Heights Historic District
WOR.J	Harding - Winter Street Manufacturing District
WOR.K	Holy Cross College - Fenwick and O'Kane Halls

WOR.L	Indian Hill - North Village District
WOR.M	Institutional District
WOR.N	Junction Shop and Hermon Streets
WOR.O	Knollwood District
WOR.P	Lincoln Estate - Elm Park Historic District
WOR.Q	Lower Pleasant Street District
WOR.R	May Street District
WOR.S	Mechanics Hall District
WOR.T	Montvale Historic District
WOR.U	Norcross Brothers Houses
WOR.V	Oxford - Crown Extension District
WOR.W	Southbridge - Sargent Manufacturing District
WOR.X	Washburn and Moen North Works
WOR.Y	Wellington Street Apartment House District
WOR.Z	Whittall Mills
WOR.AA	Woodland Street Historic District
WOR.AB	Worcester Academy Historic District
WOR.AC	Worcester Asylum - State Hospital
WOR.AD	Worcester Polytechnical Institute Historic Dist.
WOR.AW	Castle Street Row
WOR.AX	Houghton Street Historic District
WOR.AZ	Ingleside Avenue Historic District
WOR.BB	View Street Historic District
WOR.BR	Providence Street Historic District
WOR.CO	Perry Avenue Historic District
WOR.CP	Euclid Avenue - Montrose Street Historic District
WOR.CQ	Holy Name of Jesus Complex
WOR.CS	The Vendome and The Saint Ives
WOR.CT	Fay Street Historic District
WOR.CU	Elm Street Historic District
WOR.CV	Beaver Street Historic District
WOR.CW	Crystal Street Historic District
WOR.CX	Woodford Street Historic District
WOR.DZ	Blackstone Canal Historic District
WOR.EB	Elm Park
WOR.EY	Thule - Plummer Buildings

**Table G-III: National Register Properties in Downtown**

MHC ID	Property Name	Address
WOR.E	Worcester City Hall and Common	455 Main Street
WOR.J	Harding - Winter Street Manufacturing District	Winter, Water, and Harding Streets
WOR.M	Institutional District	Highland, Grove, and Salisbury Streets
WOR.S	Mechanic's Hall District	303-358 Main Street
WOR.Q	Lower Pleasant Street District	7-47 Pleasant Street
WOR.CS	The Vendome and The Saint Ives	17 Chandler Street

WOR.DZ	Blackstone Canal Historic District	
WOR.EY	Thule - Plummer Buildings	180-184 Main Street
WOR.399	Henry G. Whitcomb House	51 Harvard Street
WOR.443	Samuel Copeland House	31 Harvard Street
WOR.444	Henry Goulding Mansion	26 Harvard Street
WOR.446	Armsby Building	144-148 Main Street
WOR.447	Elwood Adams Hardware Store	156 Main Street
WOR.448	Old State Mutual Building	240 Main Street
WOR.451	Worcester Five Cents Savings Bank	316 Main Street
WOR.453	Mechanics Hall	321 Main Street
WOR.457	Waldo Street Police Station and District Court	Waldo Street
WOR.458	Otis E. Putnam House	25 Harvard House
WOR.459	W.H. Goulding House	4 Dix Street
WOR.461	Jerome Marble House	23 Harvard Street
WOR.462	Tilley Raymond House	12 George Street
WOR.538	Enterprise Building	538-540 Main Street
WOR.721	Salisbury Factory Building	25 Union Street
WOR.722	Salisbury Factory Building	49-51 Union Street
WOR.761	Union Congregational Church	5 Chestnut Street
WOR.762	Worcester County Institution for Savings	365 Main Street
WOR.771	Park Building	507 Main Street
WOR.778	Colton's Block	586-596 Main Street
WOR.779	Babcock Block	600 Main Street
WOR.783	Worcester Market Building	631 Main Street
WOR.796	The Bancroft Hotel	50 Franklin Street
WOR.797	Bancroft Building	60 Franklin Street
WOR.923	Milestone, 1767	30 Elm Street
WOR.1005	Stevens Building	24-44 Southbridge Street
WOR.1006	Horatio Tower House	71 Pleasant Street
WOR.1007	Robinson and Swan Blocks	104-108 Pleasant Street
WOR.1017	Cathedral of Saint Paul	15 Chatham Street
WOR.1060	Willard Richmond Apartment Block	43 Austin Street
WOR.1244	Crompton Loom Works	132-142 Green Street
WOR.1245	Ash Street Schoolhouse	4 Ash Street
WOR.1700	James McPartland Three-Decker	17 Pond Street
WOR.1809	Evangelical Mission Chapel	205 Summer Street
WOR.1814	Saint John's Roman Catholic Church	40 Temple Street
WOR.1816	Union Station	Washington Square
WOR.1907	US Post Office and Courthouse	595 Main Street
WOR.2464	Samuel Copeland Carriage House	31 Harvard Street
WOR.2470	Goldberg Building	97-103 Water Street
WOR.2815	Poli's Palace Theater	2 Southbridge Street



Appendix H: Cambridge Preservation Restriction Policy



## Cambridge Historical Commission

### PRESERVATION RESTRICTION POLICY

The preservation restriction program administered by the Cambridge Historical Commission provides an advantageous means by which an owner may voluntarily protect an architecturally or historically-significant property.

A preservation restriction is a "non-possessory right to control what happens to buildings or land owned by others". It is voluntarily conveyed by the property owner to a qualified body such as the Cambridge Historical Commission, which holds the right and enforces the terms. A preservation restriction protects the publicly visible features of the property from unauthorized alterations, demolition, or new construction. A preservation restriction may also allow specific development opportunities to take place, or to protect significant interior features. Restrictions need not freeze a building in its present appearance; however, owners may be required to upgrade a property as a precondition for acceptance. The property's use is not affected.

Enforcing the provisions of a preservation restriction is a long-term responsibility for the Commission. To this end, the owner of the property may be required to contribute to a preservation restriction administration fund. The preservation restriction program is strengthened as accumulating grants function as a funding source in the event that legal action is necessary to protect a particular property.

#### A. Goals

The Cambridge Historical Commission encourages the donation of preservation restrictions as a means of protecting architecturally, culturally, and historically significant properties in the city. The Commission may require donation of a preservation restriction in return for Preservation Grants. Preservation restrictions will be accepted when required as a condition of private sale or action by another public agency.

#### B. Legal Authority

The legal authorities which empower the Cambridge Historical Commission to hold preservation restriction are:

##### 1. Massachusetts General Laws, Ch. 184 § 31-33

This legislation defines a preservation restriction as "a right ... in an instrument executed by or on behalf of the owner of the land ... appropriate to preservation of a structure or site historically significant for its architecture, archeology or associations, to forbid or limit any or all (a) alterations in exterior or interior features of the structure, (b) changes in appearance or condition of the site, (c) uses not historically appropriate, ... , or (e) other acts or uses detrimental to appropriate preservation of the structure or site."

Ch. 184 § 32 authorizes government bodies [such as the Cambridge Historical Commission] to acquire preservation restrictions.

2. Massachusetts General Laws, Ch. 40C  
This legislation authorizes cities and towns to create historic districts and appoint commissions to exercise jurisdiction over them. Ch. 40C § 10(h) provides that, "The [Historic District] Commission may administer, on behalf of the city or town, any properties or preservation restrictions, restrictions or other interests in real property which the city or town may have or may accept as gifts or otherwise and which the city or town may designate the Commission as the administrator thereof."
3. Massachusetts General Laws, Ch. 40 § 8D  
This section authorizes municipalities to create advisory bodies with responsibility for the entire city or town. "The [Historical] Commission may hold hearings, may enter into contracts with individuals, organizations and institutions for services furthering the objectives of the Commission's program; may enter into contracts with local or regional associations for cooperative endeavors furthering the Commission's program; may accept gifts, contributions and bequests of funds from individuals, foundations and from Federal, state or other governmental bodies for the purpose of furthering the Commission's program; may make and sign any agreements and may do and perform any agreements and may do and perform any and all acts which may be necessary or desirable to carry out the purposes of this section" (i.e., the preservation, protection and development of the historical or architectural assets of the city or town).
4. Cambridge Historical Commission Ordinance

The Cambridge City Code endows the Cambridge Historical Commission with the authority of an historic district commission under MGL Ch. 40C and an historical commission under Ch. 40 § 8D. Section 2.78.020 specifies that the Commission may "accept money, gifts, and expend the same".

