

TOWN OF BROOKLINE



Article 5.6

Preservation Commission and Historic Districts By-Law

ARTICLE 5.6
PRESERVATION COMMISSION & HISTORIC DISTRICTS BY-LAW

SECTION 5.6.1 TITLE

This By-law shall be known and may be cited as the Historic Districts By-law under the authority of Massachusetts General Laws, Chapter 40C, as amended.

SECTION 5.6.2 PURPOSE

The purpose of this By-law is to promote the educational, cultural, physical, economic and general welfare of the public through the preservation and protection of the historical assets of Brookline, including buildings, sites and districts of historical and architectural interest; through the maintenance of such landmarks of the history of Brookline, the Commonwealth and the Nation, and through the development of appropriate uses and settings for such buildings and places.

SECTION 5.6.3 ESTABLISHMENT OF HISTORIC DISTRICTS

(a) Cottage Farm Historic District

There is hereby established an Historic District, entitled the "Cottage Farm Historic District", the boundaries of which shall be as shown on the map entitled "Brookline Historic District" which accompanies and is hereby declared to be a part of this By-law.

(b) Pill Hill Historic District

There were established and are hereby reaffirmed historic districts, plans showing the boundaries of which are on file in the Preservation Commission office. Copies of the plans follow at the end of this by-law, which plans are incorporated herein by reference and are hereby declared to be a part of this By-law.

(c) Graffam-McKay Local Historic District

There is hereby established an Historic District, to be entitled the "Graffam-McKay Historic District", the boundaries of which shall be shown on the map entitled

"Graffam-McKay Historic District", a copy of which is on file with the Town Clerk's office, which accompanies and is hereby declared to be part of this By-law.

(d) Chestnut Hill North Local Historic District

There is hereby established an Historic District, to be entitled the "Chestnut Hill North Historic District", the boundaries of which shall be shown on the map entitled " Chestnut Hill North Historic District", a copy of which is on file with the Town Clerk's office, which accompanies and is hereby declared to be part of this By-law.

(e) Harvard Avenue Local Historic District

There is hereby established an Historic District, to be entitled the "Harvard Avenue Historic District", the boundaries of which shall be shown on the map entitled " Harvard Avenue Historic District", a copy of which is on file with the Town Clerk's office, which accompanies and is hereby declared to be part of this By-law.

(f) Lawrence Local Historic District

There is hereby established an Historic District, to be entitled the "Lawrence Historic District", the boundaries of which shall be shown on the map entitled "Lawrence Historic District", a copy of which is on file with the Town Clerk's office, which accompanies and is hereby declared to be part of this By-law.

(g) Wild-Sargent Local Historic District

There is hereby established an Historic District, to be entitled the 'Wild-Sargent Local Historic District,' the boundaries of which shall be shown on the map entitled 'Wild-Sargent Local Historic District,' a copy of which is on file with the Town Clerk's office, which accompanies and is hereby declared to be part of this By-law.

(h) Crowninshield Local Historic District

There is hereby established an Historic District, to be entitled the 'Crowninshield Local Historic District,' the boundaries of which shall be shown on the map entitled 'Crowninshield Local Historic District,' a copy of which is on file with the Town Clerk's office, which accompanies and is hereby declared to be part of this By-law.

(i) Other Historic Districts

Other Historic Districts within the Town may be established from time to time in accordance with the procedures set forth in Chapter 40C of the Massachusetts General Laws, as amended from time to time.

SECTION 5.6.4 MEMBERSHIP OF THE PRESERVATION COMMISSION

The Brookline Preservation Commission, hereinafter referred to as the Preservation Commission, shall consist of seven (7) members appointed by the Selectmen. The terms of office expire on August 31, unless otherwise specified by the Selectmen or unless such appointment is for an indefinite term.

The membership of the Preservation Commission shall be made up as follows:

"One member who is selected from two (2) nominees submitted by the Brookline Preservation Commission; one member, if possible, who is selected from two (2) nominees whose names are submitted by the American Institute of Architects; one member, if possible, who is selected from two (2) nominees whose names are submitted by the Greater Boston Real Estate Board; and four (4) members, if possible, who are residents of an Historic District and, to the extent possible, at least one of whom resides in each established Historic District in the Town."

If membership cannot be appointed as designated above, these positions shall be filled without designation.

All nominees shall be residents of the Town of Brookline. One member, if possible, shall be an attorney.

