

Rules and Regulations
of the
Silas Felton
Hudson Historic District Commission



2014

Effective Date: January 1, 2014

Hudson, Massachusetts



I. HISTORY AND LEGISLATION

The concept of a historic district was a Southern innovation. Charleston, South Carolina, and New Orleans, Louisiana, both established historic districts in the decade preceding World War II. The intent of these districts was to preserve the architecture of certain buildings and to maintain the overall characteristics of the neighborhoods.

It was some 20 years later before historic district legislation was proposed in the Commonwealth of Massachusetts. In 1955, a bill was passed that enabled the first Massachusetts historic districts to be established on Beacon Hill and Nantucket. Massachusetts now has 57 cities and towns with historic districts.

In December 1978, an historic district survey was undertaken as the first step in the identification and establishment of a local historic district in Hudson. The survey was conducted in accordance with the Guidelines of the Massachusetts Historical Commission and within the provisions of the National Historic Preservation Act of 1966. The study included photographic inventory, field survey and library research, selection of significant sites and structures, development of a preservation plan and a downtown concept plan that integrates historical and natural resources.

Hudson is a former mill town now serving also as a residential suburb for the Worcester and Boston metropolitan areas. Citizens have been concerned with Hudson's public image and the lack of appreciation of its resources by new residents. In particular, the downtown has appeared to suffer from a lack of identity, under-utilization of natural resources and a masking of fine architectural features. In 1981, the revitalization of downtown Hudson started when Town Meeting approved a consultant's plan on the project. This was initiated by a group of businessmen and town officials called the Front Door Committee. An organization was formed and named the Community Development Corporation (CDC).

This plan calls for a ten-year completion and is a blueprint for the future of our downtown.

The restoration work is funded by federal and state money that pays for design work and reduced construction costs for downtown facade projects. Through research and old photos of buildings loaned by the Hudson Historical Society, restoration work has begun on many exterior fronts as they originally appeared a hundred years ago. Therefore, it is imperative that this historic district be established with guidelines to protect and support the work of the CDC in maintaining the styles of the original construction, or restoring that style, if it has been changed over the years.

Approximately 65 buildings within the downtown district were identified as being historically significant. The buildings are architecturally unique because of an unusual uniformity of style and character representing a distinct period in the town's development. The time period that the Commission is using as the guideline is between 1870 to 1955.

