

HISTORIC DISTRICT ORDINANCE

Adopted March 11, 1997

(Amended 3/12/13)

1. PURPOSE

It is hereby declared as a matter of public policy that the recognition, preservation, enhancement, and continued use of buildings, structures, sites, and areas within the historic districts defined in this Ordinance having historical, architectural, cultural, or design significance are required in the interest of the economic prosperity, cultural enrichment, health, and general welfare of the community.

The purposes of this Ordinance are to:

- (a) Safeguard the heritage of the Town of Winchester by providing for the protection of the structures and areas representing significant elements of its cultural, social, economic, political, and architectural history;
- (b) Enhance the visual character of the municipality by encouraging and regulating the compatibility of new construction within the historic districts to reflect or respect established architectural traditions;
- (c) Foster public appreciation of, and civic pride in, the beauty of the Town of Winchester and the accomplishments of its past;
- (d) Strengthen the economy of the Town of Winchester by protecting and enhancing the attractiveness of the community to residents, tourists, and visitors;
- (e) Conserve property values within the Town of Winchester; and
- (f) Promote the private and public use of structures and areas within the historic districts of the Town of Winchester for the education, pleasure, prosperity, and general welfare of the community.

2. HISTORIC DISTRICT COMMISSION

- (a) There is established a Historic District Commission consisting of five (5) members, to be appointed by the Board of Selectmen.
- (b) One (1) member of the Commission shall be a member of the Board of Selectmen and one (1) member shall be a member of the Planning Board.

- (c) There shall be three (3) alternate members appointed by the Board of Selectmen.
- (d) The term of office for all members and alternates shall be three (3) years.

3. POWERS AND DUTIES OF THE HISTORIC DISTRICT COMMISSION

- (a) The Historic District Commission shall adopt and amend regulations for the administration of the Historic Districts.
- (b) The Historic District Commission shall be responsible for the administration of this Ordinance and regulations within the Historic Districts.
- (c) The Historic District Commission shall review all applications for permits for construction, alteration, removal, or demolition within the Historic Districts.
- (d) Such powers of review shall be limited to those considerations which will have an impact on the character and integrity of the Districts.
- (e) The Historic District Commission may consult with other boards and officers of the Town, or with historical, cultural, or educational groups, or persons to reach a recent decision.
- (f) The Historic District Commission shall have the power to accept and use gifts, grants, or contributions for the exercise of its functions.

4. HISTORIC DISTRICTS DEFINED

The location of the Historic Districts of the Town of Winchester shall be as shown on the official Historic District Map, and as indicated by the following tax map and lot numbers and to include any subsequent subdivisions thereafter:

Tax Map 26, Lots: 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 25-1, 26, 27, 28, 51, 52, 53,54,54-1,55, 87, 88, 89, 90,90-1, 91, 92, 93, 94, 95, 96, and 97.

Tax Map 28, Lots: 40, 41, 41-1, 42, 43, 44, 45,46, 47, 48, 49, and 57.

Tax Map 07, Lot 27.

Tax Map 19, Lots: 05, 06, 08, 09, 10, 11, 12, 13, 14, 16, 17, 17-1, 18, 18-1, 19; Cemetery adjoining 05, 06 and Old Hinsdale Road; 04, 07-1, 21, 22, 23, 24-1, 31, 32, 33, and 41.

5. ACTIVITIES REQUIRING REVIEW

(a) Regulated Activities

It is unlawful for any person to construct, alter, repair, move or demolish any building, structure, or improvement which lies within the Historic Districts without first obtaining a certificate of approval from the Historic District Commission.

(b) Historic Commission Review

For the purpose of this Article, the following activities shall be reviewed by the Historic District Commission:

- (1) Erection, alteration, repair, sand blasting, abrasive cleaning, relocation, or demolition of the building or structure, and construction of any site;
- (2) Erection, alteration, or removal of any exteriors or visible features of a building or structure;
- (3) Construction, reconstruction, or repair of any stone wall or fencing; and
- (4) Grading, excavation, or removal of stone walls, fences, and tree.

6. EXEMPTIONS

The Historic District Commission shall not require review of the following activities:

(a) Ordinary Maintenance and Repair

Ordinary maintenance and repair of any architectural feature which does not involve removal or a change in design, dimensions, materials, or outer appearance of such features.

(b) Painting or Repainting of Buildings or Structures

- (1) Colors employed shall be consistent with that of the balance of the District and shall be presented in a conventional manner.
- (2) Unconventional designs, colors, or color combinations are prohibited.

7. APPLICATION PROCEDURE

The Historic District Commission shall prescribe a procedure for processing applications which shall include appropriate forms for applying to the Commission, fees, review by public officials and others, public hearings, and written decisions.

8. REVIEW CRITERIA

In making a determination on an application, the Historic District Commission shall take into account the purposes of this Ordinance and consider, but not be limited to: the impact of a proposal upon existing improvements and properties and the Historic District, and historical, cultural and architectural values; the general scale, size, style, design, landscaping and the compatibility and appropriateness of the project in the context of the Historic District; alternatives to demolition; and new construction upon sites within the District.

9. CERTIFICATE OF APPROVAL

No building permit shall be issued and no construction, repair, demolition, reconstruction, or removal of buildings, structures, stone walls, fences, or trees shall occur without first receiving a certificate of approval from the Historic District Commission.

10. APPEALS

Any person or persons jointly or severely aggrieved by a decision of the Historic District Commission shall have the right to appeal that decision to the Zoning Board of Adjustment in accordance with state law.