



Town of Reading Massachusetts

Historical Commission

Rules and Regulations
General Information
July 20, 2022

Section 1 Introduction

The Reading Historical Commission (RHC) was established by a vote of Town Meeting, November 14, 1977. The Mission of the RHC is to identify and record historic assets of the Town and to develop and implement programs for their preservation. To accomplish its mission, the RHC has adopted the following Rules and Regulations, which may be amended as needed, as provided in the Reading Town Charter, Section 8.8.

Section 2 Organization, Powers, Functions and Duties of the RHC

Members are appointed by the Board of Selectmen to staggered, three-year terms unless filling a vacancy.

Associate Members are appointed by the Board of Selectmen for two-year terms. The number of appointed Associate Members shall not exceed two-thirds (2/3) of the number of regular members. If any regular member is absent from a meeting, disqualified from acting, or otherwise unable to deliberate on a particular matter that comes before the RHC, the chair may designate one or more Associate Members to deliberate and vote on any matter before the RHC. If more than one Associate Member is available to fill a temporary vacancy, the chair shall designate the Associate Member having the greatest tenure on the RHC; provided, however, that any Associate Member so designated shall be entitled to continue to participate in the matter as necessary and to remain qualified to vote thereon.

The RHC without limitation has the following powers, functions and duties:

- a** To administer Reading's Historic Demolition Delay Bylaw, Reading General Bylaws (GBL), section 7.2 et seq.
- b** To maintain, administer and oversee the Town's Historical Archives.
- c** To participate in research, advocacy, survey, public education, and other programs designed to preserve the Town's cultural assets and built environment.
- d** Subject to appropriation, to employ consultants and incur other expenses appropriate to the carrying on of its work; to accept money gifts or donations and expend the same for such purposes; to maintain and expend funds in available RHC accounts in accordance with applicable RHC or Town Guidelines, including without limitation the RHC Preservation Trust Fund Account and RHC Guidelines for the Historical Commission Preservation Trust Fund, adopted November 7, 2002; and to charge filing fees for applications.
- e** To advise the Town's Boards, Commissions and other Public Bodies in matters concerning Reading's historic assets.
- f** To participate in environmental or other review and compliance projects that affect properties listed on the National and State Registers of Historic Places and receive federal or State funding in accordance with Section 106 of the National Historic Preservation Act, 36 CFR, Part 800, M.G.L. c. 9, sections 26-27C, as amended by Chapter 254 of the Acts of 1988, and 950 CMR 70.00 – 73.00.
- g** To administer on behalf of the Town any properties or easements, restrictions or other interests in real property which the Town may have or may accept as gifts or otherwise, and which the Town may designate the RHC as the administrator thereof.

Section 3 Historic Demolition Delay Bylaw, GBL, section 7.2 et seq.

The following rules guide the RHC in applying the Historic Demolition Delay Bylaw (Bylaw); the full provisions of the Bylaw govern in all cases. The following rules are only applicable to those structures included on Reading's List of Historic Structures identified in the Bylaw and they clarify the RHC's administration of the Bylaw provisions:

a Structures Included

GBL, section 7.2.3 requires the RHC to provide to the Building Inspector the List of Historic Structures for administering the Bylaw, which List is to be updated by RHC from time to time; and further requires that List to contain all structures included on the Town's Historical and Architectural Inventory, past, present and future. In furtherance of this directive, RHC considers every outbuilding and secondary structure specifically identified or referenced anywhere on an Inventory Form B filed as a part of the Town's Historical and Architectural Inventory, to be within the purview of the Bylaw's requirement for inclusion and protection.

b Procedures For Demolition Delay Public Hearings

The RHC will use the set of procedures for Demolition Delay Public Hearings it adopted on January 28, 2014, including any subsequent amendments.

c Completed Application - "Statement of Reasons for the Proposed Demolition and Data Supporting Said Reasons" Definition

GBL, section 7.2.4.1 requires the Owner to submit, among other information required as a part of the completed application, a statement of reasons for the proposed demolition and data supporting said reasons. In furtherance of this directive where the Owner asserts as a reason that the structure is of deficient structural integrity, the Owner shall submit an independent structural engineer's report from a licensed structural engineer with expertise in historic building techniques, in support of this assertion.

d Completed Application - "Description of the Proposed Reuse" Definition

GBL, section 7.2.4.1 requires the Owner to submit, among other information required as a part of the completed application, a description of the proposed reuse of the premises on which the structure to be demolished is located.

