LOCAL HISTORIC DISTRICT STUDY COMMITTEE

MEETING MINUTES
Tuesday, October 08, 2019

I. MEETING CALLED TO ORDER

Chair Harry Berkowitz called the meeting to order at 7:00 PM with Ken Warchol, Robert LaFlamme, Daniel O’Neil and Randi Zanca in attendance. Tim Reiter was absent. R. Gary Bechtholdt II, Town Planner was also present.

II. WELCOME & INTRODUCTIONS

The following members of the public were in attendance: Shelia Brennan, Jim Barron, Shelly Buma, Steve Gogolinski, Joseph Laydon, Plato Adams, & Paul Buma.

III. APPROVAL OF MEETING MINUTES
SEPTEMBER 09, 2019

Motion was made by Daniel O’Neill to approve the September 09, 2019 meeting minutes, seconded by Robert LaFlamme. The vote to accept was unanimous.

IV. CORRESPONDENCE

Committee noted receipt of email communication(s) from R. Christopher Noonan, consultant regarding final study report. Committee members provided a packet which included the October 08, 2019 meeting agenda; the public hearing notice; excerpts from the MHC guidance document entitled “Establishing Local Historic Districts” -the Public Hearing (ppg. 32 & 33), the Final Report (pg. 34), the Town Meeting or City Council Vote (pg. 35), Notifying the Attorney General (pg. 36), the Final Steps in Establishing the Local Historic District (pg. 37), Enlarging, Reducing and Adding Local Historic Districts (pg. 38); correspondence dated September 12, 2019 from Community Planning & Development regarding Town Counsel review/edits; copy of LHD Bylaw warrant language with Town Counsel edits; and copy of the LHD map. A presentation board depicting the properties and proposed boundary was also displayed.

V. PRELIMINARY STUDY REPORT

STATUS OF REVISIONS

Committee members noted they have yet to receive any revisions or information from the Consultant (R. Christopher Noonan) concerning the requested edits and updates to the study, other than the emails recently provided. Members expressed concerns with timing of receipt of the initial draft of the Final Study Report, noting the public hearing for the Bylaw was delayed due to the Consultant not providing the preliminary study report earlier. Mr. Bechtholdt reminded the Committee that the Preliminary Study Report was submitted to Massachusetts Historical Commission and they accepted it; suggesting at this
point any changes or updates will be included in the Final Study Report which will be presented at the Fall
Annual Town Meeting.

A motion was made by Randi Zanca, seconded by Ken Warchol to have Harry Berkowitz, Chair reply to R.
Christopher Noonan (Consultant) that the LHDSC requires all the Deliverables by October 15, 2019 and if not
received by then, the remainder of the payment may be withheld. The vote was unanimous of having Mr.
Berkowitz contact the Consultant.

Committee decided upon receipt (of all deliverables) and review of final study report by Mr. Berkowitz,
Chair and the Town Planner, the payment withheld may be released to the Consultant. Committee
members noted it is important that the final report is received in advance of Town Meeting. The
Committee also agreed that it was not necessary for the Consultant to attend the Town Meeting. Mr.
Berkowitz will contact Mr. Noonan to advise him accordingly.

VI. PUBLIC HEARING
WHITINSVILLE -DOWNTOWN CROSSROADS LOCAL HISTORIC DISTRICT BYLAW
MGL CH 40C [Historic Districts]

Upon motion duly made (R. Zanca) and seconded (R. Laflamme) the Committee voted (5-0) to waive the
reading of the public hearing notice.

