

## Historic District Commission Meeting Minutes 02/07/2017

### Historic District Commission Minutes Landuse Meeting Room February 7, 2017

**Members present:** Chair Ken Fowler, (KF) Jason Berger, (JB); Mark Smith, (MS); Kameron Spaulding, (KS); Pat Jaouen, (PJ)  
**Absent without notification:** Elaine Steinert, (ES);  
**Staff present:** Gwen Miller, Land Use Director/Town Planner, (GM); Peggy Ammendola, Land Use Clerk, (PA)

The meeting was called to order at 5:30 PM.

**Town of Lenox, Certificate of Appropriateness**, 14 Walker Street, Map 43 Parcel 10 for roof replacement at the Fire Station.

Presenting the application was Deputy Fire Chief Chris O'Brien who stated that the existing roof is 100 years old and it is leaking. It is metal and will be replaced with the same material, 18 inches in width with 2 ribs that are for expansion and contraction so that there is no buckling. The job will go out to bid next month and then has to be approved at the Annual Town Meeting in the spring. Chief O'Brien is hoping that the work can begin in July or August 2017.

JB made a motion to approve as presented and MS seconded the motion. The Commission voted to approve 4-0.

KS arrived after this hearing closed.

**Enforcement Regarding Sign Violations-** GM advised the Commission that the Building Commissioner and Building Inspector are willing and eager to help the HDC in addressing sign violations. They have asked that the Commission provide a list of businesses that are in violation and the Building Inspections Office will start visiting and communicating with the businesses to explain how their signs are not in compliance with the HDC and Zoning Bylaws. Any sign in the District, other than the temporary signs which fall under the jurisdiction of the Board of Selectmen, must be approved by the HDC or it is not in compliance.

The Building Commissioner has also asked that the Commission provide a copy of the proposed revisions to the HD bylaw and guidelines in advance of going for approval at the Annual Town Meeting so that they will know what they would be expected to enforce.

Discussion ensued on the best procedure for handling the violations regarding signage. Once that is accomplished they will address other violations. It was questioned as to if an exhaustive list should be prepared or if the enforcement should begin with the most obvious and newest violations. Some notification should go out to all property and business owners to give advance notice that enforcement is forthcoming and to advise owners that they should make sure that they are compliant. The Commission wants to avoid an appearance of selective enforcement and wants to work with the merchants. Where there are violations, there should be a transition period. It was agreed that Town Counsel should be consulted to see if there is a statute of limitation.

JB stated that it is not the HDC's responsibility to go out building by building to find violations. KF suggest that a sub-committee could be formed to perform the task of identifying violations. GM said that the Building Department has resources for a part time employee.

GM said that there should be consistency in re-working language and used an example of an illuminated sign; maybe illuminated could be neon or flashing LED lighting. It should be clearly stated for a contractor to understand. She suggested doing an outreach of giving examples of what the Commission is OK with or not OK with.

KF asked everyone to think about how to proceed and be prepared to discuss at the next meeting on February 21, 2017.

#### Approve minutes:

**September 6, 2016-** KS made a motion to approve as presented. MS seconded and the Commission voted to approve 3-0-1. JB abstained as he was not at that meeting.

**December 6, 2016-** MS made a motion to approve the minutes with minor edits. PJ seconded the motion and the Commission voted to approve 3-0-2. KS and JB abstained as KS was not present at the meeting, and JB recused himself for one of the two hearings.

**January 17, 2017-** KS made a motion to approve the minutes as amended. MS seconded the motion and the Commission voted to approve 3-0.

MS made a motion to adjourn the meeting. KS seconded the motion and the Commission voted to agree to adjourn. The meeting was adjourned at 6:30 PM.

Respectfully submitted,  
Peggy Ammendola

