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Royalston Town Clerk

Town of Royalston *Massachusetts*

Royalston Town Clerk

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ROYALSTON HISTORIC DISTRICT COMMISSION INTERNAL RULES AND REGULATIONS

A. GENERAL

Section 1. Introduction

The Royalston Historic District Commission (Commission) of the Town of Royalston, Massachusetts (Town), hereby adopts the following rules for the conduct of its business. A copy of these Rules and Regulations, and all amendments thereto, shall be filed with the Town Clerk.

Section 2. Powers, Functions and Duties of the Commission

The Commission without limitation has the following powers, functions and duties:

- a) To administer the Town Historic District in accordance with M.G.L. Chapter 40C (Historic Districts Act) and the Town Historic Bylaw of March 1980 (as amended) to preserve and protect the distinctive characteristics of significant buildings and places in the district and to maintain and improve the settings of such building and places.
- b) To serve as the Town's Historical Commission under M.G.L. Chapter 40, Section 8d, and, in that capacity, participate in research, advocacy, survey, and public education programs designed to preserve the Town's cultural assets.

Section 3. Definitions

- a) The public ways in the Historic District are the Town and State maintained roads.
- b) The public parks in the Historic District are Bullock Park and the Common, excluding the parking areas to the South, West and North of the Town Hall.
- c) Two properties are considered as adjoining each other if they abut each other, or they would abut each other if each of them was enlarged to include the parts of public ways and public parks that are closer to itself than to any other property.

B. COMMISSION ORGANIZATION

Section 1. Commission Membership

Appointments to the Commission are regulated by the Town Historic District Bylaw and M.G.L. 40C. Seven Commission Members (Commissioners) and three Alternate Members (Alternates) are appointed by the Selectboard to serve in staggered terms, or residual parts thereof, defined in the Bylaw.

Section 2. Tenure.

Commissioners and Alternates start their duties after they have been appointed by the Selectboard and been qualified by the Town Clerk. Unless they resign, Commissioners and Alternates continue to serve to the end of their terms and into the following terms until reappointed or until a successor has been appointed and qualified.

Section 3. Officers

- a) The Officers of the Commission shall consist of a Chairperson, a Vice-Chairperson and a Secretary.
- b) The Commission shall elect the Officers annually. The election should be held preferably at the first regularly scheduled meeting following July first. An election to fill a remaining term shall also be held in case of resignation of an officer.
- c) Only a Commissioner may serve as Chairperson or Vice-Chairperson. Any person, including a Town employee, may hold the office of Secretary.
- d) Except as otherwise provided by law or by these Rules and Regulations, the officers of the Commission shall hold office until their successors are chosen.

Section 4. Power and Duties of Chairperson

The Chairperson shall preside over all meetings and hearings of the Commission. Subject to the rules as stated herein, the Chairperson shall: appoint the members and chairpersons of Subcommittees; supervise the work of the Commission; arrange for necessary help; sign and date certificates issued by the Commission, except in conflict of interest situations; and appoint subcommittees and representatives. The Chairperson shall handle the relationship with the Town Administration, in particular take care of the annual report, the annual budget requests, the bill payments, and the reimbursement requests.

Section 5. Powers and Duties of Vice-Chairperson

The Vice-Chairperson(s) shall act as Chairperson in the event that the Chairperson is absent, disabled, does not participate in a particular matter or is otherwise unable to perform his/her duties. The Vice-Chairperson(s) shall assist the Chairperson in supervising the work of the Commission.

Section 6. Powers and Duties of Secretary:

The duties of the Secretary shall include, without limitation, the following which the Secretary shall perform or cause to be performed: Provide public notice of meetings; Compile minutes of all meetings of the Commission; Maintain a permanent record of its resolutions, transactions, and determinations and of the vote of each Member participating therein; Administer its website and maintain a backup copy.

Section 7. Alternates

Alternates shall take the place of Commissioners who are absent or recuse themselves for any reason. The chairperson acting at the time shall designate what Alternates shall act as replacements if the number of Members present and remaining active exceeds seven (7). If voting for an absent Commissioner, the Alternate shall continue to vote until the Commissioner arrives and until the conclusion of the agenda item then under consideration.

