

# Full Historic Protection Lacking in Many Areas

BY DAVID MORGAN

**Y**es, you have finally received that promotion you have been working toward for the last five years and it brings enough income for you to buy the home of your dreams. It is an elegant, older home on a leafy suburban road lined with one classic historic home after another. Handmade glass is framed in six over six windows and 20-inch-wide pine boards grace the floors. Beyond your neighbor's 18th century barn and hay



field, Conservation land stretches to woods and a country road beyond. Moss-covered stonewalls and maple trees border the road on their way to the historic town green, a state-of-the-art public library and a top-notch public school.

This town west of Boston could be Wayland, Carlisle, Harvard, Sherborn or Southborough. But if your decision to move there is largely driven by your affinity for the town's historic appeal, you should factor into your decision the element of risk that the look and feel of these towns may change significantly over time, as many of the homes in these towns have no protection from being torn down at any time, without delay.

Specifically, they have no demolition delay bylaws that would protect historic properties from being torn down. Demolition delay bylaws provide a window of time to find alternatives for the building either being moved to another location, dismantled for future use or at the very least, time to photograph and document details before the demolition permit is authorized. Most commonly, six months is the time allowed, although communities are encouraged to pursue a 12-month delay, which is a much more effective window to find reasonable alternatives to demolition. Bylaws

may be written to specify homes of a certain age (perhaps any home older than 50 years), or by reference to a specific list of addresses which merit scrutiny, compiled by the town.

Demolition delays can only delay demolition, not guarantee it. Creation of a local historic district through Massachusetts General Law Chapter 40C provides the strongest form of protection for homes found within it. Currently, 220 towns in Massachusetts have a historic district designated.

Beyond those located in these protected areas though, homes can be at risk. Because new development lots are harder to come by, aggressive builders with impatient customers sometimes find it too easy to consider tearing down unprotected historic structures in favor of new, quickly built and generally homogeneous homes and developments.

Many discriminating citizens consider this a travesty, but do not know how to protect their community from losing its historic distinction and classic appeal. The truth is, they can easily become involved in local government, and vote in bylaws that will protect both their personal property investments as well as the historical

appeal and value of a town they may be so fond of living in.

So you may be thinking, how can my one vote make a difference? The answer is yes, it can. Just ask the citizens of Weston. Public outcry over recent construction in historic neighborhoods has led to dramatic changes in the town's protections, including a strict new demolition delay bylaw and a mandatory design review for all homes older than 50 years. Weston's property values, classic neighborhood ambiance and town history are all protected.

In nearby Lincoln, homes of all ages, including some much younger architectural jewels, are all protected under a town bylaw providing a demolition delay for all homes in town.

Lincoln's forward thinking leadership has solidified values with this new law, adding protection outside the town's well-known and impeccably maintained historic district.

What about the North Shore? Manchester-by-the-Sea, Rockport, Gloucester and Marblehead all have historic district protection. But beyond those fences, other towns in the area are fair game to new developers. Surprisingly, Newburyport, Newbury, Essex and Salisbury, among others, do not have historic districts or demolition delays, leaving many beautiful homes in jeopardy. That stately captain's house next to you or 18th century saltbox on the corner could be torn down without notice or delay and instantly replaced with a new home or development.

Or imagine this scenario. Say you have a summer home in Lenox, across the

street from an 18th century farmhouse with hand hewn chestnut (now all but history) under horsehair plaster, with large, dignified albeit somewhat neglected hay-barn framing on one side of your roadside view of Mount Greylock. Your neighbor, the last of several generations living on the farm, dies suddenly at age 88, without a will and owing back taxes. The farm goes to auction and is

bought by a recently transplanted executive as a summer dwelling. In addition, this new owner has no interest in an expensive restoration project. Now, not only is your equity in your home jeopardized, but also your dream of relaxing on vacation, in the ambiance of another older, seemingly quieter structure.

There are many ways to protect historic homes and communities. Zoning, scenic road bylaws, scenic vista protection, historic districts, demolition delay bylaws and national register districts are all options to be considered by town leadership. In addition, there are tax incentives and matching funds available to help communities protect their history and values.

Get involved. Let your town officials know you care about protecting the historic appeal of your town, and the value of your home.

The Massachusetts Historical Commission has produced a free handbook called "Preservation through Bylaws and Ordinances - Tools and Techniques for Preservation Used by Communities in Massachusetts." It is available at the Massachusetts Historical Commission in Boston.

Take a stand to protect your town's historic appeal, remembering a simpler time when it would have been inconceivable to quickly replace a treasured past with a hastily constructed future, with dubious long-term appeal. ■



HISTORIC  
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