When the Preservation Commission is first established, two (2) members shall be appointed for one (1) year term, two (2) members shall be appointed for two (2) year terms, and the remaining members shall be appointed for (3) year terms, and all members shall serve until a successor is appointed and confirmed. At the expiration of their terms, the Selectmen shall appoint successors for three (3) year terms in the manner described in the preceding paragraphs. Vacancies for any unexpired term shall be filled in the same manner as in the original appointment.

The Preservation Commission shall elect annually a Chairman and Vice-Chairman from its own number and a Secretary from within or without its number.

All members shall serve without compensation.

"The Selectmen may also appoint up to four (4) alternate members of the Preservation Commission, who need not be from the organizations designated above as entitled to nominate members but who shall, to the extent possible, consist of residents of each Historic District. Such alternates shall be appointed for three year terms and shall be designated by the chairman of the Preservation Commission from time to time to take the place of members who are absent or unable or unwilling to act for any reason.

Each member and alternate member shall continue in office after the expiration of his or her term and until his or her successor is duly appointed and qualified." The terms of office expire on August 31, unless otherwise specified by the Selectmen or unless such appointment is for an indefinite term.

SECTION 5.6.5 DEFINITIONS

As used in this By-law, the following words and phrases shall include the meanings indicated below:

- (a) The word "altering" shall include "rebuilding, reconstructing, restoring, removing, demolishing, changing exterior color, and any combination of the

foregoing.

- (b) The word "constructing" shall include the terms "building," "erecting," "installing," "enlarging" and "moving".
- (c) The word "building" shall mean a combination of materials forming a shelter for persons, animals or property.
- (d) The word "structure" shall mean a combination of materials other than a building, including but not limited to a sign, fence, wall, terrace, walk or drive-way, tennis court and swimming pool.
- (e) The words "exterior architectural feature" shall mean such portion of the exterior of a building or structure as is open to view from a public street, public way or public park, 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 surface and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures.
- (f) The term "Historic District" or "Historic Districts" shall mean the established "Historic Districts in the Town, collectively.
- (g) The word "Commission" shall mean the Brookline Preservation Commission acting as such.

SECTION 5.6.6 ADMINISTRATION OF HISTORIC DISTRICTS

No building or structure within the Historic District shall be constructed, demolished, moved or altered in any way that affects exterior architectural features and no building shall be moved into an Historic District unless the Commission shall first have issued a Certificate of Appropriateness, a Certificate of Hardship or a Certificate of Non-Applicability with respect to such construction, alteration or movement. The Building Inspector shall not issue a permit within an Historic District unless one of the certificates noted above has first been issued by the Preservation Commission or the proposed improvement is exempted from these provisions by Section 5.6.7.

SECTION 5.6.7

EXEMPTIONS TO REVIEW

The authority of the Preservation Commission is not extended to the review of the following:

- (a) Temporary signs or structures subject to requirements of the local zoning code and/or planning board.
- (b) Terraces, walks, driveways, sidewalks and other similar structures provided that the structure is at grade level with the qualification that on-grade areas intended for parking more than four motor vehicles are subject to review by the Preservation Commission to assure that adequate planting, earth berms, walls or similar structures are implemented to screen or regulate the physical scale of the areas and to minimize their visual impact as viewed from public ways.
- (c) Storm doors and windows; screen doors and windows; window air conditioners, antennae and similar appurtenances, any one or more of them with the qualification that free standing lighting fixtures are subject to review by the Preservation Commission.
- (d) Color of paint.
- (e) Signs used for residential occupation or professional purposes which are not more than one foot square in area, provided that:
 - 1. Only one sign is displayed for each building or structure;
 - 2. The sign consists of letters painted on wood without a symbol or trademark; and
 - 3. If illuminated, is illuminated only indirectly.
- (f) Reconstructions of a building, structure or exterior architectural feature which has been damaged or destroyed by fire, storm or other disaster, provided that:
 - 1. The exterior design is substantially similar to the original;

2. The reconstruction is begun within one year after the damage occurred and is carried on with "due diligence";
3. Replacement of deteriorated roofing components shall match as nearly as possible the original materials and new materials colored other than in the brown, black, gray or slate ranges shall be subject to review by the Preservation Commission. Use of roof solar heating panels are similarly subject to commission review;
4. Reconstructions utilize the original foundations placed in the same location so as to respect the character of the massing of the original volume(s). The authority of the commission is limited to the exterior architectural features within the district which are visible from one or more designated public streets, public ways, public parks or public water bodies.

