



Historic District Commission

Notice of Public Hearing

November 10, 2020

7:00 PM

Virtual Meeting

Pursuant to the provisions of Acton Bylaw Chapter P, Local Historic Bylaw, Sec. 5.3, the Historic District Commission hereby provides notice of a public hearing, to be held virtually on November 10, 2020, at 7:00 PM, to consider adoption of **Guidelines for Solar Installations in Historic Districts**, a copy of which is attached.

David Honn
Chair
Historic District Commission
October 28, 2020

ACTON HISTORIC DISTRICT COMMISSION
GUIDELINES for SOLAR INSTALLATIONS in HISTORIC DISTRICTS

Purpose

The purpose of these Guidelines is to provide guidance both to persons considering the use of solar energy panels within one of Acton's Local Historic Districts and to members of the Town's Historic District Commission (HDC) in acting on such an application under the Town's Local Historic Bylaw (Bylaw), Chapter P of the Bylaws of the Town of Acton.

Context

The principal purpose of the Bylaw, as well as of MGL, Ch. 40C on which it is based, "is to aid in the preservation and protection of the distinctive characteristics and architecture of buildings and places significant in the history of the Town of Acton." Bylaw, P 1. Purpose. In providing the criteria to govern the HDC's determinations in considering applications, the Bylaw first directs the HDC to consider "the historic and architectural value and significance of the site, BUILDING or STRUCTURE [sought to be altered]." Bylaw, P 8.1 Criteria for Determinations. Among the other factors for the HDC to consider are the specifics of the building's exterior architectural features and the relation of such features to those of buildings in the surrounding area. Id. Finally, the Bylaw provides that "[w]hen ruling on applications for CERTIFICATES on solar energy systems ... the COMMISSION shall consider the policy of the Commonwealth of Massachusetts to encourage the use of solar energy systems and to protect solar access." Bylaw, P 8.4 Criteria for Determinations.

Following up on the Bylaw's direction, the HDC has promulgated CRITERIA FOR HISTORIC DISTRICT COMMISSION DECISIONS, providing that:

In making a determination for a Certificate of Appropriateness, the Acton Historic District Commission will use the following general standards as a basis for its decisions:

1. The historic character of a property, and its contribution to the character of the district as a whole shall be retained and preserved. The ... alterations of features that distinguish a property diminishes its integrity, and shall be avoided. ...
2. ...
3. ...
4. ...
5. [I]nstallation of modern functional items such as electrical fixtures, antennae, etc, shall not destroy or detract from historic materials and features that characterize the property. The new work ... shall be compatible with the massing, size, scale, materials, and architectural details of the historic property.

Guidelines

These Guidelines shall apply to the proposed installation of solar energy systems, as defined in Section 1A of MGL Chapter 40A, that are subject to Town of Acton Bylaw P. 6 Alterations and Construction Prohibited Without Certificate. The Guidelines are intended only to provide guidance and shall create no entitlement to approval of an application, which the HDC will grant or deny only after full and appropriate consideration of the application and its surrounding circumstances as provided in Acton Bylaw P and HDC Rules and Regulations.

For purposes of these Guidelines, the following terms shall be given these respective meanings:
“Building” -- a combination of materials forming a shelter for persons, animals or property.
“Historic Significance” -- the importance of a building or property to the history of the Town, taking into consideration the building and/or property, its prominence, its particular site, and the District in which it is located.

“Solar Panel” -- any constituent part of an operating solar energy system. A finding that the installation of solar panels is appropriate in an Historic District is valid only for so long as the panels are in use, and any Certificate of Appropriateness for the installation of solar panels will be conditioned on their removal once they are no longer in use. Once approved, solar equipment may be replaced only with equipment of like kind. Replacement equipment that is not exactly like prior-approved equipment will constitute a change in design requiring a new application for a Certificate of Appropriateness.

“Unique architectural character” -- being a “one-of-a-kind” example, or nearly so, of a particular architectural style or period.

1. Primary factors that the HDC shall consider in determining whether to permit the installation of a solar panel or panels on a building are the building’s age, historic significance and/or unique architectural character. The older, more historically significant and/or architecturally unique that a building is, the less willing the HDC should be to permit any solar panels visible from the governing street on which the building is located.
2. Solar panels shall not be permitted on any building’s roof surfaces that front on (that is, face) the governing street on which the building is located.
3. Solar panels may be located on a building’s roof surfaces that do not front on (that is, face) the governing street but which are visible from that street, particularly if the panels are partially obscured (e.g., by other roof lines, architectural features such as a chimney or dormer, or other architectural protrusions). Solar panels may be located on accessory

buildings if the size, shape and location does not dominate the roof surface visible from the governing street.

4. Solar panels otherwise permissible should be prohibited if there is an alternate location for the panel(s) which would fulfill the main objective of the solar installation but which would be less visible from the governing street.
5. Any solar panel permitted on a building's roof must be parallel to the roof surface, no more than three inches above the surface, and must minimize visual disruption of the roof surface in general, with panels held back from the roof edge at a distance appropriate under the circumstances. The HDC shall determine the solar-panel setback distance on a case-by-case basis considering the visibility of the solar panels from the governing street. Piping, cables and other associated equipment must be concealed from view, and all solar panel installations must be reversible without damaging any feature of the building on which it was installed.