### C. Eligibility

A property is considered for acceptance of a preservation restriction if it falls in one of the following categories:

1. National Register Properties. Any building, structure, or site that is individually listed on the National Register for Historic Places or that is determined to be a contributing property in a National Register district.
2. Potential National Register Properties. Buildings, structures, or sites considered eligible for the National Register by the Cambridge Historical Commission. The Commission can assist the owner in pursuing National Register status, but cannot guarantee that the Massachusetts Historical Commission or the National Park Service will approve it.
3. Locally Designated Properties. Preservation restrictions will be accepted on landmarks or properties in historic districts only when features not already protected are involved. These could include interiors or features not visible from a public way.

4. Properties Receiving Preservation Grants. Individual owner-occupants may be required to offer preservation restrictions as a condition of receiving Preservation Grants totaling \$30,000 or more. Non-profit owners may be required to offer preservation restrictions as a condition of receiving Institutional Preservation Grants totaling \$50,000 or more.
5. Other Properties. Buildings, structures, or sites can be considered for preservation restriction donations if considered to be of local architectural or historical significance by the Cambridge Historical Commission.

The Commission determines the eligibility of a property or structure for the preservation restriction program by applying the National Register Criteria for Evaluation, of which the following is an excerpt:

*The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and*

- a. that are associated with events that have made a significant contribution to the broad patterns of our history; or*
- b. that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or*
- c. that are associated with the lives of persons significant in our past; or*
- d. that have yielded, or may be likely to yield, information important in pre-history or history. (36 C.F.R. 60.6)*

The eligibility of a structure or property for the preservation restriction program will be based on its significance to the City of Cambridge, rather than its significance at the state or national level. In adopting the National Register guidelines, the Commission reserves its discretion to accept or reject prospective preservation restrictions regardless of official National Register status.

#### D. Conditions

The Commission may agree to accept a preservation restriction on the condition that certain work is carried out to rehabilitate or restore a property, and may impose other conditions as to use or future appearance as may be necessary to preserve its significant features. Such matters are determined on a case by case basis, and are based on the unique characteristics of each structure or property. The concerns and goals of property owners are considered when establishing these restrictions. The Commission avoids accepting preservation restrictions on buildings where there has been irreversible damage to the building fabric or site, where unsympathetic, irreversible alterations have taken place, and where serious and continuing maintenance problems can be expected to develop over time.

#### E. Possible Tax Benefits

Under Internal Revenue Service regulations, the value of a preservation restriction on a property listed on the National Register of Historic Places may be taken as a charitable deduction. The value of a preservation restriction is calculated as the difference between "before" and "after" appraisals of the property. The "before" appraisal takes into account the suitability of the property for more profitable as well as continuing uses (the "highest and best use" under zoning), while the "after" appraisal takes into account the reduced value of the property encumbered by a preservation restriction. The value of the preservation restriction will tend to be greatest when there is a large difference between the current and "highest and best" uses of the property or when there are no other restrictive measures limiting the use of the property, such as zoning to current density or an historic district.

**The rules for charitable contribution deductions for preservation restrictions are very technical. Any property owner considering the tax benefits of donating a preservation restriction is strongly encouraged to consult a qualified advisor. The Cambridge Historical Commission is not responsible for assuring any tax benefits.**

Some properties, especially commercial properties in areas experiencing strong development pressures, might be reassessed by the local tax assessor if encumbered with a preservation restriction. Potential donors are encouraged to contact the Cambridge assessor's office to determine if a preservation restriction donation would result in a change in local property tax assessments.

#### F. Rights and Responsibilities of a Donor

The donor of a preservation restriction relinquishes the right to alter a structure or property in a manner that would constitute inappropriate changes to the architectural or visual elements that contribute to the property's significance. These elements are unique for each property and each preservation restriction specifies the structural and visual elements that are to be protected. Any proposed repairs or alterations that could affect the portion of the property protected by the restriction must be approved by the Cambridge Historical Commission. The donor retains all other property rights. Preservation restrictions are recorded at the registry of deeds and run with the land either for thirty years or in perpetuity, in accordance with MGL Ch. 184.

Preservation restrictions will not be accepted on mortgaged properties unless the mortgagee consents to the terms of the preservation restriction by signing a subordination agreement. The property owner is responsible for informing the mortgagee of the preservation restriction proceedings.

It is the responsibility of the donor to obtain an appraisal of the value of the donation for income tax purposes. Acceptance of a preservation restriction by the Cambridge Historical Commission does not ensure a tax deduction.

The Cambridge Historical Commission will photograph the property to document existing conditions, and some or all of these images may be attached to the preservation restriction document. The preservation restriction may also incorporate architectural drawings to document existing conditions or approved future alterations, but these must be prepared by the Owner.

#### G. Preservation Administration Fund

The Commission may require a donor of a preservation restriction to contribute to a trust fund established by the City to support administration of the preservation restriction program. The Commission will waive the contribution in the event that a preservation restriction is executed during a landmark designation study of the subject property.

- Owners of residential properties (as so classified for property tax purposes) will be required to contribute one-tenth of one percent (0.001) of the total assessed value of the property.
- Owners of commercial properties will be required to contribute one-tenth of one percent (0.001) of the total assessed value of the property, but no more than \$10,000.
- No contributions will be required from non-profit institutions.
- No contributions will be required from affordable housing agencies or owners receiving affordable housing assistance.

Grants are placed in a trust fund administered by the City Treasurer. This fund is available to the Commission in the event that legal defense is necessary to protect any property (not just the subject property) on which a preservation restriction is held by the Commission.

#### H. Administration

Preservation restrictions are typically administered in the same manner as properties in historic districts established under MGL Ch. 40C. Applications for Certificates of Appropriateness, Hardship or Nonapplicability for alterations, demolition, or new construction must be made on a form provided by the Commission. Following a staff review, the Cambridge Historical Commission may convene a public hearing to consider the application. Decisions will be based on the specific criteria set forth in the preservation restriction, but procedural aspects of the review will follow the provisions of MGL Ch. 40C and Chapter 2.78 of the City Code.

#### I. Enforcement

The Cambridge Historical Commission inspects each property at least annually. Whenever permission is granted for alterations on a preservation restriction property, the alterations are monitored and a final inspection is undertaken upon completion of the alterations. Alterations are recorded photographically. The Commission will allow an owner a reasonable time to cure a violation, but may, in accordance with the provisions M.G.L. Chapter 184, Sections 31-33, file an action

with the Massachusetts Superior Court in Middlesex County for resolution of any dispute.

Cambridge Historical Commission  
August 6, 2010

## Appendix I: Sources and Persons Consulted



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Marlyn Feliciano, Staff Assistant, Planning and Regulatory Services, City of Worcester  
Deborah Steele, Principal Staff Assistant, Planning and Regulatory Services, City of Worcester  
Chris Skelly, Massachusetts Historical Commission  
Chris Ryan, Principal Planner, Central Massachusetts Regional Planning Commission  
Deborah Packard, Director, Preservation Worcester  
David Horne, Deputy Building Commissioner, City of Worcester  
Andrew Shveda, Chair, City of Worcester Historical Commission  
Tim McCann, Vice-Chair, City of Worcester Historical Commission  
City of Worcester Historical Commission  
Caitlin Audette, Preservation Planner, Baltimore City Department of Planning  
Charles M. Sullivan, Executive Director, Cambridge Historical Commission  
William Wallace, Executive Director, Worcester Historical Museum  
Jeffrey Solomon, EVP & CFO Finance & Operations, Worcester Polytechnic Institute  
Jack Foley, Vice President of Government and Community Affairs, Clark University  
Anthony Rubano, Project Designer, Illinois Historic Preservation Agency  
Timothy Murray, President and CEO, Worcester Regional Chamber of Commerce  
Stuart Loosemore, Esq., General Counsel and Director of Government Affairs and Public Policy,  
Worcester Regional Chamber of Commerce  
Shyla Ruffer Matthews, VP Community Development, MassDevelopment  
Bob Jaeger, Executive Director, Partners for Sacred Places  
Larry Smith, Senior Planner, Pioneer Valley Planning Commission  
Jim Igoe, Executive Director, Preservation Massachusetts