SECTION 5.6.8 POWER OF THE PRESERVATION COMMISSION

The District Commission shall have all the powers of an Historic Preservation Commission as described in Chapter 40C of the Massachusetts General Laws. The Commission shall adopt rules and regulations for the conduct of its business, not inconsistent with Chapter 40C of the General Laws, or with the purpose of this By-law.

The Preservation Commission may receive and accept appropriations, grants and gifts for furthering of the purposes of this By-law.

The Preservation Commission shall propose changes in Brookline Historic District boundaries as it deems appropriate. Massachusetts General Laws, Chapter 40C, will guide the procedures for these activities.

SECTION 5.6.9 SEVERABILITY

In case any section, paragraph or part of the By-law be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

SECTION 5.6.10 SCHEDULE OF FEES

A filing fee shall be included with all applications for certificates. Said fees shall be set, and may be amended from time to time, by the Board of Selectmen.

PLANS OF THE HISTORICAL DISTRICTS ARE ON FILE
WITH THE BROOKLINE PRESERVATION COMMISSION

COPIES ARE ON THE FOLLOWING SEVEN PAGES

Cottage Farm Local Historic District

Town of Brookline
Massachusetts

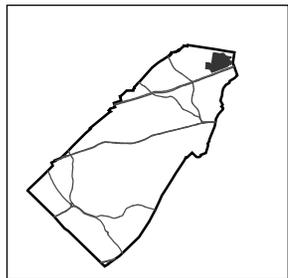
1

-  Cottage Farm LHD
-  Building Footprints
-  Property Lines
-  Street Edges
-  Town Boundary

Data Sources

The information shown on this map is from the Brookline Geographic Information System(GIS) database

Locus Map



0 50 100 200 300 400 Feet



Map created by Brookline GIS on January 2005
projects/historic/cottagefarm-bw8.5x11.mxd



Pill Hill Local Historic District

Town of Brookline
Massachusetts

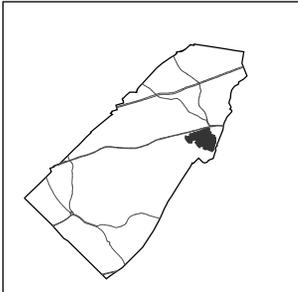
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-  Phill Hill LHD
-  Building Footprints
-  Property Lines
-  Street Edges
-  Town Boundary

Data Sources

The information shown on this map is from the Brookline Geographic Information System(GIS) database