II. PURPOSE OF HUDSON'S HISTORIC DISTRICT BY-LAW

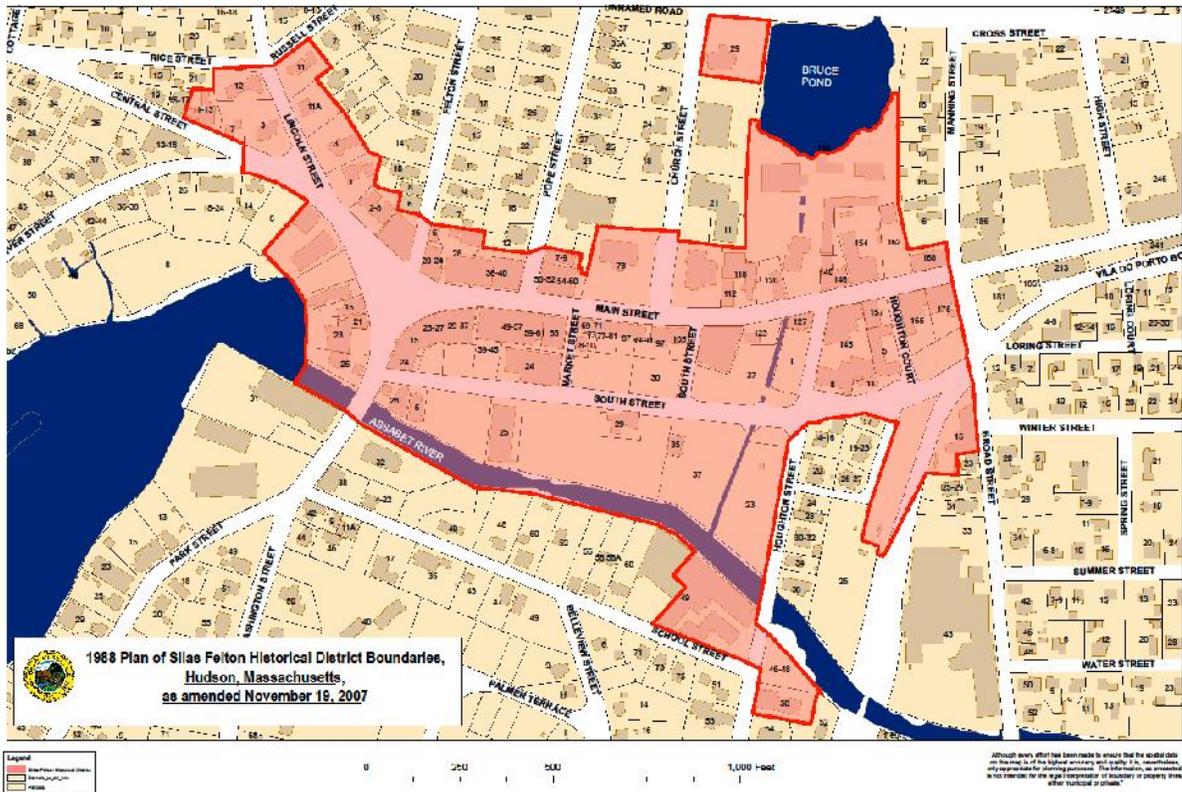
The main purpose of Hudson's Historic District by-law is to protect and preserve the district's legacy for the future. As already noted, there are several buildings in the Historic District that were constructed without regard to such considerations. Today they detract from the grace and balance of the older buildings around them. They also serve as a constant reminder of what Hudson would become if there were no Historic District legislation.

The specific purposes of the by-law are:

1. To preserve and protect the architectural integrity of the homes and buildings in the area and to maintain the unity of the neighborhood.
2. To encourage the construction of new structures compatible with the surrounding architecture and buildings from the era of 1870 to 1955 inside the Historic District.
3. To raise the awareness of Hudson citizens as to the value of the history, architecture, and streetscapes of the town.

III. LOCATION OF THE HISTORIC DISTRICT

The Historic District includes all buildings and structures within the dark black lines as shown in the map on the following page. This map is also on record at the office of the Town Clerk and The Middlesex South Registry of Deeds. If you would like to know whether your property is in the district, you may inquire at the Town Clerk's Office in Town Hall or call the Chairperson of the Historic District Commission.



Historical District boundaries established by Article 25
Of Special Town Meeting held November 19, 2007

IV. OBLIGATIONS OF OWNERS, TENANTS AND AGENTS IN THE DISTRICT

If the property or structure that you wish to renovate or modify lies within the Historic District, you must apply for a Certificate of Appropriateness before starting the work. Repairs that do not change the design appearance of the structure are the only exceptions, together with those items contained in the provisions of Section 5 of the By-law; everything else must be reviewed. For example, adding, changing or removing signs, fences, exterior lights, walkways, doors, windows, siding, paint, roofing, porches, sheds, extensions, additions to the building and entirely new or old buildings all require you by law to secure prior approval. This approval is issued in the form of a Certificate of Appropriateness; it certifies that the Historic District Commission has found that the changes you wish to make are appropriate, and it authorized you to make those changes. This approval is required prior to securing a Demolition Permit or any other Building Permit for work to be done to the building.

V. PROCEDURES OF THE COMMISSION

The Commission meets regularly in open public meetings at least once every month, currently on the third Wednesday; the time and place will be posted at Town Hall 48 hours prior to each meeting. At these meetings, the members review applications for Certificates of Appropriateness. The applications are reviewed in order to determine if the changes proposed will be in character with the historic qualities of the district. Applicants whose plans are appropriate to the character of their property's design and surroundings can anticipate reasonably prompt approval. In cases where the Commission members determine that an application cannot be approved, they will suggest changes, amendments, or modifications that would make the plan more appropriate. Approval requires a majority vote of the Commission members; in cases where an applicant disagrees with the Commission and wishes to appeal its decision, the applicant must follow the appeal procedures set forth in Chapter 40C of the Massachusetts General Laws.