“In accordance with MGL CH 40C [Historic Districts], the Local Historic District Study Committee shall hold a
Public Hearing Tuesday, October 08, 2019 (7:05 PM) in the Selectmen’s Room of the Memorial Town Hall, 7
Main Street, Whitinsville, MA 01588 to consider proposed “Whitinsville -Downtown Crossroads Local
Historic District” to consist of twelve (12) properties identified on Local Historic District Map: Memorial
Park/Town Common, Church Street, Assessor Map 14A Parcel 34; Village Congregational Church, 5 Church
Street, Assessor Map 15A Parcel 134; Whitinsville Social Library, 17 Church Street, Assessor Map 15A Parcel
135; Stephen F. and Mary Ann Batchelor House (Village Congregational Parsonage), 31 Church Street,
Assessor Map 15A Parcel 136; Whitinsville Cotton Mill, 17 Douglas Road, Assessor Map 5 Parcel(s) 77 & 75;
Whitinsville Brick Mills & Forge (John Whitin Mill), 54 Douglas Road, Assessor Map 2 Parcel 7; Col. James
Fletcher House, 1 Elm Street, Assessor Map 4A Parcel 46; Aldrich School (original High School), 14 Hill Street,
Assessor Map 15A Parcel(s) 133 & 131; Trinity Episcopal Church, 31 Linwood Avenue, Assessor Map 14A
Parcel 35; Memorial Town Hall, 7 Main Street, Assessor Map 2 Parcel 9; George Marston Whitin Memorial
Community Center, 60 Main Street, Assessor Map 7 Parcel 223; & Whitinsville Savings Bank, 1 Memorial
Square, Assessor Map 15A Parcel 132. The proposed Local Historic District shall be considered for adoption
at the 2019 Fall Annual Town Meeting scheduled for Tuesday, October 22, 2019. Copy of proposed Local
Historic District Bylaw, District Map and the Preliminary Study Report are on file with the Office of the Town
Clerk (Memorial Town Hall, 7 Main Street) and Community Planning & Development (Aldrich School -Town
Hall Annex, 14 Hill Street) and may be reviewed during regular business hours. The purpose of this hearing
is to provide opportunity for public comment; anyone wishing to be heard may attend said hearing at the
time and place designated.”
Upon motion duly made (R. Zanca) and seconded (R. Laflamme) the Committee voted unanimously to open the public hearing. R. Gary Bechtholdt II, Town Planner indicated the public hearing posting, legal ad publication and notification requirements had been satisfied, noting copies of the notice, along with proposed Bylaw were mailed to the property owners.

Mr. Bechtholdt referred the Study Committee to the Massachusetts Historical Commission guidance document entitled “Establishing Local Historic Districts” specific to the Public Hearing proceedings (ppg. 32 & 33).

Harry Berkowitz, Chair welcomed the public to the hearing and offered an initial introduction of the proposed Local Historic District Bylaw, noting the Study Committee was established by the Board of Selectmen to consider a local historic district in Whitinsville as part of its inclusion within the Blackstone River Valley National Historical Park. Mr. Berkowitz explained that the Study Committee has been meeting over the past 18-months, hosting a number of public forums, meetings and a preliminary study report. Mr. Berkowitz explained a lot of thought went into selecting the twelve (12) properties for inclusion in the District, noting the number of properties was reduced from an initial 19 to the 12. Mr. Berkowitz continued, explaining that the Study Committee felt the 12 properties tells the story of Whitinsville, from the early beginnings of the American Industrial Revolution.

Mr. Berkowitz thanked the Committee members, Consultant and Town Planner for all their work, noting the amount of paperwork and research was truly intense. Robert Laflamme noted Massachusetts Historical Commission has a pre-defined process and steps to follow, that must be complied with to create a local historic district; adding the process was very time consuming and methodical to create this proposed local historic district. Mr. Bechtholdt noted copies of the draft Bylaw and LHD map are on the table and available to the public.

Mr. Berkowitz identified the twelve (12) properties proposed to be included in the Whitinsville -Downtown Crossroads local historic district: Col. James Fletcher House (circa 1770); Whitinsville Brick Mills & Forge /Paul Whitin Mill (circa 1826); Whitinsville Cotton Mill (circa 1845); Stephen F. Mary Ann Batchelor House /Parsonage (circa 1849); Memorial Town Hall (circa 1872); Aldrich School /original High School (circa 1890); Town Common /Memorial Park (circa 1890-1905); Village Congregational Church (circa 1897 & 1903); Whitinsville Savings Bank (circa 1905-06); Whitinsville Social Library (circa 1912); George Marston Whitin Memorial Community Center (circa 1921); & Trinity Episcopal Church (circa 1925-1929).

Kenneth Warchol, Vice Chair provided a brief historical overview of each property and their significance/justification for the establishment of the proposed local historic district, noting Whitinsville today, is considered one of the best preserved mill villages in New England. Mr. Warchol explained the Study Committee did not think it was necessary to include the entire Village, opting to only include these 12 main properties that tell the story of the earlier American Industrial Revolution. Mr. Warchol suggested the Bylaw contains minimal types of restrictions with a number of exemptions and adoption would be supported by the National Parks Service.
Before opening and soliciting comment from the public Mr. Berkowitz explained that the Local Historic Study Committee was established by the Board of Selectmen as a result of the General Agreement signed with the National Parks Service to create a boundary for Whitinsville, which is included as a node in the Blackstone River Valley National Historical Park, spanning Massachusetts and Rhode Island. The Study Committee understands the concerns of “big government” and adding more local regulations and restrictions, the Committee has prepared a Bylaw that balances historic preservation and individual property rights for the 12 properties selected for inclusion. Only the 12 properties included in the District will be subject to the Bylaw, no other properties are considered or subject to the Bylaw, just the 12 listed in the Bylaw. Adding additional properties to the District would require the Whitinsville -Downtown Crossroads Local Historic District Commission to perform the same process and analysis, including another study and Town Meeting action. The proposed District tells the story of the early beginnings of the American Industrial Revolution, where Whitinsville played a very important role and is to be recognized nationally as part of a National Historical Park.