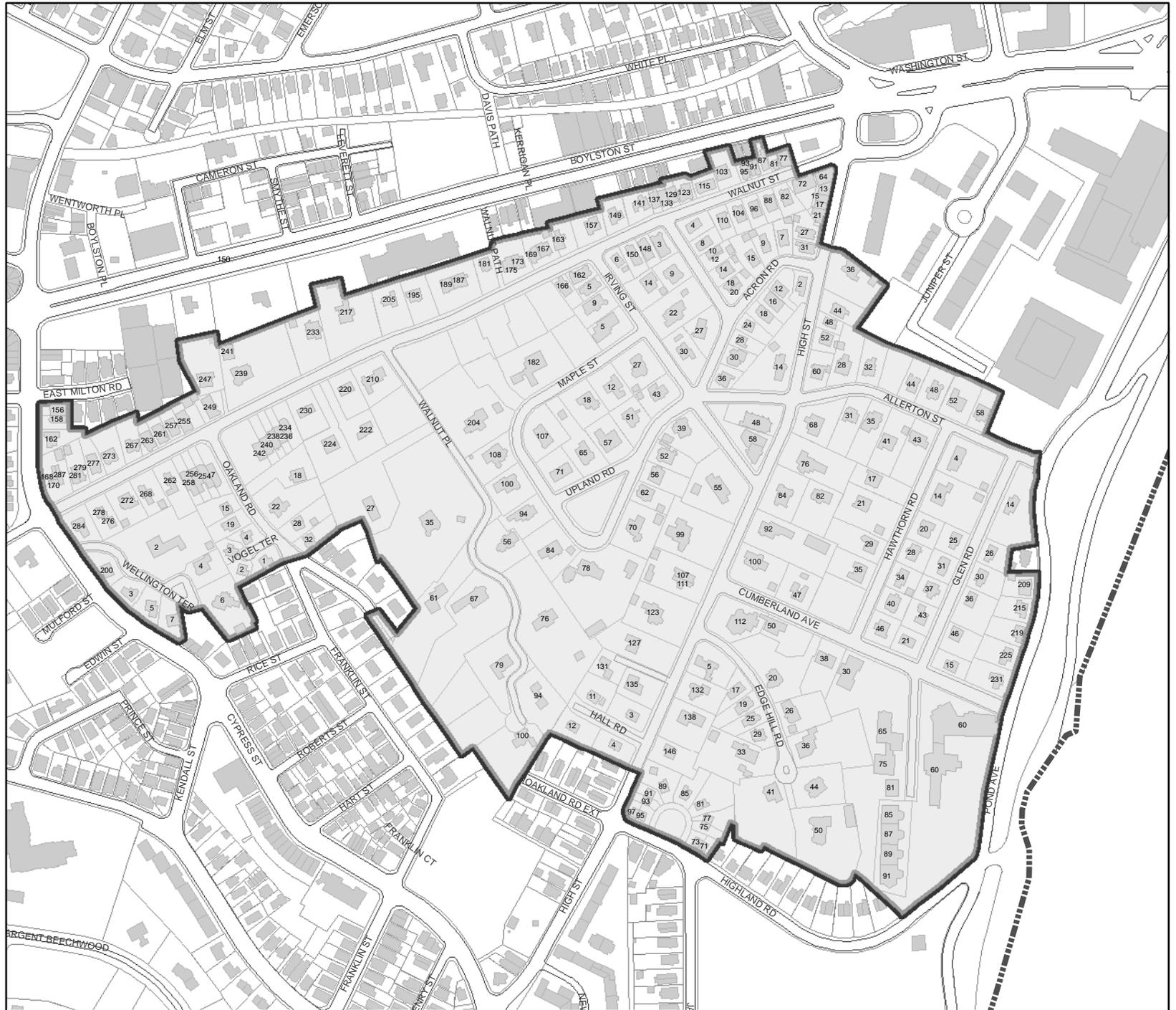
Locus Map



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Map created by Brookline GIS on January 2005
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Graffam-McKay Local Historic District

Town of Brookline
Massachusetts

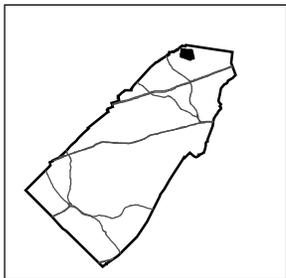
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-  Local Historic District
-  Building Footprints
-  Property Lines
-  Street Edges
-  Town Boundary

Data Sources

The information shown on this map is from the Brookline Geographic Information System(GIS) database

Locus Map



0 25 50 100 150 200 Feet



Map created by Brookline GIS on January 2005
projects/historic/graffam-bw8.5x11.mxd



Chestnut Hill North Local Historic District

Town of Brookline
Massachusetts



- Chestnut Hill LHD
- Building Footprints
- Property Lines
- Street Edges
- Town Boundary

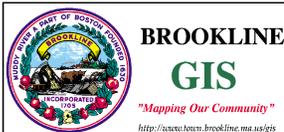
Data Sources

The information shown on this map is from the Brookline Geographic Information System (GIS) database

Locus Map



0 100 200 400 Feet



Map created by Brookline GIS on 5/12/2005
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Harvard Avenue Local Historic District

Town of Brookline
Massachusetts

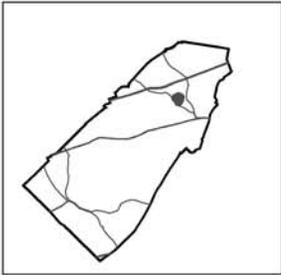


- Harvard Avenue LHD
- Building Footprints
- Property Lines
- Street Edges

Data Sources

The information shown on this map is from the Brookline Geographic Information System (GIS) database