## Appendix J: Public Meeting (May 12, 2016)



# Worcester Historic Preservation Program Plan Public Meeting

May 12, 2016

Name	Address	Email
Mark Piscillo		
Anthony MARUCA		
Barbara Lucci		
Elo Lucci		
Mary Ann Bello		
Nancy Tagallo		
Angela Haddad		
Donna M. Giuliani		
<del>Max Bunker</del>		
Chari Baker		
Kenneth Prescott (PW)		
Robert Para		
Paul Bell'Azuk		
KONNIE LUKES		
Kate Joannoy		
Mark Marcus		
Elizabeth Mulhany		

Worcester Historic Preservation Program Plan Public Meeting  
 May 12, 2016

Name	Address	Email
Anna M. Gentile		
Edwin M. Langmuir		
Anthony Iobato Jr		
Susan DeLuca Ceccacci		
Carmelita Beltrami		
Carol Mancu Brennan		
<del>Anthony Iobato</del>		
MAURO DePaquale		
VINCE DEAR		
Ansket Zamario Beifer		
Kristen Kotel		
Tom Lawton		
Edla Ann Gray		
Anthony R. Wilcox		
Jacob J. Jayden		
Cecilia Kennedy		
Isaac M. Abigail		

# Worcester Historic Preservation Program Plan Public Meeting

May 12, 2016

Name	Address	Email
CHELSEA TONES ADLER		
Charles K. Delannoy		
GERARD POWERS		
Lynn Raffa		
Joseph Raffa		





Public Meeting – May 12, 2016

# CITY OF WORCESTER HISTORIC PRESERVATION PROGRAM PLAN



*THIS PROJECT IS BEING FUNDED IN PART BY THE CITY OF WORCESTER AND IN PART THROUGH A MASSACHUSETTS HISTORICAL COMMISSION SURVEY & PLANNING GRANT, WITH FEDERAL FUNDS FROM THE NATIONAL PARK SERVICE, US DEPARTMENT OF THE INTERIOR.*



## **TONIGHT'S MEETING**

- The Plan: Purpose and Methodology
- Documentation of Historic Resources
- Demolition Delay
- Historic Districts
- Preservation and Downtown
- Public Discussion and Input

## **YOUR INPUT**

- We want to hear from you!
  - What are your personal experiences working with the Historical Commission?
  - Thoughts on how preservation programs could be made more “User friendly”.
  - What constitutes “Historic”?
  - What buildings, neighborhoods/districts, etc. are especially important to preserve?
  - What barriers prevent or make preservation difficult?

## **THE PLAN: PURPOSE AND METHODOLOGY**

### **PURPOSE OF THE PROGRAM PLAN**

(1) Evaluate the effectiveness of the City's  
Historic Building Demolition Ordinance and  
Demolition Delay Waiver Application process

## **PURPOSE OF THE PROGRAM PLAN**

(2) Evaluate the administration of the City's three local historic districts



## **PURPOSE OF THE PROGRAM PLAN**

(3) Heighten public awareness of the importance of preservation in Worcester



## PURPOSE OF THE PROGRAM PLAN

(4) Identify challenges to and opportunities for preservation and reuse of historic downtown buildings.



## STUDY PROCESS

- Four Study Phases
  - Phase I - Background
  - Phase II - Issues Identification and Analysis
  - Phase III - Program Recommendations
  - Phase IV - Report Finalization

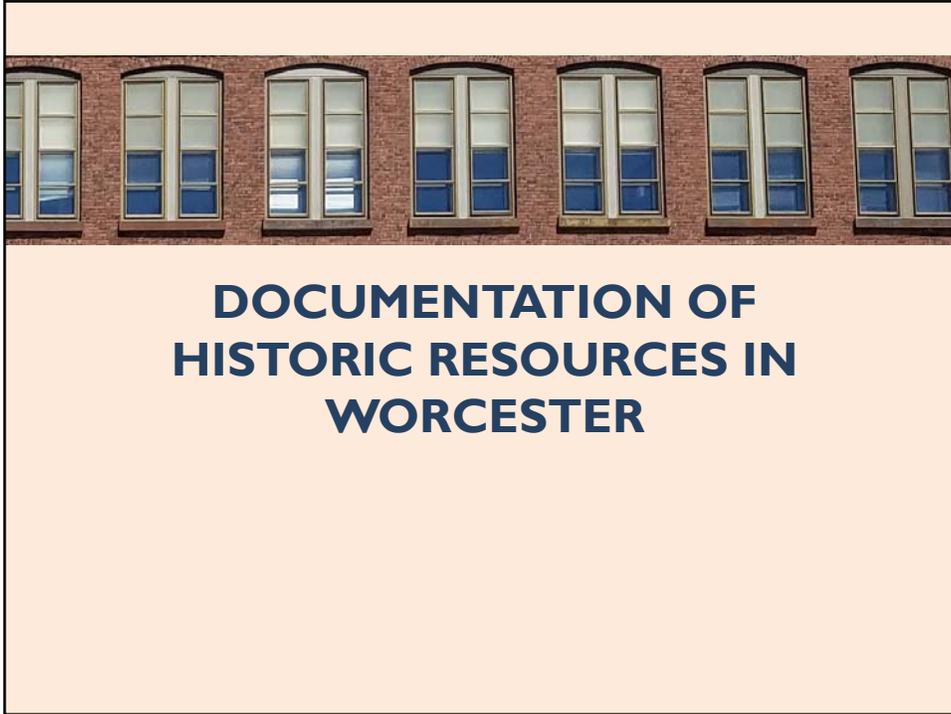
## **PHASE I: BACKGROUND**

- Historical Commission meetings
- Meetings with city staff
- Review of procedures, policies, regulations, and ordinances
- Review of current planning documents
- Best practices



## **PHASE II: ISSUE IDENTIFICATION AND ANALYSIS**

- Public forum
- Additional stakeholder interviews
- Additional city staff and agency interviews
- Research on underutilized historic buildings in downtown



## **DOCUMENTATION OF HISTORIC RESOURCES IN WORCESTER**

- Massachusetts Cultural Resource Information System (MACRIS)
- National Register of Historic Places

# MACRIS IN WORCESTER

- 3174 entries
- 10% of buildings in the City have been inventoried

### Massachusetts Cultural Resource Information System MACRIS

MHC Home | MACRIS Home Login

MACRIS last updated on 3/3/2016  
*Scanned forms and photos now available for selected towns!*

#### Search by Location

To begin your search, double click on the name of each town or city you want to include from the box labeled "Massachusetts Towns" (or highlight the town and click the "Add to list" button). Your selection(s) will appear in the box on the right. To search the entire database, select "All Towns."

To remove a town from your selection list, double click on its name in the box labeled "Your Selection(s)" (or highlight the name and click "Remove from list")

If you are searching on only one town, you can further narrow your search by selecting a particular neighborhood, street and/or street number.

When you've finished your selections by location, click "Next" to continue.  
To start over, click "New Search."

**Massachusetts Towns**

- Hirsdale
- Holbrook
- Holden
- Holland
- Holliston
- Holyoke
- Hopedale
- Hopkinton
- Hubbardston
- Hudson

**Add to list**

**Your Selection(s)**

- Holyoke

**Remove from list**

**Optional:**

Village/Neighborhood:

Street No.:

Street Name:

MHC ID:

**New Search**   **Next**

[MHC Home](#) | [MACRIS Home](#)

#### FORM B - BUILDING

MASSACHUSETTS HISTORICAL COMMISSION  
MASSACHUSETTS ARCHIVES BUILDING  
220 MORTMERE BOULEVARD  
BOSTON, MASSACHUSETTS 02125

Accession Number:  USGS Quad:  Aerial:  Photo Number:

Town/City:   
Place (neighborhood or village):   
Address:   
Historic Name:   
Use: Present:   
Original:   
Date of Construction:   
Source:   
Style/Form:   
Architect/Builder:   
Exterior Material:   
Foundation:   
Wall Type:   
Roof:   
Outbuildings/Secondary Structures:   
Major Alterations (with dates):   
Condition:   
Moved: no  yes  Date:   
Average:   
Setting:

Recorded by:   
Organization:   
Date (month/year):

10-10      Follow Massachusetts Historical Commission Survey Manual instructions for completing this form.