VI. APPLYING FOR A CERTIFICATE OF APPROPRIATENESS

In making your application, you will want to present all of the information that the Commission members will need to review in order to make an informed decision. Application forms are available at the Town Clerk's office at the Town Hall. Your application and accompanying drawings, photographs, paint samples and other information must be filed with the Town Clerk at least one (1) week prior to the Commission's next meeting. All applications will be considered in the order of their receipt.

The applicant or authorized agent must be present at the meeting in order to expedite the application. Call the Commission Secretary to establish your place on the agenda. A decision will be made at another Commission's meeting within a reasonable period of time after the first meeting, but in no case later than 45 days from the date of the initial review of the application. If no action has been taken on an application by the time 45 days has elapsed since the date of the initial review of application, approval is granted by default. This is known as a constructive grant.

The fee for the application shall be \$20.00.

VII. HOW TO MAKE OUT AN EFFECTIVE APPLICATION

Once you have worked out your design, the single most important point to remember is that you must present the Commission with enough information for it to make a responsible decision. In addition to a completed, signed application, you may want to bring photographs of the site of the proposed work, scale drawings that completely describe the project, manufacturers' information sheets on materials to be used, and samples of paint and/or roof materials, if these are involved.

If you were planning to add a porch railing, for example, you should show it in detail. Your application should include the design of the balusters and the handrail, the color of paint, and a photograph of your building showing where the railing would be added. If you do not present enough information, your proposal will be rejected and have to be resubmitted. If you feel uncertain about your application, you may call the Commission Chairperson or Vice Chairperson of the Commission to make sure you have everything you need for a complete application. The Town Clerk will have the current Chairperson's or Vice Chairperson's telephone number on file.

After being approved, your application and its appended information will be kept by the Commission; after you have furnished your construction, your original application will be reviewed to determine if you have carried out the plans that were originally authorized. When this on-site review has shown that your construction conforms to your original approved plans, the Commission will close your file in good standing and forward its final approval to the offices of the Building Inspector.

This final sign off should be part of the Certificate of Occupancy signed off by the Building Inspector's Office.

VIII. WILL YOUR PROJECT BE APPROVED?

If you are reading this document in order to find out just exactly what the Commission will or will not allow, you have probably realized by now that no specific list could cover every possibility. The Rules and Regulations, which follow below, go into greater detail, but even they cannot answer all proposals in advance. Perhaps the best answer would be to remember the underlying purpose that governs the regulatory actions of the Commission. If both you and the Commission can share this purpose, you will probably have no difficulties with your design or application.

To the question "What can we build that will be appropriate?" one could answer, "Possibly anything that might have been built when your house or building was new." For example, if you would like to build an addition to your house, think of the style that the original builders took for granted, the characteristic roof slopes, window proportions, materials, colors, and scale . . . if you can put yourself back with them, you will naturally choose the kind of design details that would be appropriate in historic terms.

And yet remember that it is also possible to build a completely new building that forms its appropriate relationships with its older neighbors by harmonizing with their scale, form, and colors while not at all copying them in detail. There are no absolute answers, which is just why these matters are best resolved by a majority vote of the Commission members. In the course of reviewing an application that presents difficulties, the Commission will work with you to determine the best possible solution. They cannot act as designers for you, but they will share their response

to your designs and attempt to give you constructive suggestions in the event that they cannot approve your designs as submitted.