Locus Map



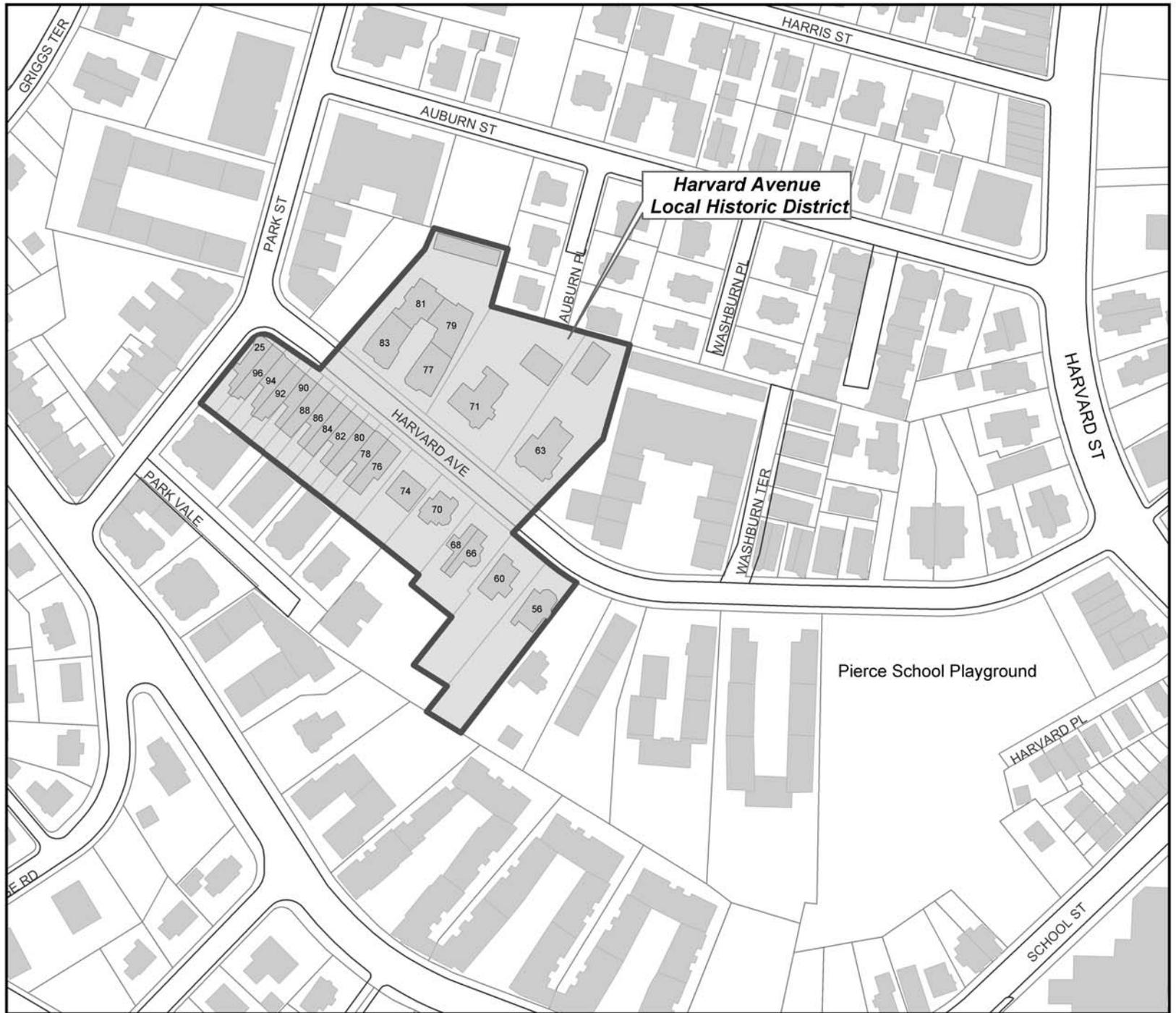
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**BROOKLINE
GIS**

"Mapping Our Community"
<http://www.locus.brookline.ma.us/gis>

Map created by Brookline GIS January, 2005
projects/historic/Harvardave8.5x11.mxd



Lawrence Local Historic District

Town of Brookline
Massachusetts



- Lawrence LHD
- Building Footprints
- Property Lines
- Street Edges
- Town Boundary

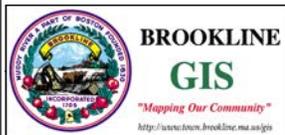
Data Sources

The information shown on this map is from the Brookline Geographic Information System(GIS) database

Locus Map



0 50 100 200 Feet



Map created by Brookline GIS on 7/7/2011
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Wild-Sargent Local Historic District

Town of Brookline
Massachusetts

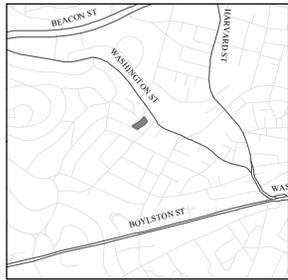


- Wild-Sargent LHD
- Building Footprints
- Property Lines
- Street Edges
- Town Boundary

Data Sources

The information shown on this map is from the Brookline Geographic Information System (GIS) database

