



CITY of BEVERLY
PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

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CULTURAL HERITAGE PROPERTIES
SUMMARY OF DRAFT ZONING AMENDMENT

Background

The City, through the Planning Department, received technical assistance from the Metropolitan Area Planning Council (MAPC) under the Direct Local Technical Assistance (DLTA) program to craft zoning regulations that would create an incentive to preserve historic buildings that are in danger of demolition. MAPC worked with the Planning Department and an advisory group of City residents and representatives of several City Boards and Commissions to create the draft "Cultural Heritage Properties" (CHP) zoning amendment. The primary goal of the amendment is to establish regulations that would help preserve historic residential buildings, structures and where possible, historic landscape features that are part of a historic estate. The draft regulations also contemplate a process that allows adaptive reuse of historic non-residential buildings that are located in residentially zoned districts. Consistent with the City of Beverly Comprehensive Plan, the draft regulations will create additional opportunities to provide much needed housing units that maintain the character of the City's neighborhoods.

In the past, larger residential properties, estates, and non-residential historic buildings located in residentially-zoned districts were able to be preserved or adapted for residential use through a Use Variance process. Multiple estate buildings were preserved this way. Use Variances are no longer allowed in residential zoning districts and therefore limit preservation opportunities for property owners and developers in these districts. As noted above, the CHP zoning amendment seeks to provide a path that would allow adaptive reuse and preservation of these historic properties.

Eligibility

The draft ordinance is applicable to any property in the City of Beverly with structures or landscape features that are listed on the Massachusetts Historical Commission State Register of Historic Places or National Register of Historic Places. If a property is not listed on either of these registers a property could be eligible if the Beverly Historic District Commission determines the property is historically significant.

What is Allowed?

The draft ordinance creates a path to preserve historic structures through adaptive reuse by allowing additional residential units, and in some cases, other non-residential uses such as Bed and Breakfast, Hotel, Professional Office or Wellness Facility.

For properties that meet the eligibility requirements, a property owner may create one additional dwelling unit within the Historic Property over and above what is allowed by zoning in that district. These “by-right” units are only allowed if there is no expansion to the historic structure and there is a commitment to preserve the important architectural or landscape elements that contribute to the historic nature of the property.

Property owners may also seek a special permit from the Planning Board that includes preservation of a property that provides additional dwelling units beyond the one unit allowed by right, expands or otherwise alters the structure, or proposes another non-residential use described above.

Design Criteria

All projects benefitting from the proposed ordinance must meet design criteria that seek to preserve the integrity of the historic features and landscape elements of the property. For example, deteriorating historic features will need to be repaired rather than replaced. If the severity of the deterioration requires replacement of a distinctive feature, that replacement feature must match in design, texture and materials.

For projects where larger lots are involved, the ordinance seeks to allow additional units within existing structures and preservation of landscape features and open space. The objective is to offer an option whereby residential units that could be provided in a conventional subdivision may be provided within these existing buildings instead, thereby preserving the landscape and, where possible, open space. Landscape features considered in this context may include existing topography, rock outcrops, or specimen trees, and constructed features, like stone walls.

Public Process

Site Plan Review

Any eligible development project proceeding through the proposed CHP ordinance that increases the floor area of a structure must seek site plan approval by the Planning Board. Site plan process is a “by-right” process meaning that it is not a discretionary approval by the Planning Board. However the Board may add conditions of approval to ensure the project meets the objectives of the ordinance. Site Plan processes do include a public hearing and notice to abutters.

Special Permit

Any eligible development project that increases the floor area of a structure by more than 20%, includes more than one additional dwelling unit over and above what is allowed by zoning, or proposes an allowed non-residential use must seek and receive a special permit from the Planning Board. This process is a discretionary permit issued by the Planning Board who may approve or deny a project on its ability to achieve the goals and objectives of the proposed ordinance. The special permit review process includes a public hearing and notice to abutters.