IX. ENFORCEMENT

Remember that under no circumstances can you start making changes until you have received an approved "Certificate of Appropriateness" from the Commission. If the scope of your work is such that it requires a Building Permit, remember that the Building Inspector will not be able to issue a permit until he has received a copy of your approval from the Commission, and that he will not be able to issue an occupancy permit until he has received confirmation from the Commission that the work was performed as approved. Proceeding with any unapproved changes to the visual appearance of your building as explained above will place you in violation of Massachusetts General Law, Chapter 40C; this information will be forwarded to the Building Inspector and the Selectmen's Office. Repeated violations will result in civil or criminal penalties as authorized by the Historic Districts Act, Chapter 40C, of the General Laws of the Commonwealth of Massachusetts.

X. OUR INVITATION TO YOU

You are welcome to come to all of our meetings, for they are open to the public. You are invited to call us and let us know about your concerns relating to the Historic District. The future promises many changes; some will be easy and some will be difficult. With your help and support, we will make every effort to ensure that Hudson's architectural future will retain the harmony and character that we still enjoy so much today.

XI. RULES AND REGULATIONS

These Rules and Regulations are promulgated pursuant to Massachusetts General Laws, Chapter 40C, as amended. For the purpose of administration of these Rules and Regulations, in the event that any conflict arises between the form and content of these Rules and Regulations and the above-cited statute, then the statute shall supersede. Accordingly, a thorough reading of the provisions of Chapter 40C, together with our local bylaw; a copy of which is attached hereto as ADDENDUM 'A', by a qualified professional is recommended.

A. MAKE-UP OF THE COMMISSION

1. Based on Article VIII Section 4 of the Hudson Historical District By-Law, as follows:

In accord with the provisions of Chapter 40C of the General Laws, there is hereby established, with all the power and duties of an Historic District Commission under such statute, a Hudson Historic Commission consisting of five (5) members who shall be residents of the Town and appointed by the Selectmen as follows: one (1) member from two nominees submitted by the local Historic Society of the Town; one (1) member from two nominees submitted by the Chapter of American Institute of Architects covering the area; one (1) member from two nominees of the Board of Realtors covering the town; one (1) resident or owner of property within the historic district established hereunder; and one (1) member appointed from the Planning Board or Conservation Commission. The initial appointments to membership in the Commission shall be as follows: one (1) member appointed for a term of one (1) year; two (2) members appointed for a term of two (2) years; and two (2) members appointed for a term of three (3) years. Successors shall each be appointed for a term of three (3) years. Vacancies shall be filled by appointment for the unexpired term. The Commission shall annually elect a Chairperson and a Vice Chair from within their number and a Secretary.

2. Although not bound by this item, the Commission plans to elect the Chairperson, Vice Chairperson and the secretary at a Meeting during the month of December with an effective start date of January in the following year.

B. CHANGES REQUIRING COMMISSION APPROVAL

1. ARCHITECTURAL ALTERATIONS

All changes in the appearance of a building or a building site located within the Historic District and visible from a public street shall require Commission approval. The following list of examples is provided only as a guide; it does not limit the scope of changes requiring approval to the examples cited. (See Section III for exclusions.)

- a.) The construction of a new structure.
- b.) The demolition of an existing structure.
- c.) The construction or removal of an addition.
- d.) The construction or installation of a temporary structure or piece of equipment, such as a dumpster.
- e.) The re-roofing, re-siding, or repainting of a structure or parts thereof, except as noted in Section V.

- f.) The construction or alteration of gates, fences, walkways, terraces, steps, walls, barns, garages, mailboxes, and gazebos.
- g.) The addition or removal of windows, screens, shutters, doors, porches, steps, and chimneys.

2. SIGNS

With the exception of temporary political signs prior to elections, realty for sale or rent signs, community events signs for Town Meetings, church fairs, picnic, plays and the like, the placement of permanent signs on or about any building or building site, must be approved by the Commission. Note that all provisions of the Hudson By-Laws relating to sign must first be followed. The Commission's primary purpose in the reviewing signs in the pass on the appropriateness of their design, size, color, execution and placement on their site.