Alternates when not taking the place of a Commissioner shall sit with the Commission and participate in discussions but shall neither make or second motions nor vote.

Alternates may be appointed as full voting Members of, and may chair, subcommittees.

Section 8. Resignation.

a) Any Commissioner or Alternate may resign by delivering his or her written resignation to the Selectboard. Such resignation shall be effective upon receipt unless it is specified to be effective at some other time or upon the happening of some other event.

b) The Chairperson may request the resignation or non-reappointment of any Commissioner or Alternate who repeatedly fails to attend meetings, including site visits and/or sub-committee meetings, or repeatedly arrives late and/or leaves early without notification and/or satisfactory reason.

Section 9. Compensation.

All Commissioners and Alternates shall serve without compensation.

C. GENERAL REGULATIONS

Section 1. Conflict of Interest

All Commissioners and Alternates shall abide by the M.G.L. c. 268A, and other conflict of interest and ethics laws and guidelines.

Should a Member be an owner or a resident of an adjoining property in respect to a matter before the Commission, regardless of whether or not recusal is required by the conflict of interest law, it is preferred, as a matter of Commission policy, that said Member recuse him or herself with respect to that matter.

Section 2. Official Opinion

No Commissioner, Alternate, or staff member shall purport to express the official position or opinion of the Commission, except in accordance with a specific vote of the Commission. Personal opinions or beliefs shall be clearly identified as such.

Section 3. Amending these Rules and Regulations

These Rules and Regulations may be amended by an affirmative vote of the majority of the Commissioners (excluding alternates), provided that such an amendment shall first be presented in writing at a meeting preceding that at which the vote is taken. The Commission shall file a copy of the Rules and Regulations as amended with the Town Clerk

Section 4. Separability Clause

If any provision of this document or portion of such provision or the application thereof to any person or circumstances is held invalid, the remainder of the document (or the remainder of such provision) and the application thereof to other persons or circumstances shall not be affected thereby.

D. PUBLIC HEARINGS AND MEETINGS

Section 1. Quorum

a) A quorum for all Commission activities shall consist of any four Commissioners and Alternates. A quorum for a subcommittee shall be a majority.

b) Commissioners and Alternates shall inform the Chairperson if they are unable to attend a meeting or there is a conflict of interest on a given case.

Section 2. Election of a meeting or hearing presiding officer.

In the event that neither the Chairperson nor the Vice-Chairperson is available, due to absence or recusal, to preside at a meeting or hearing on a particular matter, one of the remaining Commissioners shall be appointed to preside the meeting by a majority vote held as follows: if no more than seven (7) Commissioners and Alternates are available to vote at that meeting/hearing on particular matter, all shall vote; otherwise only Commissioners shall vote.

Section 3. Powers and Duties of a meeting or hearing presiding officer.

The person presiding a meeting or hearing shall determine the procedures of the meeting and decide all points of order, unless overruled by a majority of the Commission in session at the time.

In absence of a designated person, the presiding officer shall designate a person to compile the Minutes of the meeting or hearing.

The presiding officer shall designate Alternates to take the place of Commissioners who are absent, unable to act, or recuse themselves for any reason when the number of Members present and remaining active exceeds seven (7).

The presiding officer departing a meeting shall designate a replacement presiding officer among the Commissioners present.

If the Chairperson or Vice-Chairperson (in case a pro temp presiding officer was elected) arrives late at a meeting or hearing, he or she shall start presiding at the conclusion of the agenda item then under consideration.

Certificates and plans can be signed and dated by the officer presiding at the time they were voted on.

Section 4. Meetings

a) All meetings shall be open to the public and duly noticed in accordance with M.G.L. c. 39, §§23A-23C and 24, commonly referred to as the Open Meeting Law.

b) Regular meetings of the Commission shall be held on the third Thursday of each month at 7:30 p.m., at the Town Hall, or at such time, date or place as set forth in the notice for the meeting/hearing. Special meetings and hearings may be called by the Chairperson, the Vice-Chairperson in the Chairperson's absence, or at the request of two Commissioners.

c) In the event that the absence or departure of Commissioners and/or voting Alternates from a meeting of the Commission or of one of its subcommittees causes a lack of quorum, or that the business before the Commission or subcommittee cannot be completed at one sitting, the presiding officer may adjourn the meeting and subsequently continue the meeting by announcing a time and place, consistent with statutory deadlines, for resumption at such meeting. Motions for adjournment or continuance shall require concurrence of a numerical majority of Members present and voting.