#### INVENTORY FORM B, CONTINUATION SHEET

MASSACHUSETTS HISTORICAL COMMISSION  
220 MORTMERE BOULEVARD, BOSTON, MASSACHUSETTS 02125

Town:  Accession:   
Aerial:  Photo No:

Recommended for listing in the National Register of Historic Places.  
*(To include, you must attach a completed National Register Criteria Continuation Sheet.)*

Use as much space as necessary to complete the following entries, allowing only to flow onto additional continuation sheets.

**ARCHITECTURAL DESCRIPTION:**  
Describe the architectural features. Evaluate the characteristics of this building in terms of other buildings within the community.

**HISTORICAL NARRATIVE:**  
Present the history of the building. Explain its association with local (or state) history. Include uses of the building and the names of the other occupants named within the community.

**BIBLIOGRAPHY and/or REFERENCES**

Continuation sheet 2

**FORM B - BUILDING**  
 MASSACHUSETTS HISTORICAL COMMISSION  
 Office of the Secretary, State House, Boston

In Area of: Worcester Form no. 116-030  
11 77

1. Town Worcester  
 Address 242-246 Main Street  
 Name Merchants' & Farmers' Ins. Co. Bldg.  
 Present use commercial

Present owner \_\_\_\_\_

2. Description:  
 Date structure 1870s, facade 1901  
 Source building notice  
 Style Bonaparte Revival  
 Architect Barker & House  
 Exterior wall fabric buff brick  
 Outbuildings (describe) none  
 Other features facade divided into three bays rising to arched, metal cornice, recessed bay windows set in Ionic frames  
 Altered store fronts Date 1960s ?  
 Moved no Date \_\_\_\_\_

3. Lot size:  
 One acre or less  Over one acre \_\_\_\_\_  
 Approximate frontage 40'  
 Approximate distance of building from street 10'

4. Recorded by B. R. Pfeiffer  
 Organization Mass. Heritage Pres. Soc.  
 Date December 1977

(over)

**FORM B - BUILDING**  
 MASSACHUSETTS HISTORICAL COMMISSION  
 MASSACHUSETTS ARCHIVES BUILDING  
 220 MORRISSEY BOULEVARD  
 BOSTON, MASSACHUSETTS 02125

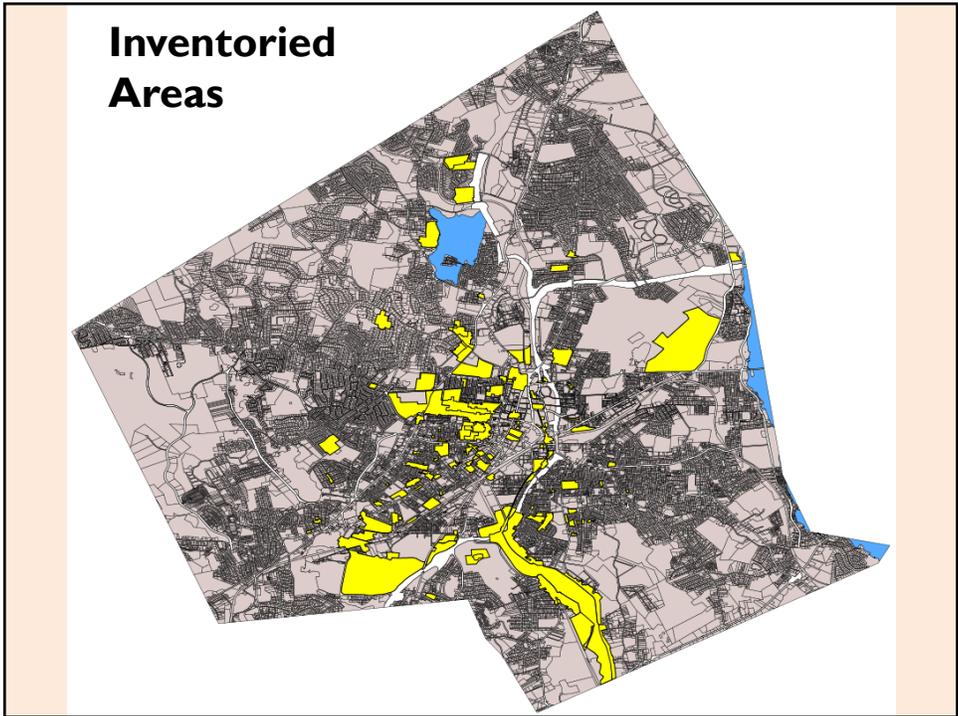
Assessor's Number: 17505 Quad AHWJ Form Number: 116-030-0001 Worcester Form 11 WOR288

Town/City: Worcester  
 Place: (neighborhood or village): Crown Hill  
 Address: 15 Irving Street  
 Historic Name: Irving Street Apartments  
 Use: Present: Apartment house  
 Original: Apartment house  
 Date of Construction: ca. 1915  
 Source: historic maps & directories  
 Style/Form: English Revival  
 Architect/Builder: Edward P. Fitzgerald, architect  
 Jeremiah J. Higgins, builder  
 Exterior Material:  
 Foundation: brick  
 Wall/Tim: brick / stone  
 Roof: asphalt membrane  
 Outbuildings/Secondary Structures: none  
 Major Alterations (with dates): none  
 Condition: good  
 Moved:   Yes  No Date: \_\_\_\_\_  
 Acreage: 0.1739 acres  
 Setting: The Crown Hill neighborhood is situated on a promontory west of downtown Worcester. It has an irregular street pattern characteristic of its mid-19<sup>th</sup>-century origin with tight streetscapes of mostly wood frame single-family dwellings. Commercial, religious, school, industrial and multi-family residential buildings are located at the margins.

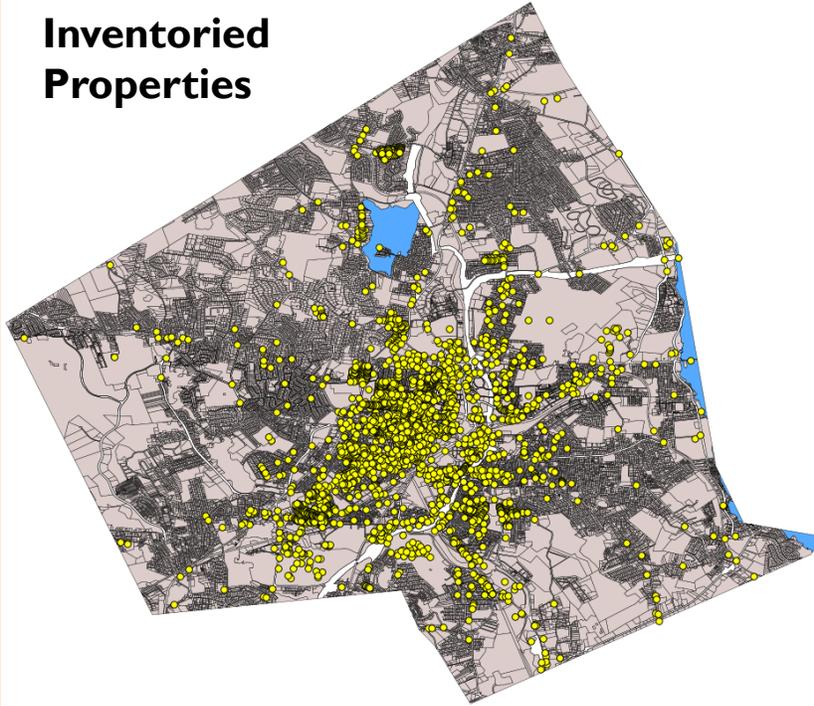
Recorded by: Nel Larson, Larson Fisher Associates  
 Organization: City of Worcester Historical Commission  
 Date (month/year): June 2010