3. APPROPRIATE SIGNS:

Although every sign will be reviewed for appropriateness in the context of its immediate environment, the following lists consists of a general outline of the most common types of signage which are considered to be appropriate for the Historic District:

- a.) Framed and/or custom plywood.
- b.) Carved and/or sandblasted wooden.
- c.) Window lettering (gold, vinyl, or hand painted).
- d.) Custom glasswork.
- e.) Three-dimensional (objects).
- f.) Awning and/or canvas.
- g.) Sand or glass smalts (course, ground, colored glass).
- h.) Dimension (individual) letter.
- l.) Non-flashing neon lights.
- j.) Non-flashing LED lights.

All lettering must be executed in a professional, workmanlike manner.

4. INNAPPROPRIATE SIGNS:

The following list shows signs that **ARE PROHIBITED** in the Historic district because of their commercial nature:

- a.) Flashing lights of any sort visible from the exterior.
- b.) Self-lit plastic or fiberglass signs.
- c.) Product "Advertisement" signs (i.e. cola, beer, etc.).
- d.) Signs must be representative of the business.

- e.) Portable signs located on sidewalks, driveways or in parking lots, etc.
- f.) High contrast signs with light background should be avoided (i.e. black lettering on white background).
- g.) Electronic, LED light, reader board sign of any size.
- h.) No illuminated “open” and/or “closed” signs.

5. LOCATION:

Any sign must not dominate building facades or obscure architectural features including, but not limited to, molding, transom panels, arches, sills, cornices and windows.

6. SIZE:

Signs should be properly proportioned per the size of the business frontage.

- a.) Guidelines are not to exceed lease or owned space:
- b.) 0 – 1500 sf leased or owned space = 16 sf sign maximum.
- c.) 1501 – 3000 sf leased or owned space = 32 sf sign maximum.
- d.) 3001 – 5000 sf leased or owned space = 48 sf sign maximum
- e.) Larger than 5000 sf leased or owned space = sf sign maximum to be reviewed and determined by the Commission.

7. SIDING

The use of artificial clapboard siding (aluminum, vinyl or similar material) shall not automatically be approved for use on any structure in the Historic District. Special circumstances will be reviewed case by case and subject to approval by the Commission.

C. CHANGES NOT REQUIRING COMMISSION APPROVAL

1. APPROVAL IS NOT REQUIRED FOR:

- a.) Interior arrangements or architectural features not subject to public view.
- b.) Ordinary maintenance, repair or replacement of any exterior architectural feature within a district which does not involve a change of design, material, color or outward appearance.
- c.) Landscaping with plants, trees or shrubs.
- d.) Compliance with requirements certified by a duly authorized public officer to be necessary public safety because of an unsafe or dangerous condition.

e.) Construction or alteration under permit issued by the Building Inspector prior to the effective date hereof.

f.) The following may also be exempted here from by written guidelines established from time to time by the Commission, after public hearing, relating to use, location, lighting, removal, or other limitations, and subject also to limitations of Chapter 40C, Section VIII:

1.) Temporary structures and signs used in connection with town or charitable events.

2.) Driveways, sidewalk and ramps substantially at grade level.

3.) Storm doors and windows, screens, window air conditioners, lighting fixtures, antennae, gutters and downspouts.

4.) Color of roofing material.

5.) One (1) professional sign per residence, provided that it is not more than one (1) square foot in area and indirectly illuminated.

6.) Reconstruction, substantially similar in the exterior design, of a building, structure or architectural feature damaged by fire, storm or other disaster.

D. APPLICATIONS FOR APPROVAL

1. Applications for approval of proposal changes may be obtained from the Town Clerk's office at Town Hall on Main Street.
2. Applications must be signed by the owner, trustee, or representative of the property concerned. Applications made out by a lessee will be accepted only when accompanied by an authorized duly signed by the property owner.
3. Completed applications received at the Town Clerk's office one week prior to the Commission's regular Wednesday meetings will be scheduled for hearing in the order received.
4. Applications for demolition of existing buildings or construction of a new structure must be filed at least three (3) weeks prior to the meeting so that notices can be sent to the abutters. Costs of notification shall be charged to the applicant.
5. If a prospective applicant wishes to discuss proposed alterations with the Commission before making a formal application, a place on the agenda may be reserved by telephoning the Secretary. No such informal discussion,

which shall be in a public session, shall in any way abrogate or mitigate an applicant or the Commission's rights and obligations pursuant under these Rules and regulations to Chapter 40C, Massachusetts General Laws.

