

City of Beverly, MA
Wednesday, June 29, 2016

Chapter 15. Boards, Commissions, Councils, Committees and Authorities

Article II. Specific Multiple-Member Bodies

§ 15-36. Historic Districts Commission.

- A. Establishment; powers and duties; composition.
- (1) In accordance with the Historic Districts Act, MGL Chapter 40C, as amended, there is hereby established the Beverly Historic Districts Commission, which shall have all powers and duties of an historic district commission under the General Laws.
 - (2) All members and alternate members of the Commission shall be appointed by the Mayor, subject to confirmation by the City Council. The Commission shall consist of not less than five members nor more than seven members and up to three alternate members, including one member, where possible, from two nominees submitted by the Beverly Historical Society; one member, where possible, from two nominees, one of whom shall be submitted by the Massachusetts Chapter of the American Institute of Architects and one of whom shall be submitted by the Boston Society of Landscape Architects; and one member, where possible, from two nominees submitted by the Greater Salem Board of Realtors. The Commission shall include one or more residents of or owners of property in an historic district to be administered by the Commission.
 - (3) When the Commission is first established, two members shall be appointed for a term of one year, two shall be appointed for a term of two years, and three shall be appointed for a term of three years and their successors shall be appointed in like manner for terms of three years. When the Commission is first established, one alternate member shall be appointed in like manner for a term of one year, one alternate member shall be appointed for a term of two years and one alternate member for a term of three years and their successors shall be appointed in like manner for terms of three years. All vacancies shall be filled in like manner for the unexpired terms.
 - (4) All members of the Commission shall serve without compensation.
 - (5) The Commission shall elect annually a Chairman and Vice Chairman from its own number and a Secretary from within or without its number.
- B. Meetings; quorum; time for action. Meetings of the Historic Districts Commission shall be held at the call of the Chairman and shall be called at the request of two members of the Commission and in such other manner as the Commission shall determine in its rules. A majority of the members of the Commission shall constitute a quorum. When taking action under the provisions of the fourth paragraph of Section 11 of the Historic District Act (MGL c. 40C, § 11), the Commission shall make its determination within 60 days after the filing of the application for a certificate of appropriateness, or such further time as the applicant may in writing allow.

- C. Authority and responsibilities. Except as otherwise provided by the Charter or by ordinance, the Historic Districts Commission shall have and may exercise all powers and duties of an historic district commission as provided in General Laws Chapter 40C.
- D. Adoption of rules and regulations; employment of technical personnel. The Historic Districts Commission shall adopt rules and regulations for the conduct of its business not inconsistent with the provision of the Historic Districts Act, MGL Chapter 40C, as amended. The Historic Districts Commission may, subject to appropriation, and with the consent of the Mayor, employ clerical and technical assistants and consultants and incur other expenses appropriate to carrying on its work, and may accept money gifts and expend the same for such purposes.
- E. Exclusions from Commission review. The following categories of buildings or structures or exterior architectural features may be constructed or altered within an historic district without review by the Commission:
 - (1) Temporary structures or signs; subject, however, to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
 - (2) Terraces, walks, driveways, sidewalks and similar structures, or any one or more of them, provided that any such structure is substantially at grade level. This is not to be construed as to include parking lots.
 - (3) Storm doors and windows, screens, window air conditioners, lighting fixtures, antennas, and similar appurtenances, or any one or more of them.
 - (4) Colors for use on buildings and roofs.
 - (5) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation or for professional purposes, provided only one such sign is displayed in connection with each residence and, if illuminated, is illuminated only indirectly; and one sign in connection with the nonresidential use of each building or structure which is not more than 12 square feet in area, consists of letters painted on wood without symbol or trademark and, if illuminated, is illuminated only indirectly; or either of them.
 - (6) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.