Section 5. Vote

- a) The presiding officer may propose to entertain a specific motion on an issue or may entertain such motions from the voting Members.
- b) Motions need not be framed in the affirmative.
- c) Each Member's vote shall be recorded in the minutes. The presiding officer shall normally participate in all votes.
- d) The concurring vote of a majority of the Commissioners (including voting alternates), i.e. not less than four (4), shall be necessary to issue a Certificate of Appropriateness or a Certificate of Hardship or a Certificate of Non Applicability. A valid vote on all other matters, including denial of a Certificate, shall be a simple majority of the Commissioners and voting Alternates present, as long as there is a quorum. A tie vote shall be recorded as such. In case of a tie, the motion is not approved.
- e) Commissioners, or Alternates designated to act for Commissioners, may abstain from any vote at their own discretion.

Section 6. Notice & Agendas

- a) Meetings and agendas of the Commission and its subcommittees shall be posted according to the Open Meeting Law. If allowed by that law, electronic postings shall be preferred.
- b) Pursuant to M.G.L. 40C, §11, at least fourteen (14) days before a hearing on any application for a Certificate of Appropriateness, a Certificate of Non-Applicability or a Certificate of Hardship, the Commission shall give public notice of the time, place, and purposes thereof by mailing a copy of said notice to the applicant, the owner of record if different from the applicant the owners of adjoining property and the owners of other property deemed by the Commission Secretary to be materially affected thereby as they appear on the most recent real estate tax list of the Board of Assessors, to the Town Planning Board, to any person filing written request for notice of hearings, such request to be renewed yearly in December, and to such other persons as the Commission Secretary shall deem entitled to notification. Public hearings shall also be advertised in the Athol Daily News at least 14 calendar days in advance.
- c) Meeting agendas containing public hearings shall be posted at least 14 days prior to the meeting in the same manner as the meeting notices and agendas posted under the Open Meeting Law.
- d) If the date, time, and place for continuing a Commission meeting or public hearing or committee meeting is announced during a meeting or public hearing, then no additional notice shall be required for the continued meeting or public hearing provided that notice of the initial meeting or public hearing was adequately posted; however the continued meeting or public hearing must be posted as required by the Open Meeting Law.

Section 7. Recusals

Should a Member miss a presentation and discussion at a public meeting related to an application, that Member shall recuse him/herself from the discussion and the vote on that application at that meeting. If said presentation is substantially recapitulated in the Member's presence prior to a discussion and vote at a subsequent meeting, the Member may participate in that subsequent discussion and vote.

E. LOCAL HISTORIC DISTRICTS

Section 1. Guidelines.

The Commission will follow the design guidelines specified in Appendix A

Section 2. Application procedures

a) Application forms for certificates are available on the Commission web site and upon request to Commission Members.

b) Applicants are invited to come at a regular Commission meeting and discuss their proposals informally before submitting their application. Applications must have enough details so that the Commission can apply the criteria specified in the Bylaw (e.g. design & sizes, material, color) and be accompanied by drawings or plans if appropriate.

c) As the Commission has neither office nor staff, applications can only be filed at posted times and places for Commission meetings. They can be filed by the applicant, or by an agent, or by giving or mailing the application to a Commission Member who will file it on behalf of the applicant but without acting as agent at the next scheduled meeting. Four copies of the application must be provided.

d) When the applicant or agent is filing an application in person, the Members will examine if enough details are provided and suggest additions and modifications, which can be made on the spot. If the applicant or agent chooses to make the modification later, the application shall be deemed not to have been filed and the Commission shall not keep any copy. If the applicant or agent is not present, or is present and decides to file a possibly amended application, a Commission Member will write the filing date on all copies and return a signed copy to the applicant, either immediately or by mail. The application will be assigned a number of the form year/month/sequence number.

