

PUBLIC MEETING: Falmouth Historical Commission
Tuesday August 6, 2019 Civil Defense Room, Falmouth Town Hall
59 Town Hall Square, Falmouth MA: 5:00 PM

Present:

Ed Haddad, Chair
Annie Dean
Kara Foley
Christian Valle

Chris Warner
Corey Pacheco, Assistant Town Planner
Lee Drescher, Alternate
April Merriam, Recording Secretary, Absent

Chair Haddad called the public meeting to order at 5pm.

Public Hearing: In accordance with the provisions of the Code of Falmouth Chapter 36: Falmouth Historic District bylaw, the Falmouth Historical Commission shall hold a public hearing to hear community support or concern regarding a proposed adjustment to the Historic District Boundaries. The Commission is considering adjusting the Historic District boundaries in all seven (7) districts: North Falmouth; West Falmouth; Quissett; Woods Hole; Falmouth Village; Davisville and Waquoit. This adjustment will provide the Commission with jurisdiction over the entire parcel found in one of the seven mapped districts affecting 1,019 properties. This adjustment will also remove 123 properties from the Town's local historic districts.

Brief Presentation by the FHC explaining the boundary adjustment.

Chair Haddad told the audience that this is a public meeting to provide information and discussion about the FHC's intention for a proposed warrant article for the adjustment to the HD boundaries that comes before Town Meeting in November. Our Bylaw from 1975 was written for all boundaries in the 7 historic districts to be determined by an arbitrary set-back number. Each set-back number from a public way is different in the districts: 100ft, 150ft, 200 ft, or 250 from the street. The set-back number has nothing to do with the property line. Maps were shown to the public showing the arbitrary set-backs.

The current set back designations do not protect historic buildings or structures outside the set back line. Mr. Haddad said that the intent of the Bylaw was to protect and provide integrity to the historic districts and all buildings in the district. Currently a homeowner needs to provide a \$500 plot plan to this board and with the new proposal a plot plan will not be needed.

Benefits of the adjustment: 1. Protects the historic district, creates consistency within the 7 historic districts; 2. plot plans not required, and 3. Puts FHC in compliance with the recommendations of the following: Historic Preservation plan, Planning Board Local Comprehensive Plan and Cape Cod Woods Hole Historic District Study of 2018.

Changes in numbers of historic district properties: Current properties in the 7 historic districts total 1019. Reduction of properties with adjustment: 894-- Includes the addition of 106 houses that will be eligible for oversight due to being outside the set back boundaries; 132--Added accessory buildings; 126--Removed properties.

Public Comment: 20 residents were in attendance with many from West and North Falmouth. When asked if the residents were in favor of the adjustment to the historic boundaries, no one raised their hands.

Residents concerns:

*Clarification of "arbitrary set-back". Chair Haddad said 4 historic districts are on the National Register of Historic Districts and follow the property lines. Arbitrary set-backs were established in 1975 and if a historic barn is outside the arbitrary set-back designation, there is no protection afforded to this historic structure.

*A demolished historic house on Old Main Road: Entire property will remain in the North Falmouth Historic District. If this demolished house sat on 10 acres on Old Main Road and is one address, the entire property would be in the district. Currently, however the 10 acres are subdivided with houses having their own addresses and only the houses having frontage along Old Main Road would be in the district, and the others excluded. The boundary adjustment having the entire property in the district is based on having 1 address for the entire property.

*Maps showing properties in and outside of a historic district. Online there are maps showing the differences per Corey Pacheco.

*126 properties are being taken out of the district and there is a listing showing current properties and removal properties in the districts.

*Query about historic houses outside the current historic districts: This board is not creating new historic districts in Falmouth or its villages but instead is adjusting the existing historic district properties using their property lines, not the arbitrary set-back number. For example, Teaticket has historic houses that are not in the district and this board has no purview in their protection at this time. Teaticket residents within a neighborhood with historic houses could come before our board for a discussion about how to preserve or protect their neighborhood. This is not the intention for tonight's discussion.

*Accessory building concerns: If an accessory building requires a building permit, then the structure would come before this board for a hearing. There were 92 Certificates of Appropriateness applications before this board during 2018: 66 were processed with an administrative review and no hearing; 26 applications required a hearing.

*Mr. Ament: The area of the historic district is probably going to double or triple in size. Chair Haddad clarified that if large properties are subdivided with different addresses then only those properties with frontage on the main highway or road would be in the district and the other properties without frontage would be excluded. Mr. Ament commented that the property boundary line adjustment would add costs for compliance for the homeowners. Chair Haddad added the view from the historic district's main avenues/streets such as Old Main Road or Davisville Road was the purpose of the Bylaw in order to maintain the historic character in the district.

*Arbitrary set back designation created in 1975 was done for clear reasons and members of St. Barnabus are opposed to this adjustment.

*Mr. Hurley of Old Main Road and 3rd generation: Opposed expansion of the setback lines to property lines stating that the adjustment is unnecessary, excessive and is not in the spirit of the Bylaw. Setback footage is not arbitrary and the current guidelines are not the intent of the 1975 legislation.

*If there are sober houses within a historic district, the house would be treated like any other house in the district. The use of a house is not within the FHC purview.

*There was no attempt to present a balanced presentation. If the 1975 Bylaw worked well all this time, there was not a statement supporting the status quo. Mr. Haddad commented that the brochure was created to provide the board's position and not to debate but to hear the resident's opinions and issues.

*Adjustment to the property line seems like too much control for this board. Visibility from the public way is problematic for some homeowners.

*No one present tonight is in favor of this proposal. Chair Haddad stated this board wants to hear the pros and cons of the proposal at public meetings.

*Query about the 106 additional houses added to the district. Chair Haddad stated these are historic houses sitting outside the set back lines and the properties are in the district. A Falmouth Heights resident remembered when there was talk of this area becoming a historic district and alarmed at the amount of pushback. People at the time were equating creating a historic district with taking away their rights. This resident has a historic house in Falmouth village and worried about the unintended consequences of who can afford living in a historic district. Now has moved out of the historic district due to the extra hoops required in living in a historic district.

*People owning historic houses have a common respect for what has come before us and what should go beyond us, a common love for beauty and history. I commend this board for your service. Keep it manageable for you and us.

*Appreciation to the board having come before this board in the past and worried about the board moving forward with 100 pages of guidelines instead of 10 pages.

*Query: The interaction between the business zoning and the historic districts will not be affected? Chair Haddad replied it will not be affected. This board does not get involved with zoning, property use and that is handled by the ZBA or Planning Board. The FHC concern is preservation, protection, design and aesthetics. The zoning allows for certain kinds of use such a gas station or grocery store. If this property is in a historic district then the building itself will come under our purview.

*Corey Pacheco, Assistant Planner in the Planning Office reviews each application and determines if an application needs to come before the board for a hearing or if the application can be handled administratively without a hearing.

*Chair Haddad said that this idea of property line adjustment has come about when this board has seen barns demolished outside the district or during hearings trying to parcel out what is to be looked at that is within the board's purview. Over time the board has looked at, worked with and discussed the issues presented with set-backs vs property lines during our hearings.

Adjourn: 6:30pm