



City of Chelsea
Historical Commission
City Hall, 500 Broadway, Room 101,
Chelsea, Massachusetts 02150
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Elijah Romulus: Staff

Ron Robinson, Chairman
Lee Farrington
Fran Mascolo
George Ostler
Bobby Pereira
Alison Sheppard
Chris Swistro

**CHELSEA HISTORICAL COMMISSION
MEETING MINUTES
TUESDAY, March 6, 2018**

I. Call to Order

The Chelsea Historical Commission was called to order by the Chair, Ronald Robinson, at 6:30 on Tuesday, March 6, 2018, in room 101 of City Hall, 500 Broadway, with the following members in attendance: Ron Robinson, Lee Farrington, Fran Mascolo, Alison Sheppard, and Chris Swistro.

Also present: Elijah Romulus, Planner/Land Use Administrator.

II. Approval of Minutes of February 6, 2018

On a motion made by Fran Mascolo and seconded by Alison Sheppard it was voted unanimously (5-0-0) to continue approval of the minutes to April.

III. Demolition Delay Draft Bylaw

Elijah presented the Commission the bylaw he drafted pulling from nearby communities such as Cambridge and with guidance from the Massachusetts Historical Commission's resources:

City of Chelsea Code of Ordinances Chapter 6, Article II, Section 6-33. Demolition of Buildings Determined to be Historically Significant

(a) Purpose and Intent

The ordinance codified in this section is adopted for the purpose of preserving and protecting significant buildings within the City which constitute or reflect distinctive features of the architectural, cultural, political, economic or social history of the city; to encourage owners of preferably-preserved significant buildings to seek out persons who might be willing to purchase and to preserve, rehabilitate or restore such buildings, rather than demolish them; and by furthering these purposes to promote the public welfare, to preserve the resources of the City and to make the City a more attractive and desirable place in which to live. To achieve these purposes, the Chelsea Historical Commission is empowered to advise the Building Commissioner with respect to the issuance of permits for demolition, and the issuance of demolition permits for significant buildings is regulated as provided in this section.

(b) Definitions

Application means an application for a permit for the demolition of a building, which application contains the information referred to in this section.

2018 MAY - 2 APR 46

CITY OF CHELSEA
RECORDS & COMMUNICATIONS

Building means any combination of materials forming a shelter for persons, animals or property.

Director of ISD means the Director of the Department of Inspectional Services, ISD, or otherwise authorized to issue demolition permits.

Business day means a day which is not a legal municipal holiday, Saturday or Sunday.

Commission means the Chelsea Historical Commission.

Commission staff means the staffer of the Commission, the person performing the functions of such director in the event there is no person regularly providing staff services for the Commission to whom the Commission has delegated authority to act as Commission staff under this section.

Demolition means the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same.

Historic district means the Bellingham Square District, Chelsea Square Historic District, and Downtown Residential Districts as stated by the Massachusetts Historic Commission State Register of Historic Places 2015 and the National Register of Historic Places, or which is the subject of a pending application for listing on the National Register or any other historic district that may from time to time have been established by ordinance.

Initial determination means any determination contemplated in subsection (c)(3) of this chapter made by the Commission or the Commission staff.

Permit means a permit issued by the Director of ISD for demolition of a building pursuant to an application therefor.

Preferably preserved significant building means any significant building which the Commission determines, as provided in subsection (c)(4) of this chapter, that it is in the public interest to be preserved or rehabilitated rather than to be demolished.

Significant building means any building within the City which is in whole or in part seventy-five (75) years or more old and:

- (1) Which is within any historic district; or
- (2) Which is listed on, or is within an area listed on, the Massachusetts Historic Commission State Register of Historic Places 2017, the National Register of Historic Places, or which is the subject of a pending application for listing on the State or National Register; or
- (3) Which is or has been designated by the Commission to be a significant building after a finding by the Commission that a building either:
 - a. Is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the City or the Commonwealth, or
 - b. Is historically or architecturally significant (in terms of period, style, method of building construction or association with a famous architect or builder) either by itself or in the context of a group of buildings.