RECEIVED  
 SEPT 20 2010  
 MASS HIST. COMMISSION

928 Follow Massachusetts Historical Commission Sample Manual instructions for completing this form.



## **Inventoried Properties**

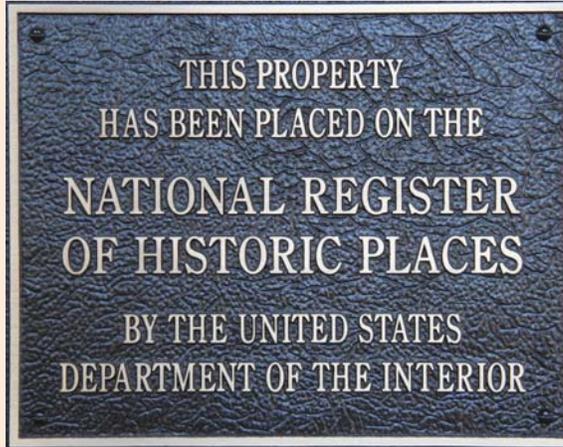


## **NATIONAL REGISTER OF HISTORIC PLACES**

- Properties may be individually listed or listed as part of a district.
- National Register Districts ≠ Local Historic Districts

## BENEFITS OF REGISTER LISTING

- Recognition
- Tax Incentives
- Grants
- Protection



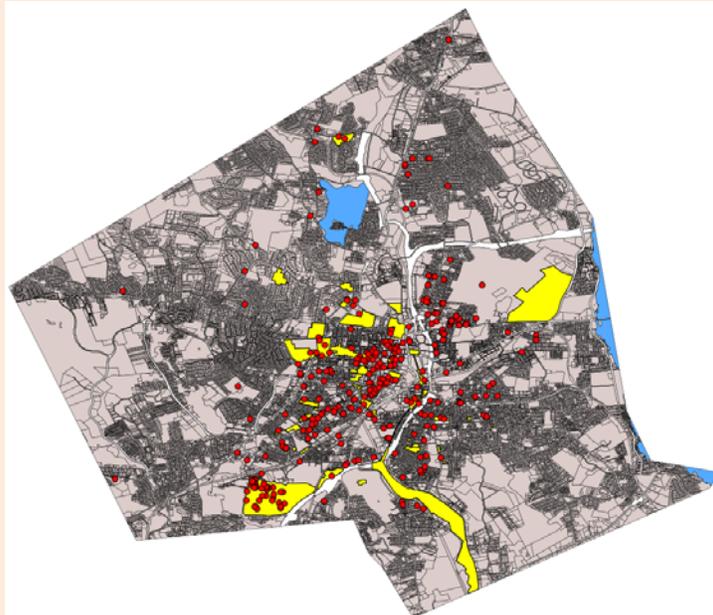
## NATIONAL REGISTER IN WORCESTER



## NATIONAL REGISTER IN WORCESTER



## NATIONAL REGISTER IN WORCESTER



## HISTORIC BUILDING DEMOLITION ORDINANCE (DEMOLITION DELAY)

### DEMOLITION DELAY

- A common historic preservation tool throughout Massachusetts.
- Properties subject to the Worcester ordinance are subject to a 12-month delay before they can be **demolished** unless the Worcester Historical Commission grants a waiver.
- The Commission may approve a waiver they it determines either that:
  - The proposed work will not be detrimental to the historic resources of the city; or
  - that the issuance of a demolition approval is necessary to avoid an undue economic hardship to the property owner.

# DEMOLITION DELAY

<div style="text-align: center;">  <p><b>Building &amp; Zoning Approval Form APPLICATION INFORMATION</b></p> </div> <p>ADDRESS _____</p> <p>PROPOSED USE: _____</p> <p><input type="checkbox"/> EXISTING USE    <input type="checkbox"/> NEW USE    <input type="checkbox"/> CHANGE IN USE</p> <p>STAMPED PLOT PLAN ATTACHED <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DATE OF PLANNING BOARD APPROVAL _____/_____/_____</p> <p>APPROVAL FORM ATTACHED? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A</p> <p>DATE OF ZONING BOARD APPROVAL _____/_____/_____</p> <p>RECORDED APPROVAL FORM ATTACHED <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A</p> <p>COPY OF PARKING LOT LICENSE PROVIDED <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A</p> <p>PROPOSED OCCUPANCY RATING _____ PERSONS</p> <p>SUBMITTED BY _____ (Property Owner or Legal Representative)</p> <p style="text-align: center;"><b>OFFICE USE ONLY</b></p> <p>ZONE _____</p> <p>USE COMPLIANCE <input type="checkbox"/> YES    SPECIAL PERMIT <input type="checkbox"/> PRE-EXISTING</p> <p>SETBACK COMPLIANCE <input type="checkbox"/> YES <input type="checkbox"/> VARIANCE</p> <p>PARKING COMPLIANCE <input type="checkbox"/> YES <input type="checkbox"/> VARIANCE <input type="checkbox"/> SPECIAL PERMIT</p> <p>APPROVED OCCUPANCY _____ PERSONS</p> <p>HISTORIC DEMOLITION COMPLIANCE <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A</p> <p>FLOOD PLAIN COMPLIANCE <input type="checkbox"/> YES <input type="checkbox"/> N/A</p> <p>APPROVED BY _____ DATE ____/____/____</p>	<div style="text-align: center;">  <p><b>WORCESTER HISTORICAL COMMISSION</b></p> <p><b>BUILDING DEMOLITION DELAY WAIVER CHECKLIST</b> (For properties listed on the Massachusetts Cultural Resource Information System)</p> <p>Planning &amp; Regulatory Services Division • 455 Main Street, Room 404, Worcester, MA 01608 • Phone: 508-799-1400, ext. 200 Office Hours are 9:30 am – 2:00 pm</p> </div> <p><b>STEP 1: Obtain applications from the City's website: <a href="http://www.worcesterma.gov">www.worcesterma.gov</a> (Document Center), or contact our office. Complete the following components:</b></p> <p><b>A. Building Demolition Delay Waiver Application</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Application must be signed by the applicant or applicant's representative.</li> <li><input type="checkbox"/> Answer all applicable questions.</li> </ul> <p><b>B. Certified List of Abutters and Map:</b> There is a minimal fee for this service.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Copied from the Worcester Assessing Division, City Hall, 455 Main Street, Room 209, (508) 799-1099.</li> <li><input type="checkbox"/> Please contact this office at a minimum one week in advance.</li> </ul> <p><b>C. Visual Representation of Proposed Changes to Structures:</b> Recommended representations include one or more of the following: (1) plot plan of the site; (2) building elevations; (3) architectural renderings; and/or (4) a set of photographs. These representations should provide sufficient information to the Historical Commission to render an informed decision and should depict the following:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Current conditions of the structure or parts of the structure to be changed.</li> <li><input type="checkbox"/> Proposed renovations, changes, or removal of exterior features (saddles, roof, doors, porches, etc.)</li> <li><input type="checkbox"/> If available, applicants may submit brochures showing materials to be used in restoration, such as window frames, roofing samples, door samples, etc.</li> </ul> <p><b>D. Stamped and Addressed Envelopes with Abutters' Address Labels (Do NOT stuff envelopes)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Assemble stamped envelopes with the abutters' address labels provided by the Assessor's Office.</li> <li><input type="checkbox"/> The return address on the envelopes should be: City of Worcester, Division of Planning &amp; Regulatory Services, 455 Main Street, Room 404, Worcester, MA 01608. (Please note: This office has a return address stamp for your convenience if you wish to use it.)</li> </ul> <p><b>STEP 2: Assemble your application package and submit the following to the office (there is no fee for this filing):</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Combine items A, B, &amp; C - this constitutes the "original application package". Afterwards, make ten (10) copies of the application package (double-sided printing is encouraged).</li> <li><input type="checkbox"/> Bring the original application package, 10 copies, and stamped and addressed envelopes (see D. above) to the Planning &amp; Regulatory Services Division.</li> </ul> <p><b>STEP 3: After the Planning &amp; Regulatory Services Division staff has reviewed and approved the application package for completeness and accuracy, it will be date-stamped and registered in the Historical Commission log. You will then be asked to bring the original application package to the City Clerk's office to be filed in the Worcester City Hall, 455 Main Street, Room 209 (2<sup>nd</sup> floor), Phone (508) 799-1121. (There is no fee for this filing.)</b></p> <p><b>NEXT STEPS:</b> You and your abutters will receive a Public Hearing Notice ten (2) weeks prior to the Historical Commission meeting. The notice will include the date, time and location of the meeting. Please note that you or your representative are required to attend the meeting to answer any questions the Historical Commission members may have. Following the meeting at which the Commission will vote on the matter, a signed decision will be issued within 1-2 weeks. This decision is necessary for obtaining a Building Permit.</p> <p style="text-align: center;"><small>All application deadlines are 2:00 P.M. unless otherwise specified. Historical Commission meetings are regularly held on a Thursday, at 5:30 pm, in the City Hall, Room 309, unless otherwise specified.</small></p> <p>Page 1 of 2      HC - Building Demolition Delay Waiver      Revised: June 25, 2014</p>
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## DEMOLITION DELAY : THE ISSUES

- Which properties are subject to the ordinance?
- What constitutes “demolition”?
- What constitutes “undue economic hardship”?
- Building permit as trigger for review.
- The extent to which the Commission can or should consider what is proposed in replacement of the historical structure/materials.
- How do we use the one-year delay period most effectively?