Mr. Berkowitz noted concerns about individual property rights have been taken into consideration, where the Committee has proposed some 26 exemptions and exclusions; Mr. Berkowitz read aloud each exception included in Section 15 [Exemption, Exclusion] of the proposed LHD Bylaw.

Mr. Bechtholdt asked the Study Committee to acknowledge receipt of the comments/edits from Town Counsel, noting revisions made were for consistency of terminology and clarity and do not appear to be substantive changes. Mr. Bechtholdt noted these edits are a little different than the draft distributed, however will appear in the printed warrant at Town Meeting. Committee members reviewed/noted changes prepared by Town Counsel.

Mr. Berkowitz, Chair solicited comment from the public.

Sheila Brennan (56 Hill Street), questioned why consider exemptions and exclusions, if properties are only municipal buildings and churches and not private properties. Mr. Bechtholdt explained that the Cotton Mill, Fletcher House, Savings Bank, Community Center, and Whitin Mill are considered private. Ms. Brennan sought clarification that only the 12 properties listed would be subject to the Bylaw; Mr. Berkowitz confirmed, and Mr. Bechtholdt stated no private single-family homes are proposed to be included in the District.

Ms. Brennan questioned if other properties are to be included. Mr. Bechtholdt explained this Study Committee was charge with exploring the idea of creating a local historic district within Whitinsville; the Committee was established to study and recommend properties for inclusion in a district and draft a local bylaw ordinance. This Study Committee has accomplished this task and will present these 12 properties included in the proposed Local Historic District at Town Meeting.

Mr. Bechtholdt suggested if the town (or someone) wanted to amend the District, by adding new properties the same process undertaken by this Study Committee would need to be followed, including public meetings, public hearing and a separate Town Meeting action.
Ms. Brennan asked if her property at 66 Hill Street would be included as part of the Whitinsville-Downtown Crossroads Local Historic District. Committee members explained that only the properties that are listed in the Bylaw are part of the proposed historic district, noting it is possible in the future that someone could come forward to add properties, but a new study would have to be performed, the entire process over. Mr. Berkowitz suggested at Town Meeting someone could not amend the Bylaw to add properties. Mr. Berkowitz and Mr. Bechtholdt clarified for Ms. Brennan the process of creating a local historic district.

Ms. Brennan confirmed with the Study Committee that her property is not included in the proposed District and she would not be subject to any restrictions or have difficulties selling her home.

Mr. Bechtholdt noted that Ms. Brennan mentioned to him that she had a question about the difference between a Local Historic District and a National Register District; Mr. Bechtholdt provided her and others with a copy of Mass Historical Commission brochure entitled “There’s a Difference! -Local Historic District and National Register District.”

Kenneth Warchol provided a brief overview of the differences between a Local Historic Districts and National Register Districts, noting Whitinsville has some 300 properties, including 56 Hill Street, Ms. Brennan’s home that are included the National Register District, this is an honorary designation and with it does not impose any restrictions unless owners have received state/federal grant funds in which case a Preservation Restriction may be in place (e.g. Cotton Mill apartments, Whitin Mill, and the Town Hall).

Ms. Brennan questioned if proposed Bylaw does not include “private property” then why have fines and penalties. Mr. Bechtholdt suggested the provision is included for enforcement, noting the Study Committee, in drafting the proposed Bylaw looked to existing local historic bylaws from neighboring towns.

Ms. Brennan asked for clarification on the permitting process using the proposed Whitinsville Savings Bank building as an example. Mr. Bechtholdt provided a brief overview of the permitting process (components of the Bylaw) where the Commission would review and make a determination based upon the bylaw provisions. Mr. Bechtholdt added that the Study Committee is in receipt of a letter in support of adopting the Local Historic District Bylaw from the owner of the Whitinsville Savings Bank building (Vincent Osterman). Ms. Brennan did not see the need for an opt-out provision if private properties (such as single-family homes) are not included.