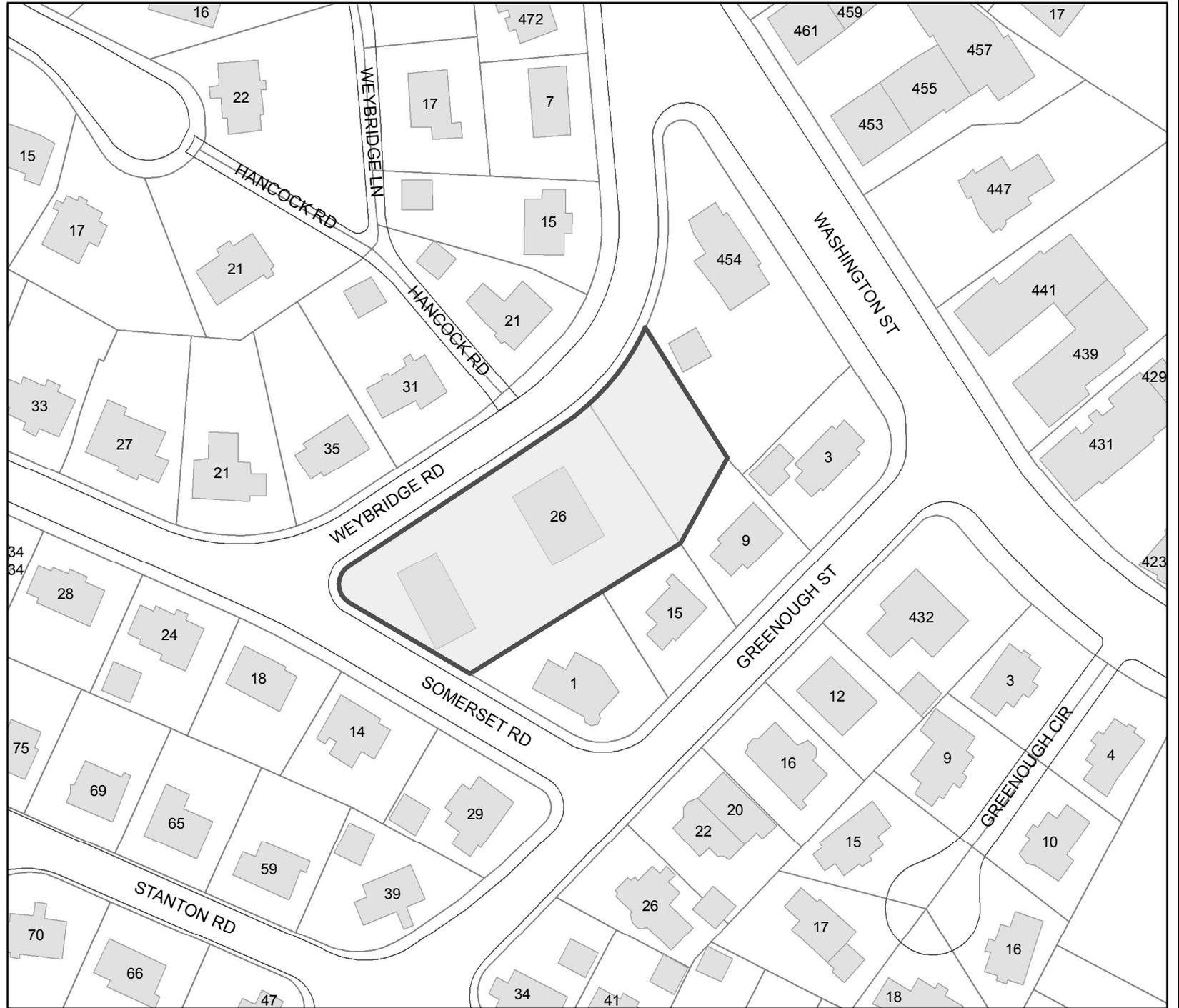
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Map created by Brookline GIS on 6/14/2012



Crowninshield Local Historic District

Town of Brookline
Massachusetts

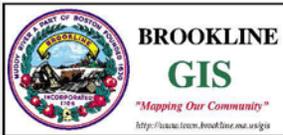


-  Crowninshield LHD
-  Building Footprints
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-  Town Boundary

Data Sources

The information shown on this map is from the Brookline Geographic Information System (GIS) database

Locus Map



Map created by Brookline GIS on 2/3/2015