e) If the Commission does not have a quorum at the meeting where an application is to be filed, the application shall be transmitted to the Commission Chairperson and shall be considered to have been filed on the said meeting date. The Chairperson will examine if the application involves any exterior architectural features that are subject to approval by the Commission. If the subject of the application is not within the purview of the Commission, the Chairperson will notify the applicant within 14 days of the filing date. To insure that the application has a chance to be voted on within 60 days of its filing, the Chairperson may either call a public hearing for the next regular meeting or call a special meeting to consider accepting the application for consideration.

f) At the earliest opportunity (this step can be combined with step d above), the Commission will determine whether to accept the application for consideration. It will do so if the application is complete in all necessary respects. A filed application that is not accepted for consideration will be considered as

rejected due to incompleteness, without prejudice. The reasons will be noted on the application mailed or handed back to the applicant.

g) If an application is accepted for consideration, the Commission will decide one of the following four (4) subsequent courses of action:

- 1) If the application is for a Certificate of Non Applicability, issue the certificate immediately (this requires at least 4 votes in favor). Applications for Certificates of Non Applicability may also be the subject of a public hearing in marginal cases.
- 2) Accept the application as submitted and without a public hearing, subject to the condition that no owner of adjoining or materially affected property request a hearing within 10 days of being sent a notice of the application (this requires at least 4 votes in favor). If no hearing request has been received by the deadline, the Chairperson will issue the certificate. Otherwise the Chairperson will schedule a hearing. This procedure can only be used for simple matters where many precedents exist.
- 3) Consider the application at a specific future meeting, without calling a public hearing except if an owner of adjoining or materially affected property requests a hearing within ten (10) days of being sent a notice of the application (this requires a simple majority). The future meeting must be sufficiently far in the future to allow both the ten (10) day request deadline and the fourteen (14) day hearing notice. If this cannot be met in practice, the Secretary shall send public hearing notices without waiting for the end of the ten (10) day deadline.
- 4) Call a public hearing on the application at a specific date (this requires a simple majority).

If none of these 4 courses of action obtains the required majority, a public hearing shall be held at the next regular meeting scheduled at least 14 days after the next business day.

If the applicant or agent is not present, the course of action will be communicated in writing, possibly under the form of a hearing notice.

h) If no vote has taken place to approve or deny an application within 60 days after the application filing date or the latest continuation date approved by the applicant, if any, whichever is later, the Commission shall issue a Certificate of Hardship.

Section 3. Non-conforming conditions

a) The Commission shall accept the “grandfathered” condition of any building at the time of the creation of the Historic District even if said building may incorporate work inconsistent with its Guidelines for which no Building Permit can be documented.

b) In the event that an allegation is made that work requiring a Certificate of Appropriateness has been done at an unknown time without such Certificate, the Commission shall endeavor to document by whatever means may be available when the work was realized and whether the work existed at the date the Historic District came into existence. If the Commission determines that said work post-dates the creation of the Historic District, it may require an application for a retroactive Certificate. The transfer of ownership or of control of a property since the date when such work was completed shall not constitute “grandfathering” of said work.

c) If an existing violation or violations are present on a property that is the subject of an application for a certificate of appropriateness, the Commission may deny the application on that basis, if the property owner fails to modify the application to include acceptable curative action, or the Commission may

approve the application subject to a condition requiring the property owner to cure any existing violations. Such conditional approval may: (i) require the property owner to cure any such violations before a building permit is issued for the work requested in the application, (ii) allow the curing work to proceed contemporaneously with the application work, or (iii) provide for some combination of (i) and (ii). The Building Inspector may issue a stop work order should he or she believe that the curing work is not occurring in the approved manner or if so requested by the Commission upon it making a similar determination. As used herein, "existing violation" means a previous change to the exterior architectural features of a structure that was effected without a certificate of appropriateness from the Commission under circumstances that required such a certificate to be issued, as determined by the Commission. The Commission at its sole discretion may relax its criteria when considering Hardship cases about violations that existed at the time an arm's length transfer of ownership took place.

Section 4. Public Hearing and Design Review Process

a) An applicant may appear in person or be represented by an agent at the Commission meeting.