## WHAT TRIGGERS THE ORDINANCE

- Worcester's Ordinance:
  - designated historic building - any building or portion thereof, including those within any historic district established by the city under the provisions of c. 40C of the General Laws and § 17(b) of Article 3 of Part II of these Revised Ordinances, and which is listed on, or within an area listed on, the National Register of Historic Places, or the State Register of Historic Places, or is the subject of a pending application for listing on said Registers, or is listed on the National Register Eligible List established by the commission pursuant to its designation as a certified local government by the Massachusetts Historical commission.

## WHAT TRIGGERS THE ORDINANCE

- Worcester's Ordinance:
  - In an historic district
  - Listed on, or within an area listed on, the National Register of Historic Places, or the State Register of Historic Places
  - Pending application for listing on the Registers
  - Listed on the National Register Eligible List established by the commission pursuant to its designation as a certified local government by the Massachusetts Historical commission.
- Worcester uses MARCIS as a collective proxy for these criteria.

## DEMOLITION DEFINITION

- Worcester's Ordinance:
  - “Any act of pulling down, destroying, removing, or razing a building or any designated historic portion thereof, or commencing the work of total or substantial destruction with the intent of completing the same.”

## DEMOLITION DEFINITION

- Sample Bylaw (MHC):
  - “Any act of pulling down, destroying, removing, **dismantling** or razing a building or commencing work of total or substantial destruction with the intent of completing the same.”
- Worcester's Ordinance:
  - “Any act of pulling down, destroying, removing, or razing a building or **any designated historic portion thereof**, or commencing the work of total or substantial destruction with the intent of completing the same.”

## **OTHER DEMOLITION DEFINITIONS**

- Across Massachusetts, approximately 50% of communities with Demolition Delay ordinances use the MHC definition.
- 6 communities specify percentages of removal or alternation that qualify as demolition.
- Other models list specific activities as constituting demolition (e.g. – removal of siding, alternation of exterior roof lines, etc.)

## **ECONOMIC HARDSHIP**

- Undefined by Ordinance
- Commission decides on a case-by-case basis

# LOCAL HISTORIC DISTRICTS

## There is a difference...

There are substantial differences between a Local Historic District and a National Register District. This brochure has been prepared by the Massachusetts Historical Commission to help clarify these differences.

### National Register Districts

A National Register District is part of the National Register of Historic Places. The National Register of Historic Places is the list of individual buildings, sites, structures, objects, and districts, deemed important in American history, culture, architecture, or archaeology. It is a federal designation and is administered by the Secretary of the Interior through the Massachusetts Historical Commission as the State Historic Preservation Office.

#### Listing in the National Register:

- recognizes that the area is important to the history of the community, state, or nation.
- allows the owners of income-producing properties certain federal tax incentives for rehabilitation.
- provides limited protection from adverse effects by federal or state involved projects.

If there is no state or federal involvement in a project (such as federal licenses, permits, or funding) and no pertinent local or regional regulations (such as a local historic district), then listing in the National Register of Historic Places does not in any way limit an owner's handling of the property.

There are over 900 National Register Districts in Massachusetts.

The National Register of Historic Places, begun in 1966, promotes an appreciation of our diverse cultural heritage. Communities with National Register Districts take great pride in this federal designation.



Fire Station, Melrose Town Center Historic District, both a Local and National Register Historic District

*Note:* A National Register District cannot be listed if a majority of the property owners submit notarized objections. Every owner of record of private property has the opportunity to comment and/or object to the nomination, and has one vote regardless of whether they own a single property, multiple properties, or a portion of a property.

### Local Historic Districts

In general, local historic districts are far more effective at preventing inappropriate changes than a National Register District. In a local historic district, a locally appointed Historic District Commission reviews proposed changes to exterior architectural features visible from a public way. For instance, if a building addition is proposed in a local historic district, the property owner must submit an application to the Historic District Commission. The Historic District Commission holds a public hearing and makes a determination on whether the new addition is appropriate. If the addition is deemed appropriate, the Historic District Commission issues a Certificate, allowing the work to progress. Many Historic District Commissions have prepared *Historic District Design Guidelines* that clarify how proposed projects should respect the existing historic character.

Local Historic Districts in Massachusetts were first established on Beacon Hill and Nantucket in 1955. There are now over 200 local historic districts in Massachusetts. Local Historic Districts have been very effective at saving historic structures, neighborhoods, and villages from inappropriate alteration and demolition.

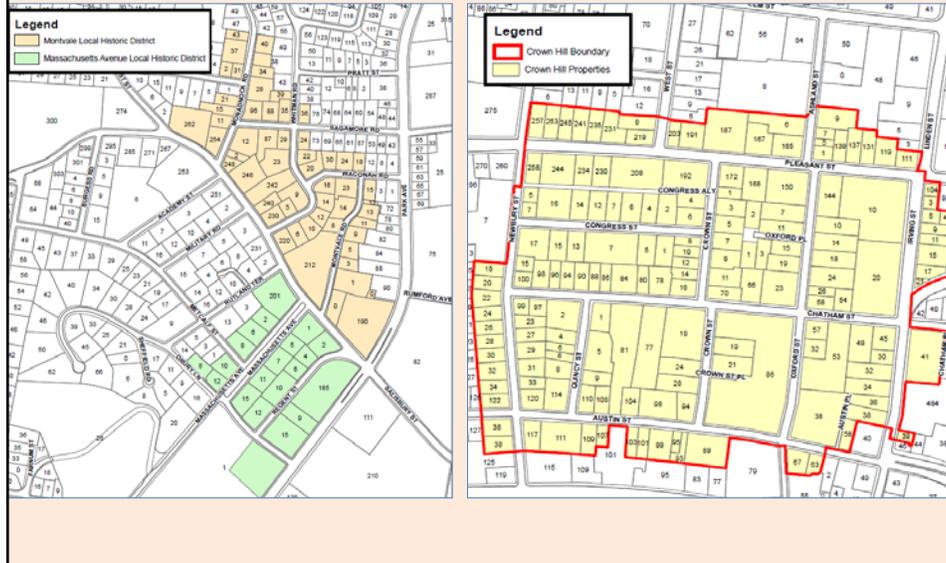
Following the steps outlined in Massachusetts General Laws Chapter 40C, Local Historic Districts are established by a two-thirds majority city council or town meeting vote.

By establishing a local historic district, a community recognizes the importance of its architectural heritage and how vulnerable it is to inappropriate alterations without this local regulation.

Many proposed changes are exempt from review. In a local historic district, there is no review of interior features. In addition, a variety of exterior features are often exempt such as air conditioning units, storm doors, storm windows, paint color, and temporary structures. The decision on which features are exempt from review depends on how the local bylaw or ordinance is written and passed by your city council or town meeting vote.

This brochure has been financed in part with federal funds from the National Park Service, U.S. Department of the Interior. However, the contents and opinions do not necessarily reflect the views or policies of the Department of the Interior. This program receives Federal financial assistance for identification and protection of historic properties. The U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, gender, or disability in its federally assisted programs. If you believe you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to: Office of Equal Opportunity, National Park Service, 1849 C Street NW, Washington, DC 20240.

