

Frequently Asked Questions about Local Historic Districts

What is a Local Historic District?

Historic districts in the United States are designated areas as historically or architecturally significant and may be created at the federal, state, or local level. Local Historic Districts in Massachusetts have three major purposes:

1. To preserve and protect the distinctive characteristics of buildings and places significant in the history of the Commonwealth and its cities and towns.
2. To maintain and improve the settings of those buildings and places.
3. To encourage new designs compatible with existing buildings in the districts.

Local Historic District designations offer, by far, the most legal protection for historic properties because most land use decisions are made at the local level. Local districts are administered by the municipal government, in this case, the Town of Newbury.

How is a Local Historic District created?

A Local Historic District begins with a meeting of property owners and residents to find out what they think. If there is interest in creating a district, the Town forms a Local Historic District Study Committee to investigate and prepare a report documenting the viability and recommendations of a possible LHD. A study report is created to report on findings and presented at an official public hearing. The final step is passage of the historic district bylaw by a two-thirds majority vote at town meeting. We are currently in the Study Committee stage and are collecting data for the report.

What are the advantages of a Local Historic District?

Local Historic Districts encourage reinvestment. When you are part of an historic district, you have some certainty that any new construction or renovation activity will be respectful of the existing character of the community and its architecture. Local Historic District regulations are quality assurance standards, so that if you invest in your home, you are assured your investments won't be negated by a thoughtless renovation in another location. Real estate agents in many communities use Local Historic District status as a marketing tool to sell properties, because buyers are assured that the aspects that make a particular area attractive will be protected over time. Studies show that districts are a useful tool in increasing property values and stimulating new investment. A community that values its history and architecture is generally one that is attractive to live in.

Finally, and less quantifiable, older buildings give us a tangible link with our past. They tell stories of earlier times and become part of our lives. They are a record of ourselves and our communities. They provide a richness and depth to everyday life that cannot be replicated by new construction and is lost when renovated beyond recognition. They are rare and diminishing through demolitions and alteration. It is important that we take the first step to turning the conversation toward conservation and re-use.

What are the disadvantages?

You may have heard horror stories and myths regarding Local Historical Districts, their creation and administration. However, we hope that the realities and advantages of the district will become evident as development pressures increase. The district's review process will follow defined law laid out at the state and local level and are administered by people in our city. For more information, please see MGL Chapter 40C Massachusetts Historic Districts Act.

In our opinion, there are few disadvantages beyond adding a single step to getting your construction permit. The rules are clearly defined, and members of the Historic District Commission will be available to guide your project through the approval channels.

If my house is included in the local historic district, does that mean I need to make it look more historic?

No, you can maintain the current look of your house as long as you would like. A Local Historic District only reviews proposed changes to exterior architectural features. Routine maintenance, interior changes, and exterior features not visible from a public way are exempt from review. The review process does not inherently limit change, it just is a step to ensure the changes would not drastically alter the historic nature of the property.

Isn't this just another level of bureaucracy?

While it is true that an additional step is needed for some projects, the benefit of protecting the community's rich architectural heritage outweighs the inconvenience. A Local Historic District does not halt change or development but rather provides a forum to engage in constructive dialogue on how to make sure it matches the character of the existing building and the neighborhood contexts. Without a Local Historic District, the building could be demolished or irreparably altered at any time once the nine-month demolition delay expires.

If I and my neighbors already maintain our properties, why do we need a Local Historic District?

By having a Local Historic District, you can be assured that any new property owner will also maintain the historic character of the Lower Green. They will be required to maintain, preserve, or improve the property in a way that is not detrimental to the entire neighborhood. It will also ensure access to public places such as the Green and the Parker River.

What kinds of things could be reviewed by the Historic District Commission?

Exterior architectural features visible from a public right of way that are *not* replaced with like for like materials and aesthetics. Among the types of alterations that could be reviewed for appropriateness to the property are:

- Chimneys and brickwork.
- Building additions.
- Fences, gates, and walls.
- Accessory structures such as sheds and garages.

- Roofing and gutters

What kinds of things are not be subject to review?

- Any work not visible from a public right of way.
- Landscaping involving plants, trees, or shrubs.
- Walkways and terraces significantly at grade.
- Paint colors.
- Storm windows and storm doors.
- Attached exterior lighting fixtures.
- Reconstruction work using materials like the original following disaster.
- Work where no exterior architectural features are involved.

The Study Committee will recommend exclusions to the review process, but these have not been established yet.

Does this mean I can paint my house any color I want?

While some Local Historic Districts in Massachusetts do review paint colors, we are *not* recommending including any paint color review in this district.

If my building was located in a Local Historic District and I was constructing an addition or proposing change, what would I have to do?

Before acquiring a building permit for your addition, you, or your contractor, would fill out an application to the Historic District Commission (HDC). The HDC would review the proposed plans during a public hearing to make sure they are appropriate changes to the Local Historic District. If the addition was appropriate, the HDC would issue a certificate of appropriateness. You would present this to the Building Inspector to get your permit. If the addition was found not appropriate, the HDC would explain the steps necessary to resubmit and how to improve your application. Applicants can appeal on the grounds of hardship but must submit evidence backing their position. Projects that are deemed detrimental to the preservation efforts of the district are seldom approved.

Do we really need more regulations? Isn't this just zoning in disguise?

Zoning regulates use; historic districts do not. Local Historic Districts also do not restrict the sale of the property, require improvements or restoration of the property, require approval for interior changes or alterations, prevent new construction within district bounds (although it is reviewable), or require approval for ordinary repair and maintenance. Property owners would still be responsible for contacting the Town and obtaining all the proper permissions and permits.

Will my taxes go up?

Property taxes are tied to real estate values. Properties in a Local Historic District are taxed no differently than those outside the district.

Are there environmental impacts for historic districts? I am trying to be green by installing energy efficient.

Local Historic Districts help the environment because they encourage communities to retain and use their existing resources in established neighborhoods. This reduces the need for cars, cuts back on pollution and congestion, and eliminates landfill waste. In addition, many older buildings were designed with energy conservation in mind, taking advantage of natural light, cross-ventilation, and climate-appropriate materials. For more information on energy efficiency in historic homes, visit the [Historic New England White Papers](#). You may also wish to consult The Energy Efficiency and Historic Houses Frequently Asked Questions Sheet on the Local Historic District Study Committee Webpage.

How many Local Historic Districts are there in Newbury?

Zero, however, there is currently one National Register Historic District: The Newbury Historic District, or The First Parish - Upper Green established in 1976. A listing on the National Register of Historic Places is primarily an honorary designation. It offers minimal protection from state or federally involved projects. There is no protection for demolition except for properties that qualify for review under the Town's demolition delay bylaw. A Local Historic District designation is a much stronger tool to preserve the character of the neighborhood or resource by requiring review of any exterior changes visible from a public right of way.

Will a Local Historic District lower my property value?

No, owning a house in a Local Historic District will not lower property values, in fact there's a good chance the value of your property could increase! Multiple studies have looked at the economic impact of Local Historic Districts as well as historic preservation on communities and have found positive effects across the board. For more information see this [study](#) by PlaceEconomics for the Connecticut Trust for Historic Preservation as well as this [report](#) by New Hampshire Division of Historical Resources.