



Town of Sudbury

Historic Districts Commission

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MINUTES

JANUARY 16, 2020 AT 7:30 PM

SILVA ROOM, FLYNN BUILDING, 278 OLD SUDBURY ROAD, SUDBURY, MA

Members Present: William Andreas, Linda Hawes, and Lee Swanson

Members Absent: Chair Fred Taylor and Frank Riepe

Others Present: Director of Planning and Community Development Adam Duchesneau and George Pucci from KP Law

Ms. Hawes, acting as the Chair, called the meeting to order at 7:30 PM.

New Business:

Historic District Encompassing MBTA Right of Way - Meeting with Town Counsel

Mr. Pucci noted he had been litigating the Eversource project for the Town of Sudbury for the last few years. He indicated the Energy Facilities Siting Board (EFSB) had issued a decision approving the Eversource project and that decision had been appealed. Mr. Pucci also noted he was asked to give an opinion whether a Local Historic District (LHD) could be implemented over the Massachusetts Bay Transportation Authority (MBTA) Right of Way in Sudbury.

Mr. Andreas indicated buildings and structures in a LHD need to be visible from a public way to be subject to the rules and regulations of LHDs in Sudbury.

Mr. Pucci stated enacting a LHD over the MBTA Right of Way to regulate the Eversource project was not a great option. There would be little control over the project if a LHD was implemented. Mr. Pucci noted Eversource would have to meet the requirements at national level but not at the local level.

Ray Phillips of 40 Whispering Pine Road and President of Protect Sudbury stated he did not view the creation of a LHD over the MBTA Right of Way as an option to stop the Eversource project. He indicated he became aware of the historical value of the corridor through studies which had been conducted on the corridor. Mr. Phillips noted he felt a LHD would give one more opportunity for the Town to have a voice regarding what happened in the MBTA Right of Way.

Chris Hamilton of 36 Jarman Road and Legal Director for Protect Sudbury referenced the High Line in New York City and how this parkway became a public space, but also preserved the history of what used to be there. He stated he was concerned the Department of Conservation and Recreation (DCR), Eversource, etc. would just implement a project within the corridor and would not preserve much of the history of the Right of Way. Mr. Hamilton indicated he felt the DCR trail would count as a public way.

Mr. Andreas pointed out the Historic Districts Commission did not create LHDs, but the citizens of Sudbury do this by calling a Town Meeting. He also stated the High Line had no historic preservation restrictions upon it, as it was just done and preserved.

Mr. Phillips stated he was going to get the requisite numbers of signatures to call a Town Meeting regarding the creation of a LHD in the MBTA Right of Way, but Fred Taylor thought it might be better if the Historic Districts Commission prepared a Warrant Article. Mr. Phillips indicated he would like to work with the Historic Districts Commission on the matter.

Mr. Andreas stated Boston, Cambridge, and Concord may have had jurisdiction over the MBTA, and research on this topic could be very valuable.

It was recommended Protect Sudbury compile petition language to create a LHD in the MBTA Right of Way and bring it forth to the Historic Districts Commission for review.

Preliminary consultation discussion-Wayside Inn hood and ventilation project

Steve Pickford and Tom Prince from the Wayside Inn Board of Trustees were present to discuss the matter with the Historic Districts Commission. They indicated they would be seeking to replace the kitchen exhaust vent in the downstairs kitchen. Mr. Pickford stated they were proposing to do an in-kind replacement. He asked about perhaps installing a fence to screen the vent.

Mr. Andreas stated this type of change would require a Certificate of Appropriateness from the Historic Districts Commission.

Discussion ensued regarding submission deadlines for new applications.

Mr. Pickford indicated they would be filling an application as soon as possible.

Miscellaneous:

Approval of Minutes from December 12, 2019

Mr. Andreas motioned to approve the minutes of December 12, 2019 as amended. Mr. Swanson seconded the motion. The vote was unanimous, 3-0.

Ms. Hawes adjourned the meeting at 8:44 PM.