## LOCAL HISTORIC DISTRICTS



## LOCAL HISTORIC DISTRICTS

- Commission has purview over any exterior alternations visible from a public street.
- Rules may vary from district to district.
- Commission may approve work in one of three ways:
  - Certificate of Appropriateness
  - Certificate of Non-Applicability
  - Hardship

## **HISTORIC DISTRICTS : ISSUES**

- Commission is operating with outdated Rules & Regulations.
- Lack of design guidelines to establish work appropriate for each district.
- Education and awareness for residents in the Districts.
- Building permit as trigger for Commission review.

## **PRESERVATION IN DOWNTOWN**

Map of “downtown” target area

## **PRESERVATION IN DOWNTOWN**

- Maps of downtown by ages: 50 years, 75 years, 100 years

## **PRESERVATION IN DOWNTOWN**

- Challenges
  - Poor condition of many existing buildings & cost of rehabilitation.
  - Challenges redeveloping space due to building code, accessibility, and other requirements.
  - Unused upper floors in buildings with ground floor retail.

## **PRESERVATION IN DOWNTOWN**

- Opportunities and Tools
  - Zoning
    - Ensure that regulations enable and encourage re-development of historic buildings.
  - Urban renewal plan
  - Historic Tax Credits
    - State and Federal programs.
    - Must be listed on National Register to be eligible.

**PUBLIC INPUT**

Appendix K: Presentation to Historical Commission (August 3, 2016)





August 3, 2016

# CITY OF WORCESTER HISTORIC PRESERVATION PROGRAM PLAN



## IDENTIFICATION OF ISSUES AND NEEDS

- Administration and operation of the Commission
- Historic Building Demolition Delay Ordinance
- Local Historic Districts
- Preservation in Downtown



## **GENERAL ADMINISTRATION**

### **ISSUES AND NEEDS - ADMINISTRATION**

- Commission is staffed at less than one FTE currently.
- Staff lacks specific expertise in preservation and/or architecture.
- Public hearings have specific procedures that must be followed.
- Meeting materials and discussions with the applicant are not accessible to audience members.
- Verification that work is performed according to approvals.
- Lack of enforcement

## STAFFING LEVELS AND EXPERTISE

- Establish a full-time, preservation-focused position to staff the Commission.
- Alternatively, retain a preservation consultant on-call to provide technical assistance to the Commission.

	Staffing Levels
Newton	2 FTE
Brookline	2 FTE
Cambridge	6 FTE
Somerville	2 FTE
New Bedford	1 FTE
Providence, RI	1 FTE
Portland, ME	2 FTE

## PUBLIC HEARINGS

- A suggested outline for public hearings and suggested meeting procedures will be included. Every public hearing should operate the same way in order to maintain consistency and fairness. Each public hearing throughout the course of a Commission meeting must be opened and closed, or tabled, individually.
- The applicant should stand at the podium currently used by the public for public comment.
- The chair should note that any materials provided by the applicant at the meeting are public, and that the audience is invited to review them.
- All materials submitted by the applicant as part of the application should be scanned and made available on the large screen in the meeting room as necessary during discussion.
- A map of the City of Worcester should be made available in the room so the audience can identify where the project is taking place.

## **DECISION FOLLOW-UP AND REVIEW OF APPROVED WORK**

- The Commission should establish design guidelines for each individual local historic district.
- In local historic districts, a staff member from the Division of Planning and Regulatory Services should review completed work to ensure compliance with both the overall regulations of the district and any conditions that were placed on approval.
- Work with Building department to establish process to ensure that work is in compliance with Commission approval prior to closing out permits.

## **NON-COMPLIANCE AND ENFORCEMENT OF COMPLAINTS**

- Current ordinance allows for \$300 a day fine. Develop policy for how this fine should be used in cases of non-compliance.
- The current ordinance could be amended to include a provision prohibiting the issuance of a building permit if a building is demolished without undergoing Historical Commission review. The MHC sample bylaw uses this language: "If a building subject to this bylaw is demolished without first obtaining a demolition permit, no building permit shall be issued for a period of two years from the date of the demolition on the subject parcel of land or any adjoining parcels of land under common ownership and control unless the building permit is for the faithful restoration referred to above or unless otherwise agreed to by the Commission."



## DEMOLITION DELAY

## DEMOLITION DELAY

- Which structures are affected?
  - MACRIS (current)
  - Other specific list (WHC list, National Register, etc.)
  - All structures by age (e.g. – 50 years, 75 years, 100 years, etc.)
- What work constitutes demolition?
  - Any exterior work (current)
  - Specific definition of partial demolition
  - Total or substantial demolition only
- How long should the demolition period be?
  - 12 months (current)
  - Other duration

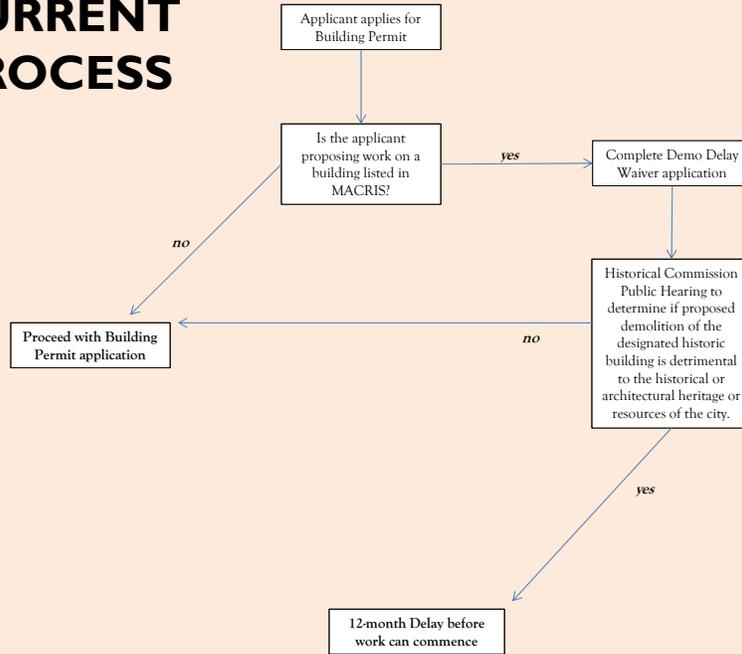
## **CURRENT DEFINITION OF DEMOLITION**

- “Any act of pulling down, destroying, removing or razing a building or any designated historic portion thereof, or commencing the work of total or substantial destruction with the intent of completing the same.”

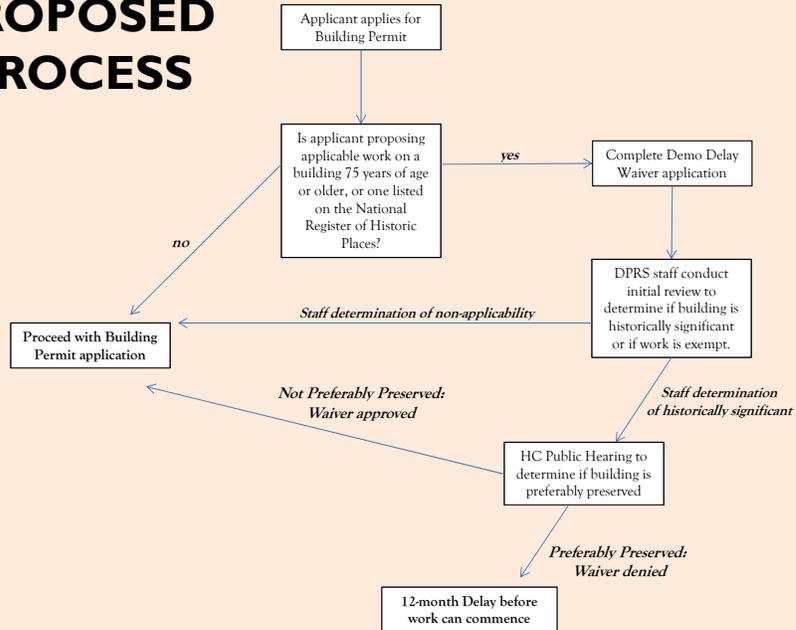
## **SUGGESTED DEFINITION OF DEMOLITION**

- The intentional act of substantially pulling down, destroying, defacing, removing or razing a building or structure or commencing the work of total, substantial or partial destruction with the intent of completing same. It includes:
  - Total demolition, dismantling or relocation of a structure.
  - The delay or withholding of maintenance on a building or structure in such a way as to cause or allow a significant loss of architectural integrity or structural stability.
  - Partial demolition, dismantling, pulling down, defacing or destruction of a structure involving any of the following:
    - Removal of 50% or more of an exterior wall visible from the right of way.
    - Changes to a roof (except minor repairs or re-shingling with in-kind materials), including altering a roof line, installing or removing dormers, changing roof pitch, or replacing slate, tile, metal or wood shake roofs with different materials.
    - Removal or addition of window or door openings.
    - Altering a building’s key-character defining features, making it non-eligible to be listed in the National Register of Historic Places.