i In furtherance of this directive, the Owner shall submit specific site plan drawings (stamped by Professional Engineer) and architectural drawings (stamped by Registered Architect) showing among other details as applicable, lot boundary; access drives/driveways; structures and setbacks; landscape plans; parking; walls; walkways; outdoor lighting; building floor plans; building elevations; building façade design and material details (e.g., siding, doors, windows, molding, trim and other finish carpentry details).

ii Where the subject of the demolition delay application is such that approval from another Town board/committee/commission is also required (e.g., CPDC, ZBA), the site plan drawings and architectural drawings required here shall be identical in those respects required here to those required for submission by the Owner to that other Town board/committee/commission.

e Scope Of RHC's Consideration

RHC's consideration under the Historic Demolition Delay Bylaw applies to all exterior and interior features of a structure.

f Duration Of Demolition Delay Hearing Decision And Early Release

The results of a Demolition Delay Hearing are in effect for the duration of the delay period. If the RHC issues an early release of the delay period, that delay period is

considered terminated as of the date of the Commission's decision letter or where applicable, upon completion of any conditions for release as required and contained in the decision letter.

g Early Release, Conditions And Agreement To Mitigate Effects Of Demolition

RHC may consider an early release from an approved demolition delay period, per GBL, section 7.2.6.3. In doing so, an applicant may agree to accept a demolition permit on specified conditions acceptable to the RHC. Such conditions may include an applicant's submission of its plans for the use and improvement of the property after demolition to the RHC for its review and approval, or in the alternative, agreement to mitigate the effects of demolition in some other way. Such mitigation measures may include without limitation, photographing or documenting the building and its significant features; or preserving on site or elsewhere, some of these architectural features; or benefitting monetarily or otherwise some other Town historic resource or historic objective within the purview of the RHC. If the RHC, which may recommend changes, finds the conditions acceptable, and the RHC and the applicant are able to agree in writing upon whatever stipulations may be necessary to ensure that the conditions will be carried out as planned, the RHC shall advise the Building Inspector in writing of that agreement. At any time after receiving such written notice and authorization, the Building Inspector may issue a Demolition Permit, subject to such stipulations and pre-conditions, if any, as the RHC and the applicant may have agreed upon as mitigation for demolition.

h Demolition Permit Expiration Before Building Is Demolished

If a Demolition Permit is issued by the Building Inspector, and if the Permit subsequently expires (see definitions below) but the building is not demolished before the expiration, the property owner first must repeat the Demolition Delay process before proceeding further.

i Effect Of Non-Issuance Of Demolition Permit Following Hearing

If a Demolition Permit is not issued by the Building Inspector within two years after the close of a Demolition Delay Hearing, the property owner first must repeat the Demolition Delay process before proceeding further.

Section 4 General Information

The following relevant information, unrelated to the Historic Demolition Delay process, is provided here only as general reference information.

The following definitions are applicable, in general, to structures in the Town of Reading:

a Demolition Permit

A type of Building Permit issued for an initial period of six months.

b Demolition Permit Expiration

A Demolition Permit will expire if demolition is not started within the first six months. If demolition is started but not completed in the first six months, the Building Inspector may grant the property owner an additional six months to complete the demolition. After one year from issuance of the Permit, the Building Inspector can extend the permit for up to two more six-month periods. A Demolition Permit cannot be extended beyond a period of two years.

c Demolition Delay Non-Transferability

An RHC Demolition Delay Hearing Decision runs and applies only to the individual owner who originally applied for the demolition permit that was the subject of that Demolition Delay Hearing. Any resulting demolition delay decision or period is not transferable, and

any subsequent owner intending to demolish a structure must first repeat the Demolition Delay process before proceeding further.

The following definitions are applicable **only** to those structures included on Reading's List of Historic Structures or within a Local Historic District:

a "Demolition by Neglect"

If the RHC is made aware of historic properties in physical decline that would lead to probable demolition by neglect, then the RHC may notify the Building Inspector and encourage stabilization of the structure. Regarding a vacant historic property in such physical decline, the RHC may alternatively request action under Town of Reading, General Bylaws, Section 8.10, Maintenance of Vacant Buildings and Land.

b Local Historic Districts

Reading's Local Historic District Bylaw, GBL, section 7.3 et seq., governs designated local historic districts and supercedes RHC jurisdiction. Structures located within a Local Historic District (LHD) are subject only to that LHD Bylaw, and such structures are not covered by Reading's Historic Demolition Delay Bylaw.