6. The agenda for each meeting, and thus time scheduled for each applicant, shall be posted on the bulletin board at Town Hall immediately prior to the meeting.
7. All applications for a Certificate of Appropriateness must include the following:
 - a.) The completed application form.
 - b.) Photographs of the building or site before the proposed alteration.
 - c.) Scale drawings sufficient to describe in detail the work proposed.
 - d.) Paint color samples if the work includes painting or repainting.
 - e.) Roofing samples or manufacture's literature if the work includes re-roofing.
 - f.) Samples, colors and/ or literature on all proprietary material or products that will be used and visible in the alteration.
 - g.) If the application concerns a sign, it shall include:
 - 1.) A photograph of the proposed site of the sign.
 - 2.) A drawing of the proposed support of the sign
 - 3.) A scale outlines drawing of the sign displaying the style, color, size and placement of the lettering.
8. If an application does not contain enough information for the Commission to be able to determine the appropriateness of the proposed work, it may be:
 - a.) Discussed with the applicant, if present, in order to obtain the missing information.
 - b.) Returned to the applicant, if present, for withdrawal and reapplication at a later time.
 - c.) Voted on and disapproved as incomplete. In this case, all supporting material shall be returned to the applicant.
9. The Commission shall keep all approved applications in their files at the Town Hall.

E. THE COMMISSION'S REGULAR MEETINGS

1. The Commission shall hold regular open Public Meetings starting at 6:00 PM on the third Wednesday of every month; or as scheduled by the Commission.

2. Notice of the date, time and location of these Public Meetings shall be posted at the Town Hall 48 hours in advance of said meetings.
3. No meeting shall be held unless a quorum of three (3) Commission members is present.
4. Every meeting shall start with the distribution of the agenda for that meeting.
5. The first order of business shall be to review and accept the prior meeting's minutes, followed by the disposition of matters old and new.
6. The Commission shall then review the applications in order of their original receipt, as scheduled on the agenda. Applications that require more in-depth review may be rescheduled for review at a Special Meeting.
7. The last order of business shall be an open forum to discuss projects prior to their initial applications being filed.
8. Copies of both agenda and minutes shall also be filed at the Town Clerk's office for the convenience of those interested in reviewing them.

F. THE COMMISSION SPECIAL MEETINGS

1. A Special Meeting may be called by the Chairperson; or in their absence, the Vice Chairperson.
2. The time, place and purpose of the Special Meeting shall be posted at the Town Hall.
3. The Commission may determine, based on the project scope, that the Special Meeting needs to be advertised to the community in a paper of local circulation at least 14 days before the Special Meeting.
4. Copies of the advertisement shall be sent to the applicant, the abutters, the Board of Selectmen, the Planning Board, and to such other persons as the Commission shall decide.
5. The costs of that advertising shall be billed to and paid by the applicant.

G. ACTING UPON THE APPLICATION

1. In reviewing each application, the Commission shall consider the historic and architectural value and significance of the site, building, or structure involved; the general design, arrangement, texture, material and color of the features involved;

and the relation of such features to similar features of buildings and structures in the surrounding area.

2. In case of new construction or additions to existing buildings or structures, the Commission shall consider the appropriateness of the size, shape, and design of the building or structures in the vicinity.

3. Members of the Commission are required by Chapter 268A of the General Laws to abstain from deliberating and voting on an Application in which they have a conflict of interest. Some examples would be:

a.) A member who is making an application.

b.) A member who is a relative, close friend, business associate, or employee of the applicant.

c.) A member who is an abutter of the applicant.

d.) A member who has a financial interest direct or indirect in the outcome of the application.

4. If the Commission finds that some parts of the proposed changes outlined in an application are inappropriate, it will make every effort to suggest way in which the application could be amended so that the approval could be assured. Discussing among members and the applicant, if present, shall focus on arriving at a solution satisfying all concerned.