# CURRENT PROCESS



# PROPOSED PROCESS



## **DETERMINATIONS OF “HISTORICALLY SIGNIFICANT”**

- Any building within the City of Worcester which is in whole or in part 75 years or more old, or listed on the National Register of Historic Places, and which has been determined by the Commission or its designee to be significant based on any of the following criteria:
  - The Building is listed on, eligible for, within an area listed on, or is the subject of a pending application for, the National Register of Historic Places; or
  - The Building is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the City or the Commonwealth; or
  - The Building is historically or architecturally important (in terms of period, style, method of building construction or association with a recognized architect or builder) either by itself or in the context of a group of buildings.

## **PREFERABLY PRESERVED**

- At the hearing the Commission shall determine whether the demolition of the historically significant building or structure will be detrimental to the historical, cultural, or architectural heritage or resources of the City and therefore be Preferably Preserved.

## PREFERABLY PRESERVED

- The Commission shall consider the following in making its decision:
  - The building or structure is of such interest or quality that it would meet National Register criteria for designation;
  - The building or structure is of such architectural or historic interest that its removal would be a determinant to the public interest;
  - Retention of the building or structure would help preserve and protect a historic place or area of historic interest in the city;
  - The reason for the proposed demolition and data supporting said reason, including data sufficient to establish any economic justification for demolition; and
  - The proposed reuse of the parcel on which the building or structure is located.

## DURATION OF DELAY PERIOD

- 106 Demolition Delay Ordinances in Massachusetts
- Most commonly used delay period is 6 months; second most common is 12 months.
- MHC recommends 12 months

	Delay Period
Cambridge	6 months
Somerville	9 months
Springfield	9 months
Newton	12 months
Brookline	12 months 18 months if Nat'l Register listed
New Bedford	12 months



## **LOCAL HISTORIC DISTRICTS**

### **ISSUES – LOCAL HISTORIC DISTRICTS**

- Awareness and education of residents in LHDs
- Composition and continuing education of the Commission
- Redundant Demolition Delay reviews
- Lack of design guidelines by which to evaluate projects
- Many significant neighborhoods or individual structures not protected as Local Historic Districts
- Establishing Single Building Local Historic Districts vs. Landmarks

## **AWARENESS AND EDUCATION**

- Yearly reminder letter or postcard to all property owners.
- Letter to new property owners upon purchase.
- Outreach to local realtors about LHDs.
- Identification in Assessor's property records.

## **CONTINUING EDUCATION FOR STAFF AND THE COMMISSION**

- Commission and staff engage in ongoing training
- "New Commissioner" training
- Develop library of resource materials
- Attend Statewide historic preservation conference

## **REDUNDANT DEMOLITIONAL DELAY REVIEWS**

- Specifically remove LHDs from the Demolition Delay ordinance.

## **LACK OF DESIGN GUIDELINES**

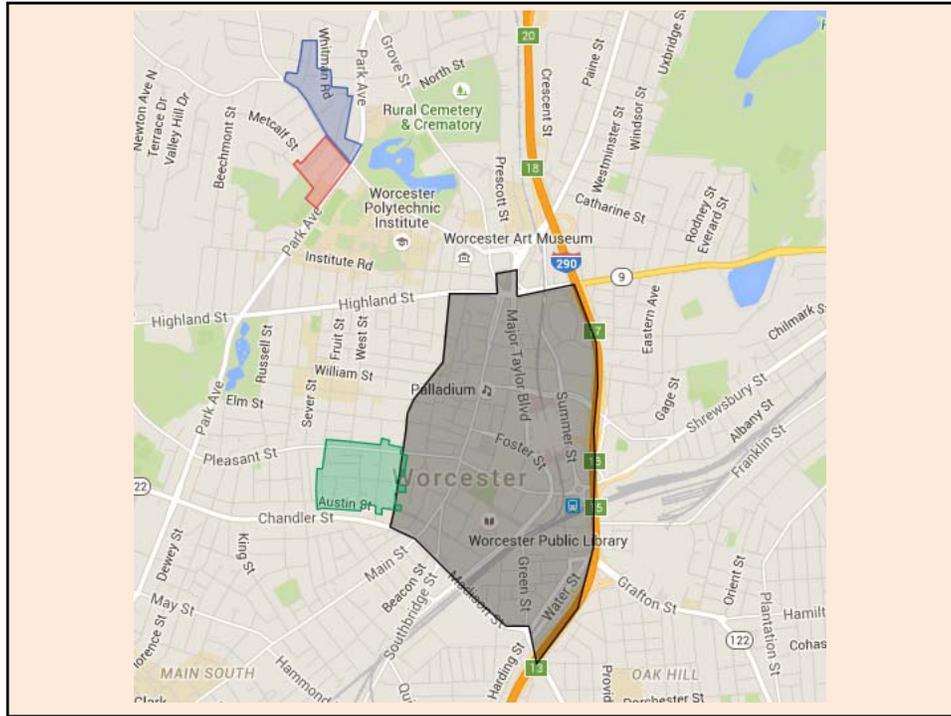
- Create specific design guidelines for each district.
- Base decisions on appropriateness on these guidelines uniformly.
- The Commission should develop a list of those items which do not require Commission approval but do require a certificate of non-applicability.

## **NEW LOCAL HISTORIC DISTRICTS**

- Identify potential neighborhoods that are candidates for new Local Historic Districts and initiate study process for the creation of such districts.
- Significant individual buildings worthy of protection should be considered for designation as Single Building Local Historic Districts.



## **PRESERVATION OF UNDERUTILIZED HISTORIC DOWNTOWN BUILDINGS**



## ISSUES AND NEEDS - DOWNTOWN

- Issues associated with Downtown Properties
  - Identification and prioritization of historic resources
  - Limited protections for historic structures downtown
  - Costs and cost effectiveness of historic rehabilitation
  - Few developer incentives
  - Lack of recognition of importance of historic preservation

## **IDENTIFICATION AND PRIORITIZATION OF HISTORIC RESOURCES**

- Inventory properties currently not listed in MACRIS
- Update inventory forms for other properties
- Commission should consider identifying “Landmark” buildings and pursuing additional protections
- Determinations of eligibility for National Register
- Establish new NR districts in downtown

## **LIMITED PROTECTIONS**

- Expand demolition delay to cover all historic buildings
- Consider establishment of a Landmark buildings program or Individual Local Historic Districts
- Establish and promote preservation restrictions program
- Consider additional zoning changes that support retaining and reusing buildings.

## **COST OF REDEVELOPMENT AND REHABILITATION**

- Establish National Register Historic Districts to increase the number of properties eligible for historic tax credits.
- Explore feasibility of tax or valuation credit programs from other communities
  - Baltimore: Local Historic Tax Credit for Residential Properties
  - Illinois: Assessed Value “Freeze” on Approved Residential Projects
- Expand programs such as the façade improvement program and tailor to provide incentives for historically appropriate treatments.
- Voluntary preservation restrictions can confer tax advantages
  - WHC can hold preservation restrictions

## **EDUCATION, MARKETING AND PERCEPTION**

- Education for property owners and developers
  - Tax incentives (20% and 10% credits)
  - Economics of historic preservation.
    - Each property is unique. When you factor in the purchase price, demolition costs, and new construction figures, it is often comparable to rehab a property.
  - LEED initiatives incorporating historic preservation
  - City sponsored programs (façade improvement program)
- Annual report from Commission
- Establish local preservation awards program

## **NEXT STEPS**

- Finalize recommendations
- Final recommendations presented to Historical Commission on Sept 1<sup>st</sup>.
- Complete documentation by Sept 30<sup>th</sup>.