

HARVARD HISTORICAL COMMISSION

13 AYER ROAD • HARVARD, MASSACHUSETTS 01451



APPLICATION FOR CERTIFICATE

Please read attached instructions and contact a member of the Harvard Historical Commission before you complete this form.

CERTIFICATE OF: ☒ APPROPRIATENESS ☐ NON-APPLICABILITY ☐ HARDSHIP

CONTACT INFORMATION:

Property Address	11 Fairbank St
Property Owner Name	Fairbank Condo Association
Applicant Name	Steve Nigzus, trustee for Fairbank Condo Association
Applicant Address	26 Madigan Lane Harvard MA
Telephone	617-834-8518
E-Mail Address	Steve.Nigzus@gmail.com

DESCRIPTION OF WORK PROPOSED: *(You may attach additional pages to describe your proposed work)*

If project consists of several different tasks, begin by listing each task, then describe each task in detail including drawings, plans, and photos as necessary. You may attach additional pages to describe your proposed work.

Replace two existing concrete walkways with new concrete walkways. Existing walkways have crumbled and cracked in many locations. See photos for existing walkways. Commissioners are more than welcome to visit the site. The existing walkways are 24 inches wide; the replacement needs to be 36 inches wide to meet today's code.

Note: two owners of condos at the location are also Harvard Historic Commission members and will recuse themselves from deliberations.

Pictures attached:

- 1. South walkway – two views showing spalling and location***
- 2. North walkway – two views – one showing fractured areas***

LIST OF ATTACHMENTS: *(Please check off the listed items when attached)*

Site Plan (showing changes)		Construction Drawings	
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Photos taken from street		Building material samples	
Photos of areas to be worked	XXX		

APPLICANT SIGNATURE *(Sign to submit application)*

DATE

	6/30/2022
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GRANT OF EXTENSION. *(With the following signature, the applicant grants permission to the Commission to review the application at its next scheduled monthly meeting in lieu of holding a Special meeting.)*

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INSTRUCTIONS: HHC APPLICATION FOR CERTIFICATE

WHAT CHANGES REQUIRE THE APPROVAL OF THE HISTORICAL COMMISSION?

If your property is located in either of Harvard's Historic Districts, and you wish to modify any part or feature that is visible from a public way, you must first get the approval of the Harvard Historical Commission (HHC). Alterations include, but are not limited to, changing windows and doors, changing a paint color, new additions, partial or complete demolitions, new fences, new paved walkways, new steps, and adding solar panels. Approval is not required for any in-kind repairs, repainting the same color, interior changes or landscaping. For a complete list see the Harvard Historic District bylaw (Chap 48) or the HHC Design Guidelines on the HHC website. You may also ask for guidance from an HHC Advocate who will be assigned to you when you contact the HHC.

WHAT IS THE APPROVAL PROCESS?

1. SUBMIT AN APPLICATION

Download an application form from the HHC website, or get one from the Town Clerk. Complete and submit the application in triplicate (one for the Town Clerk, one for the HHC, and one for the Building Inspector). **NOTE: The application process begins when you submit your completed Application (with any attachments) to the Town Clerk who will time-stamp the Application and notify the Historical Commission.** In order to be considered complete, the application must include:

- a. Your name, address, and a detailed description of your project, and
- b. Pictures, scaled drawings and plans detailed enough to show the architectural design, examples of materials to be used, paint colors, and a plot plan (if applicable to the project).

If you submit your application during the two week period following the HHC monthly meeting (usually the 1st Wednesday of the month), please check-off the "Grant of Extension" box to avoid having to call a Special Meeting. This will *not* extend the 60 day length of the overall decision process for your application.

2. HHC DETERMINES WHETHER PROPOSED WORK MUST BE REVIEWED AND IF SO, WHETHER IT IS SUBSTANTIAL.

If your project is determined to be **non-applicable**, your application does not require formal review by the HHC and you will be granted a *Certificate of Non-Applicability* enabling you to proceed with your project.

If the project requires review, the HHC will determine at its next meeting whether your proposed work is a(n):

- a. **Substantial** change which requires HHC review and approval and a public hearing; or
- b. **Insubstantial** change that requires HHC review and approval, but not a public hearing.

If your application is determined to be **Substantial**, a hearing will be held at the next HHC meeting, and a legal notice will be published in the local newspaper at least 14 days before the hearing. You will be billed \$25 for an abutters list from the assessor's office and \$50 for the legal notice from the newspaper. A notice of the public hearing will be mailed to abutters, the Town Clerk, the Planning Board, and the Building Inspector. Please obtain an abutters' list with a 300 ft radius, in mailing label format, for a residential certificate and an all district abutters list for a commercial property.

If your application is determined to be **Insubstantial**, your application will be reviewed at the next HHC meeting without a public hearing. Notice will be mailed to abutters at least 10 days before the meeting, advising your neighbors that your application will be reviewed without public hearing unless a resident requests within the 10 day period that it be reviewed in a public hearing. If no requests for a public hearing are received, the Commission will proceed with a review without a public hearing during the next monthly meeting.

3. HHC REVIEWS and DECIDES

At its next meeting, HHC will review your application and related information and decide whether your proposal is:

- a. **Approved** – HHC will issue a Certificate of Appropriateness which may include conditions, and is good for 2 years. A copy will be sent to you, the Town Clerk and the Building Inspector. You may proceed with the project.
- b. **Disapproved** - HHC will state the reasons why it is inappropriate, and may describe what would be approved on a subsequent application. A copy will be sent to you, the Town Clerk and the Building Inspector. In some cases, HHC may make suggestions for changes that would make the application acceptable and give you 14 days to modify your application after which it will be approved. To pursue this option, you may need to request an extension to the 60-day limit mentioned below. In some cases, if your application is disapproved, HHC may consider granting you a hardship, see "What if I have a Hardship?" below.

HOW LONG DOES THIS PROCESS TAKE?

It takes a maximum of 60 days, unless extended with your permission. HHC must get its decision to the Town Clerk within 60 days of the time you filed your completed application. If the HHC does not meet this deadline, they will send you a Certificate of Hardship for failure to act, and you can proceed with the project.

WHAT IF I HAVE A HARDSHIP?

If your situation is so unusual that it would create a hardship if you were not allowed to proceed, then HHC may grant you a Certificate of Hardship if it feels your project is not a detriment to the public welfare, or substantially derogates the intent or purpose of the Historic District bylaw. An example of a hardship that might be allowed is if your building is visible on all four sides from a public way so that you have no place to make an alteration that may be inappropriate. If you wish to request a hardship, check the Hardship box on your application.

Note: This Q&A provides highlights of the HHC process in general. For added details, please refer to the Harvard Bylaw and the HHC Design Guidelines on the HHC website

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