



TOWN OF NEEDHAM
TOWN HALL
Needham, MA 02492-2669

FAQs

**Proposed Single Parcel Historic District & Historic District Committee
2024 Annual Town Meeting Article #42**

Why is this article being proposed?

For many years, the Needham Historical Commission (NHC) has been seeking ways of more effectively preserving historic homes in town. Since 2021 and in consultation with the Massachusetts Historical Commission (MHC), the NHC identified the establishment of local historic districts as a possible means to this end.

The NHC approached the Select Board and asked for their support in studying and establishing a historic district in Needham. Select Board adopted this effort as a goal in Fiscal Years 2023 and 2024.

How was this proposed district selected and developed?

The owners of 3 Rosemary Street (the Jonathan Kingsbury House, built in 1779), aware of the NHC's efforts, expressed their interest and volunteered their property for inclusion in the first such district. The NHC then approached the Select Board with its request that the establishment of this district be adopted as a goal.

The Select Board established the Single Parcel Historic District Study Committee to consider 3 Rosemary Street as a local historic district. Following a process defined by Massachusetts General Law, Chapter 40C, the Committee developed two reports – a preliminary report and a final report. Both reports recommend the establishment of a historic district at 3 Rosemary Street.

How was the public engaged?

Through its five (to date) public meetings, the Committee received public and expert input. This input included submission of its preliminary report to the Planning Board and MHC, a posted and broadcast public hearing on the preliminary report, and the publication of the preliminary and final reports to the Town website.

Committee members have also presented the committee's work to the Select Board, Planning Board, and Finance Committee in open session, to include presentation before the Finance Committee relative to the proposed warrant article.

Why is the proposed district only one house?

The proposed district would be Needham's first local historic district. Given this, it was determined that a single parcel would be most prudent as the Town worked through the district creation process for the first time. The property owners' deep interest and willingness to engage in the process as it developed from scratch was deeply impactful to the project.

Are single parcel districts common?

Yes. Many communities in the Commonwealth have active single parcel districts. For example, a majority of Wellesley's historic districts are single parcel districts, and Somerville has over 260 single parcel districts.

How would future districts be formed?

If this warrant article passes, the Town would establish a Historic District Commission that would be responsible for considering future proposed districts. An interested property owner(s) would start the process of establishing a historic district by voluntarily petitioning the Historic District Commission to study the proposed district.

If the Commission deems the request adequate, it would follow the same, state law-driven process the Single Parcel Historic District Study Committee followed, to include: public hearings, submission to MHC, vetting by the Planning Board, and drafting of a warrant article to be placed before Town Meeting.

Who would serve on the Historic District Commission?

This Commission would be appointed by and report to the Select Board. Membership would consist of at least five residents, to include one member from the Needham History Center and Museum, one member the chapter of the American Institute of Architects covering Needham, one member of the Greater Boston Association of Realtors covering Needham, and one property owner from within at least one of the district areas.

How would the Historic District Commission ensure compliance with the proposed historic district by-law?

The Historic District Commission would hold hearings on compliance with the proposed Historic District By-Law. It would work with the Building Commissioner to consider requests for exemptions and levy any penalties which may need to be imposed.

How would the Historic District Commission differ from the Historical Commission?

The Historic District Commission would ensure compliance with the proposed Historic District By-Law contained in this Warrant Article, which – if passed – would be Section 2.12. Their duties would be to consider applications relative to properties within historic districts and to study potential new, expanded, or otherwise altered districts.

The Historical Commission governs Section 2.11 of the current By-Laws, which covers the register of historic homes and holds hearings relative to demolition plan reviews for historic homes.

What would Town Meeting's role be in establishing future districts?

Town Meeting would be the final approval authority for any future district. Even if a proposed district is recommended by the Historic District Commission, Town Meeting would be able to vote against its establishment. This article – and any potential new district – is subject to a two-thirds majority vote of Town Meeting.

What sort of property features would be governed by the proposed By-Law?

Massachusetts General Law, Chapter 40C prescribes the scope of the proposed Historic District By-Law relative to property features it would govern. This primarily covers all publicly facing structures and facades.

Further, the By-Law defines what a Historic District Commission cannot govern. These features include: the interior of a building, architectural features not visible from the public way, grade-level structures (e.g. driveways, walks, etc.), color of paint, color of roofing material, storm windows/doors, and window air conditioners.

Further, the By-Law would not prevent ordinary maintenance actions that do not change the outward appearance of the property, nor does it govern landscaping.

Can a property owner have their property involuntarily entered into a historic district?

Massachusetts General Law does not require that a property owner agree before their property may become a historic district, but both state-defined best practices and a rigorous public process will effectively prevent any scenario in which property is entered involuntarily.

Massachusetts Historical Commission best practice is to establish districts only when every property owner in the proposed district is supportive of the effort. To this end, the Commission recommends that local Historic District Commission advance non-contiguous districts in the event that a property owner(s) does not wish to have their property added to a multi-property proposed district. Failure of a local Historic District Commission to gain full support of all property owners in the proposed district would be noted negatively by the Massachusetts Historical Commission in both its feedback on the local commission's draft documents and addressed in a required public meeting.

Further, a public process with numerous points for property owners to provide input – to include a desire to not be included in a proposed district – exists to prevent involuntary inclusion. These opportunities exist throughout the process to ensure that property owners have the chance to voice concerns and request removal from the district if their opinion changes over time. The opportunities include:

- Meetings of the Historic District Commission to discuss a proposed plan.
- Meetings of the Massachusetts Historic Commission and Needham Planning Board, which would provide feedback in open session.
- A mandatory public hearing held by the Historic District Commission.
- Town Meeting, where a 2/3 majority of Town Meeting is required for approval of a proposed district.

Together, the rigorous public process and established best practices will practically prohibit involuntary inclusion in a proposed historic district.