

TOWN OF DUXBURY
HISTORICAL COMMISSION
RULES & REGULATIONS

ARTICLE I. GENERAL

Section 1. Mission and Purpose

In accordance with Massachusetts General Law Chapter 40, section 8D, the mission and purpose of the Duxbury Historical Commission (Commission) is to identify, document, and protect Duxbury's historic resources, to increase public awareness of Duxbury's heritage and the value of historic preservation, and to do so with not only the guidance and counsel of the Massachusetts Historical Commission but also by interacting with other Town boards and committees. The Commission endeavors to be a preservation information resource to all citizens of Duxbury and the Commonwealth of Massachusetts by means of research, public meetings, the press, and publications, and to promote the breadth and importance of the town's heritage to the citizenry of Duxbury and the Commonwealth of Massachusetts.

The Commission is charged with the responsibility of administering the mandates of Duxbury's Bylaw 609: Demolition of Historically Significant Buildings, commonly known as the "Demolition Delay Bylaw". The Commission will receive, evaluate, and process to completion any application for demolition of historically significant buildings.

ARTICLE II. ORGANIZATION

Please refer to Duxbury General Bylaw Section 6.9.

Section 1. Quorum

The Massachusetts Open Meeting Law defines a quorum as a simple majority of the members of a public body, unless otherwise provided in a general or special law, executive order, or other authorizing provision. G.L. c. 30A, § 18

ARTICLE III. MEETINGS

Section 1. Regular Meetings

The Commission meets on the first (1st) and third (3rd) Wednesday of every month as needed.

Other special meetings and site visits may be held as deemed necessary by the chair or vice-chair of the Commission.

Public Notices shall be published on the Town web site and in a general circulation newspaper such as the *Duxbury Clipper* specifying time, date, and location of regular meetings. The agenda shall be filed and time stamped in the Town Clerk's Office and posted at least 48 hours in advance, in compliance with Commonwealth and Municipal Open Meeting regulations.

Section 2. Public Hearings

Each public hearing and regular meeting of the Commission shall be recorded by the Commission clerk. These minutes shall be available to the public once they have been reviewed and approved by the members of the Commission.

Section 3. Order of Business

(a) The chair of the Commission shall call the meeting to order and determine and announce the presence of a quorum.

(b) Upon conclusion of the presentation of an agenda item by the chair or designee, the chair shall recognize any Commission member who wishes to raise questions or comments on the matter under consideration.

(c) After the Commission members have had opportunity to question and comment, the chair shall recognize an Applicant and other members of the public to speak on matters under consideration. The chair may impose reasonable time limits on public participation to prevent excessive repetition and to stay on topic.

(d) Members of the Commission may make motions concerning the item under consideration before or after any public participation.

(e) The order of motions shall follow *Robert's Rules of Order, Newly Revised*.

(f) Voting: A majority of the Commission members present at the meeting is required for a measure to be adopted.

ARTICLE IV. SITE VISIT

The chair may schedule a site visit with approval of an Applicant. The purpose of the site visit is for the Commission to gather direct observations about the property. At the site visit, the exterior of the property will be observed. If possible, the interior and foundation will also be inspected.

Any Commissioner may attend a site visit. A minimum of one Commissioner is required to conduct a site visit. The site visit provides the Commissioners the opportunity to observe the conditions of the structure, view demolition or construction plans if available, and most importantly, to speak directly with the Applicant about the specific plans for the structure on an item-by-item basis while looking at the structure.

A site visit is not required for consideration of an application, but it is helpful in most cases for the Commission to see the property in person to best understand the scope of the proposed demolition and to better determine if the property physically meets the criteria established causing a property to be regulated.

ARTICLE V. SUBMISSION OF APPLICATION

The Commission has established process and instructions for filing a Historic Structure Demolition Application that accompany the application when obtained at the Department of Municipal Services or can be accessed online.

The date of the filing of an application shall be the date a copy of the application is received and stamped by the office of the Zoning Enforcement Officer (the Duxbury Building Inspector). If the Commission determines that the application is incomplete or additional information is needed to evaluate the proposed demolition the Commission will contact the applicant within two weeks to request the additional material. Regardless of any additional information exchanged, the Commission will evaluate the application and notify the applicant of the result within thirty (30) business days from the day the application is received by the Zoning Enforcement Officer.

Fees are due at the time of application submission, per the Department of Municipal Service's fee schedule. The applicant is responsible for payment of all fees and expenses related to the Historic Structure Demolition Application.

ARTICLE VI. EARLY RELEASE FROM A DEMOLITION DELAY

It is the Commission's intent to promote preservation and responsible renovation of the historically significant structures of Duxbury as opposed to partial or total demolition. The Commission may reduce a demolition delay if it finds the intent and purpose of the Bylaw have been served. For additional information, see Demolition Bylaw Section 609.3.

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