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2018 MAY 12 A 9:46

(c) Procedures for Demolition

- (1) No permit for the demolition of a building which is in whole or in part seventy-five (75) years or more old shall be issued other than in conformity with the provisions of this section, as well as in conformity with the provisions of other laws and ordinances applicable to the demolition of buildings and the issuance of permits therefor generally. An application for demolition of a building over seventy-five (75) years in age shall be made only by the person, partnership, corporation or realty trust which is the owner thereof at the time of such application.
- (2) The Director of ISD shall cause a copy of each application for a demolition permit to be forwarded to (or shall satisfy himself that a duplicate of such application has been submitted to) the Commission for determination by the Commission whether the building which is the subject of such application is a preferably preserved significant building.
- (3) If the Commission staff shall make an initial determination that the building which is the subject of the application is or may be a significant building, the members of the Commission and the Director of ISD shall be so advised, and no demolition permit or building permit for new construction or alterations as defined in Ch. 40C §6 shall at that time be issued pending review of the initial determination by the Commission pursuant to subsection (c)(4). If the Director of ISD shall not receive advice of any such initial determination within ten (10) business days of the date that a copy of the application is submitted to the Commission staff, then, subject to subsection (g), the Director of ISD may grant the permit applied for unless prior to such grant he is advised that such an initial determination has been made.
- (4) If the Commission staff shall have made an initial determination that a building which is the subject of the application is or may be a significant building, the Commission shall review the application and such determination at a public hearing of the Commission for which the Commission shall cause to be published in a newspaper of general circulation in the City notice that such application will be considered. Such notice, which shall specify the address of the subject building, shall be published in an issue of such newspaper distributed in the week preceding the week in which such meeting is held, or in an earlier week. If the Commission determines, after a public hearing that the demolition of the subject building would result in the demolition of a significant building whose loss would be detrimental to the historical or architectural heritage or resources of the City, such building shall be considered a preferably preserved significant building. The Commission may delegate to the Commission staff authority to determine without any hearing that a building is not a preferably preserved significant building and to so advise the Director of ISD. Upon determination by the Commission or by the Commission staff that a building is not a preferably preserved significant building or upon failure by the Commission to make any determination within forty-five days of the date that a copy of the application was submitted to the Commission, the Director of ISD may, subject to subsection (g), grant the permit applied for.
- (5) Upon a determination by the Commission that any building which is the subject of an application is a preferably preserved significant building, it shall so advise the person who submitted the application and the Director of ISD, and no demolition permit or building permit for new construction or alterations on the premises shall be issued until six months after the date of such determination by the Commission except as may be provided for in subsection (c)(9). Notwithstanding the preceding sentence, the Director of ISD may issue a demolition

permit for a preferably preserved significant building at any time after receipt of written advice from the Commission to the effect either:

- a. that the Commission is satisfied that there is no reasonable likelihood that either the owner or some other person or group willing to purchase the preferably preserved significant building would be willing to preserve, rehabilitate or restore such building, or
- b. that the Commission is satisfied that for at least six months since the owner first sought the advice of the Commission or the Commission staff in locating a person or group that might be willing to purchase such building and to preserve, rehabilitate or restore the same, the owner of the preferably preserved significant building has made continuing, bona fide, reasonable and unsuccessful efforts to locate such a purchaser.

- (6) No permit for demolition of a building determined to be a preferably preserved significant building under subsection (c)(4) of this section shall be granted until all proceedings relating to amendments of the zoning ordinance of the City have been completed, if such proceedings have been initiated prior to the expiration of any period of delay of demolition resulting from such determination, and if such amendments affect the site of the building whose demolition has been thereby delayed.
- (7) No permit for erection of a new structure on the site of an existing building over seventy-five (75) years old may be issued prior to issuance of a permit for demolition of such existing building.
- (8) No permit for demolition of a building determined to be a preferably preserved significant building under subsection (c)(4) shall be granted until plans for use or development of the site after demolition have been filed with the Building Department and found to comply with all laws pertaining to the issuance of a building permit, or if for a parking lot, a certificate of occupancy, for that site. All approvals necessary for the issuance of such a building permit or certificate of occupancy including without limitation any necessary zoning variances or special permits, must be granted and all appeals from the granting of such approvals must be concluded, prior to the issuance of a demolition permit under this section.
- (9) During the six-month delay of demolition, no application for a building permit for new construction or alterations on the premises of a preferably preserved significant building shall be granted until reviewed by the Commission as though the property were designated as a landmark. Until the expiration of the six-month delay period, the Commission shall review all construction, demolition, or alteration that affects the exterior architectural features, other than color, of the structures on the premises of a preferably preserved significant building.

(d) Application—Publication of notice.

- (1) Application Contents. Every application for a demolition permit for a building shall contain the following information:
 - a. The applicant's name, address and interest in the property;
 - b. The owner's name and address, if different from the applicant's;
 - c. The address or location of the building to be demolished;

- d. A brief description of the type of building and the condition requiring issuance of the permit; and
- e. A brief description of the proposed reuse, reconstruction or replacement of the premises upon which the building is located.