Paul Buma questioned the reasonings to establish a District, why do anything; buildings have been preserved to this point already, without government intervention and questioned why anyone would want to give any kind of control of their property to the government. Mr. Buma questioned the need to create a Local Historic District.

Mr. Berkowitz explained the Study Committee was created by the Board of Selectmen as part of the General Agreement signed with the National Parks Service, where the town needs to establish a boundary for Whitinsville’s inclusion in the National Historical Park. Once the boundary is establish the NPS will promote and market Whitinsville.
Mr. Bechtholdt explained that Whitinsville was specifically included as node in the National Historical Park designation, this designation however did not define a boundary or identify a specific site, the next step for the town was to establish a boundary, the adoption of a local historic district (the Whitinsville -Downtown Crossroads) would accomplish. The General Agreement that Mr. Berkowitz mentioned includes language specific to consider a local historic district. Establishing the boundary via a local historic district will provide the National Parks Service with assurances that the town supports the National Historical Park designation and in turn the National Parks will commit its resources, funding, branding and other promotions to celebrate the Blackstone River Valley National Historical Park; an opportunity to showcase Whitinsville.

Mr. Buma questioned the reason why do anything. Mr. Bechtholdt noted he understands concerns however, suggested discussion seems to be beyond scope of the Study Committee whose charge was to craft a proposed local historic district and reminded attendees the public hearing is specific to the proposed local historic district bylaw.

Shelly Buma, reiterated concerns with the General Agreement and timing of the establishment of the Study Committee, noting members on the Study Committee were appointed before the General Agreement was even signed. Mr. Bechtholdt apologized for interrupting and reminded Ms. Buma that the focus of the public hearing is to review and take input on the proposed Bylaw. Ms. Buma suggested the Bylaw has a bunch of restriction for 12 properties and allows for expansion and added restrictions relatively easily in the future. Ms. Buma suggested the formation of the Study Committee has nothing to do with the National Parks Service General Agreement, noting she was on the study committee in 2012, agreement did not happen till 2018. Mr. Berkowitz asked Ms. Buma to focus discussion on the Bylaw.

Ms. Buma noted she is representing a larger group, Citizens to Preserve Northbridge Property Rights, who are opposed to the proposed Bylaw, basic rights and property rights, views Bylaw of undue and unreasonable restraint. Ms. Buma cited a number of components that would not be exempt.

Paul Buma and Shelly Buma raised concerns with the process and discounting anonymous survey responses. Randi Zanca suggested the Committee received letters of support from all but two property owners proposed to be included. Mr. Bechtholdt indicated with the exception of the Granite Cotton Mill and the Episcopal Church the Committee has received positive input from the owners, noting both the cotton mill and church currently have Preservation Restrictions in place. Mr. Berkowitz indicated all those opposed had the option to attend the public meetings and will have an opportunity to vote at Town Meeting. Mr. Berkowitz noted that the Board of Selectmen voted at its meeting on October 07, 2019 to support the Bylaw.

Mr. Berkowitz suggested the Committee needs to move on and asked if anyone else in the audience had comments specific to the Bylaw. Mr. Berkowitz sought public comment a second and third time, having none the Committee closed the public hearing.

A motion was made by Daniel O’Neill to close the public hearing and seconded by Robert Laflamme; the vote to close the public hearing was unanimous.
VI. 2019 Fall Annual Town Meeting
TUESDAY, OCTOBER 22, 2019

The Study Committee again acknowledged the edits in the warrant from Town Counsel and receipt of the recommendations from Massachusetts Historical Commission. The Study Committee opted not to expand the proposed District (12 properties) and not to reduce the list of exemptions.

A motion was made by Robert Laflamme to recommend support of Article #7 -Local Historic District Bylaw for the 2019 Fall Annual Town Meeting, seconded by Randi Zanca. The vote to support and recommend Article #7 was unanimous. As printed in the Warrant.

When the Final Report is received, Mr. Berkowitz, Chair and the Town Planner will review and offer comment as needed in preparation for Town Meeting.

Harry Berkowitz, Chair shall offer the Motion to adopt the Bylaw, present recommendation on behalf of the Local Historic District Study Committee and provide the Final Study Report at the Fall Annual Town Meeting (October 22, 2019).

VII. ADJOURN MEETING

A motion was made by Daniel O’Neill to adjourn the meeting, seconded by Kenneth Warchol. The vote to adjourn at 8:04 PM was unanimous.

Respectfully submitted,

[Signature]

Randi Zanca, Clerk
Local Historic District Study Committee

Cc: Town Clerk