5. After adequate discussion, or by the end of the time allotted to the application on the agenda, the Commission shall vote on the application, postpone further consideration until the next meeting or request the application's withdrawal so that a revised application may be made at a future time.

6. A majority of the members of the Commission shall constitute a quorum. The concurring vote of a majority of the members present at the meeting shall be necessary to issue Certificates of Appropriateness, non-applicability or hardship.

7. The Secretary shall record each member's vote in the minutes.

H. THE CERTIFICATE OF APPROPRIATENESS

1. After approving an application, the Commission shall issue a Certificate of Appropriateness for the work proposed in that application. This certificate shall be sent to the applicant, with copies to the Town Clerk and the Building Inspector.

2. Each Certificate of Appropriateness issued by Commission shall be dated and signed by the Chairperson or Vice Chairperson, and shall carry the name and

telephone number of a Commission member through whom the applicant can maintain contact with the Commission during the term of the project.

3. Certificates of Appropriateness are valid for the original applicant for the period of one (1) year from date of approval. If the work for which the Certificate of Appropriateness was granted has not received a Building Permit by the end of that time, the Certificate of Appropriateness is considered expired. Should the work of the expired Certificate be desired by the applicant, a re-application for a Certificate of Appropriateness must be made and approval must be granted by the Commission.

4. If the property changes ownership and the new owners wish to complete changes previously approved, they must identify themselves to the Commission at a Commission Meeting within 30 days in order to receive a new Certificate of Appropriateness in their own name.

5. An applicant wishing to make design changes after the Certificate of Appropriateness has been issued must file a new application for those changes and receive a Certificate of Appropriateness covering those changes before making them.

6. In the case of an application which has been disapproved, the Commission shall record the reasons for such a determination and shall send a notice of these reasons to the applicant. Copies of this document shall be sent to the Town Clerk and Building Inspector.

7. Any person wishing to contest the approval or disapproval of an application Certificate of Appropriateness may have recourse of the remedies noted in Section 12A of Chapter 40C of the Massachusetts General Laws.

I. AFTER COMPLETION OF THE WORK

1. When the work for which a Certificate of Appropriateness was granted has been completed, the applicant shall notify the Commission member whose name and telephone number appear on the Certificate, in order to schedule a review of the work.

2. Before the next regular meeting, one or more members of the Commission shall review the work on site in order to find out if it has been carried out as originally approved.

3. If the work matches application, the Commission shall send a signed report to that effect to the applicant, the Town Clerk, and the Building Inspector. The Issuance of this notice closes the file on the application.
4. If the work does not match the approved application, the applicant shall file a new application covering those changes before the next regular meeting.
5. If the Commission finds the changes unallowable, it shall request the applicant to have the work corrected.
6. In the event that the applicant fails to correct the work in a timely fashion, the Commission shall have recourse to the provision of enforcement authorized in Section 13, Chapter 40C, of the Massachusetts general Laws.

J. ENFORCEMENT

If unapproved work is carried out in the Historic District, the owner of the property involved shall be held responsible. Violations of the Hudson Historic District's Rules and Regulations shall result in a letter of warning to cease and desist, being issued by the Commission and being sent to the owner, with copies of the Building Inspector. If the owner, owner's agent, or lessee continues to violate the provisions of the chapter 40C, these Rules and Regulations, or the decisions of this Commission, resort shall be made to fines or injunctions, or both, as authorizes in the Section 13 of the Historic District's Act, Chapter 40C, of the Massachusetts General Laws.

K. SEVERABILITY

If any provision, paragraph, phrase, or word is determined by a court of competent jurisdiction to be unenforceable, then the remaining of these Rules and Regulations shall continue in full force and effect as if the unenforceable part was not include therein.

ADDENDUM “A”

HUDSON HISTORIC DISTRICT BY- LAW

Section 1: This By-Law shall be known and cited as the Hudson historic District By-Law and adopted pursuant to Chapter 40C of the General Laws of the Commonwealth of Massachusetts, as amended.