(2) Notice. In addition to the publication provided for in subsection (c)(4), notice of any hearing or determination provided for in this section shall in any event be given by the Commission to the applicant for the demolition permit, and shall also be given to such other persons and in such manner as the Commission may determine. The Applicant must post the Public Hearing Notice on the building.

(e) Emergency demolition

- (1) In the event that the Inspection Services Department or Department of Public Works is convened to consider the condition of a building over seventy-five years old, the chair and staff of the Chelsea Historical Commission shall be notified to accompany the Board during its inspection. The Director of Inspectional Services shall pursue all reasonable courses of action to prevent emergency demolition of such a building which the Executive Director makes an initial determination is or may be a significant building, including but not limited to requiring the owner to secure it against further danger to the public.
- (2) Nothing in this chapter shall prevent the construction, reconstruction, alteration or demolition of any feature which the Director of Inspectional Services shall certify is required for public safety because of an unsafe or dangerous condition.

(f) Enforcement and remedies

- (1) Enforcement. The Commission and/or the Director of ISD are each specifically authorized to institute any and all actions and proceedings, in law or in equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this section or to prevent a threatened violation thereof.
- (2) Building Permit to be withheld. No building permit shall be issued with respect to any premises upon which a building seventy-five years or more old has been voluntarily demolished otherwise than pursuant to a demolition permit granted after compliance with the provisions of this section for a period of two years after the date of the completion of such demolition. As used in this section "premises" refers to the parcel of land upon which the demolished building was located and all adjoining parcels of land under common ownership or control.
- (3) Securing of Building Required. Upon a determination by the Commission that a building is a preferably preserved significant building, the owner shall be responsible for properly securing the building in compliance with the regulations of the Building Department. Should the owner fail so to secure the building, the loss of such building through fire or other cause shall be considered voluntary demolition for the purposes of subsection (f)(2).

(g) Conflicts with Historic Districts Act.

Nothing in this section shall be deemed to conflict with the provisions of the Historic Districts Act, General Laws Chapter 40C, with respect to requirements as to notice, hearing and issuance

by the Commission of a certificate of appropriateness, a certificate of nonapplicability or a certificate of hardship prior to demolition of any building in an historic district; provided, however, that any temporary building erected or maintained in an historic district pursuant to a certificate issued by the Commission may be demolished in a manner not inconsistent with the terms of such certificate.

On a motion made by Ron Robinson and seconded by Chris Swistro it was voted unanimously (5-0-0) to approve the draft Demolition Delay bylaw and send it to the City Manager.

IV. Community Preservation Act

The Commission held discussion about the CPA and how it relates to the Historical Commission. CPA funds approx. \$600,000 for 2017. 10% can be allotted to Historical projects although other organizations, government bodies, etc. can apply for funding. The commission is vying for an Asset survey, updated completed and electronically available, this will need a proposal and scope completed by the board. Elijah has been tasked to check the Historical Commission's budget. The Commission will need a better scope based on the States Registry. The Quigley Hospital at Soldier's Home inventory had a bunch of historic homes and addresses. Elijah will find a model for proposal to send to Chris so that the commission can fill in collectively. An assets survey would be important to make a demolition delay bylaw effective.

V. Historical Commission's Goals for 2018

The Commission discussed various goals they have for 2018.

- Support the passing of a Demolition Delay Bylaw for Chelsea.
- Historical Sites Inventory
 - Elijah will send a template style
 - Chris will draft an initial scope
 - Historical Commission, Roving Archivists program
- Have a better web presence
 - Link on the city website where we describe and show what we are doing
 - Historic things happening in Chelsea
 - Plan for the garden cemetery
 - Rehab the bronze statues
 - Meeting Schedule & application
 - Update the list of community members
 - Flyer on the page and article in the Record.
- Fran and Lee will work on an op-ed for the Chelsea Record or ask for an interview with the cable tv

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VI. Communications

Ron requested the Robert's Rule of Order. Elijah will look for the packets to send out to the commission members. The Commission wants to better understand what are the city's projects verses their work verses collaborations. The Garden Cemetery and the Cultural Assets survey are the major city projects with Historical Commission relevance. Email communication is not the end all be all. Commission

members dispute over the best way to communicate, email, or phone, or during the meeting. Chris left 7:48

VII. Planning Department Updates

Commission members discuss election of officers

VIII. Adjournment

On a motion by Lee Farrington and seconded by Fran Mascolo, it was voted unanimously (5-0-0) to adjourn. Adjournment was at 8:03 PM.

Respectfully Submitted:



Chair

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