Section 2: The purpose of this By-Law is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of the buildings and places in the significant in the Town of Hudson or architecture, and through the maintenance and improvement of settings for such buildings and places and the encouragement of the design compatible therewith.

Section 3: In accord with the provisions of the Chapter 40C of the General Laws, there is hereby established a historic district to be known as the “Silas Felton Historic District “, which district shall be bounded as shown on the map entitled “Silas Felton Historic District 1988”, attached to and made part of hereof; a copy of said plan being on file in the Town Clerk’s Office, as further amended by the Article 7 of the Town Meeting held November 19, 2007, a copy of which is also on the file in the office of the Town Clerk..

Section 4: In accordance with the provisions of the Chapter 40C of the General Laws, there is hereby established, with all the powers and duties of a Historic District Commission under such statute, a Hudson Historic District Commission consisting of five (5) members who shall be residents of the Town and appointed by the Selectmen as follow: one (1) member from two nominees submitted by the historic society of the town; one (1) member from two nominees submitted by the Chapter of American Institute of Architects covering the area; one (1) member from two nominees of the Board of Realtors covering the Town; one (1) resident or owner of property within the historic district established hereunder; and one (1) member appointed from the Planning Board or Conservation Commission. The initial appointments to membership in the commission shall follow: one (1) member appointed for a term of one (1) year; two (2) members appointed for a term of two (2) years; and two (2) members appointed for a term of three (3) years. Successors shall each be appointed for a term of three (3) years. Vacancies shall be filled by appointment for unexpired term. The Commission shall annually elect a Chairperson and Vice Chair from within their number and a Secretary.

The Commission shall further be empowered as follows:

- a.** To promulgate regulations in compliance with the provisions of the Massachusetts General Laws, Chapter 40C.
- b.** To employ consultants.

- c. To accept monetary gifts.
- d. To administer for the Town any real property or interests in property acquired by the Town Historic protection or preservation.
- e. To carry out all other duties and review responsibilities as contained in Massachusetts General Laws, Chapter 40C including, but not limited to, the requisite statistical review for the issuance of Certificates of Appropriateness, non- applicability or hardship by the Hudson Historic District Commission as to buildings and structures within the hereinbefore described and referenced district.

Section 5: Notwithstanding anything contained in this By-Law to the contrary, the authority of the Commission shall not extend to the review of the following categories of building or structures or exterior architectural features in the Hudson Historic District:

- a. Interior arrangements or architectural features not subject to public view.
- b. Ordinary maintenance, repair or replacement or any exterior architectural feature within a district which does not involve a change in design, material, color or outward appearance.
- c. Landscaping with plants, trees and shrubs.
- d. Compliance with requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition.
- e. Construction or alteration under permit issued by the Building Inspector prior to the effective date hereof.
- f. The following may also be exempted here from by written guidelines established from time to time by the Commission after public hearing, relating to use, location, lighting, removal, and other limitations, and subject also to the limitations of Chapter 40C, Section 8.
 - 1. Temporary structures and signs used in connection with the Town or charitable events.
 - 2. Driveways, sidewalks and ramps substantially at grade level.
 - 3. Storm doors and windows, screens, windows air conditioners, lighting fixtures, antennae, gutters and downspouts.
 - 4. Color of roofing material.
 - 5. One (1) professional sign per residence, provided that it is not more than one (1) square foot in area and indirectly illuminated.
 - 6. Reconstruction, substantially similar in exterior design, of a building, structure or architectural feature damaged or destroyed by fire, storm, or other disaster.

Section 6: any person aggrieved by the determination of the Hudson Historic District Commission may, within 20 days after filing of the notice of such determination with the Town Clerk, file a written request with the Commission for a review by a person or persons of competence and experience in such matters, designated by the regional planning agency of which the Town is a member. The finding of the person or persons making such review shall be filed with the Town Clerk within 45 days from the request, and shall be binding on the applicant and the Commission, unless a further appeal is sought in the Superior Court as provided in Section 12A of Chapter 40C.

END