- i) The presiding officer shall convene a Public Hearing;
- ii) The presiding officer shall give a preliminary statement concerning the application;
- iii) The applicant or agent shall present his or her application;
- iv) The Commission Members may discuss the application, followed by public comments from anyone else with an interest in the proposal;
- v) Commission Members may ask clarifying questions after each speaker;
- vi) The Public Hearing shall be closed.

The Commission may then deliberate and make a determination but need not do so at that time.

b) If upon examination by the Commission, it determines that the application is not sufficiently complete, for whatever reason, for the Commission to make an informed determination, it must inform the applicant as to what additional materials are required and may continue the case with the applicant's written concurrence until they have been provided. If the applicant does not agree to a continuation, the Commission may reject the application.

c) In cases where more information is needed or when the Commission determines that revisions to the proposed designs are necessary, and with the written concurrence of the applicant, the case may be continued and may be referred to a subcommittee appointed by the Chairperson, which will meet with the applicant to review and comment on revisions or on more fully developed plans. Subcommittee meetings are subject to the Open Meeting Law. The subcommittee will make a recommendation to the Commission at a subsequent public hearing.

d) The Commission and its Subcommittees will make every effort to suggest ways in which an application can be amended so that it will be consistent with the guidelines. Discussion among Members and the applicant shall focus on arriving at a solution satisfying all concerned. However, Commission or Subcommittee Members may not undertake to impose a specific design upon a project in whole or in part beyond referring to the Guidelines and suggesting ideas or architectural precedents for consideration and the applicant should always consult with his or her architect or contractor about any such considered idea or detail.

e) No decision of the Commission shall be deemed to have set a "Precedent" in contradiction to the Guidelines.

f) A decision by the Commission on an application may be accompanied by binding written conditions and/or by recommendations. Any recommendations made by the Commission, beyond those imposed as conditions and/or limitations on the Certificate and/or beyond the approved drawings, are not binding on the applicant.

Section 5. Hardship Applications.

a) If an applicant claims financial hardship, he or she may be required to submit such personal financial records as the Commission deems necessary to make a determination.

b) It may be determined by the Commission that an asserted hardship is specific to the circumstances of an individual and the mitigation allowed by the Certificate may reasonably be limited in duration to the tenure of occupancy or ownership of the property by that individual in which case the Commission's decision may include a requirement that the changes it allows shall be reversed at the end of said tenure and that the decision shall be recorded with the deed.

Section 6. Issuance and Duration of Certificates

a) Any Certificate for work to be done will expire after a period of one year from the date stamped by the Town Clerk if the work has not commenced by then. Any Certificate for work to be done will also expire when all the property owners as of the application date no longer possess an ownership interest in the property before the work is commenced and the applicant has not acquired an ownership interest in the property.

b) Once the work is commenced it shall be brought to completion. If the work is suspended in significant part for a period of six months after the time the work is begun, the project shall be considered to violate the conditions of the certificate and to be in violation of the Bylaw.

c) However in cases a) and b) above the applicant or the property owners may request an extension of the Certificate, and at its discretion the Commission may grant, in writing, an extension of the Certificate for a period not to exceed one year. The commission may grant such extension without sending notices to owners of adjoining properties and to other interested parties and without calling for a public hearing if it determines that the circumstances of the case have not changed significantly. If work has not commenced and the Commission does not grant an extension, any new application will need to fulfill all requirements and guidelines that may be in force at that time; there will be no grandfathering of previously approved plans that have not been completed.

Section 7. Final drawings and design development

a) For projects requiring working drawings or similar detailed technical information, approval based on design documents that are less detailed than working drawings shall be contingent upon continuing review and approval by a subcommittee, if appointed, or the entire Commission of details and of any proposed changes.

b) The Commission may approve applications, particularly for larger projects such as new buildings, "subject to review and approval of details by a subcommittee," in which case the subcommittee may approve minor changes that would be apparent if shown on the approved drawings, as long as the subcommittee believes that the changes are reasonably justified, minor in character, and in keeping with the Commission's intentions in approving the design. The subcommittee may consult with the Chairperson, or with the Commission at its next regular meeting, if in doubt.

- c) Applicants may propose changes to an already issued Certificate of Appropriateness or Certificate of Hardship project. If the Commission determines that a proposed change is substantial, then a new public hearing and a new Certificate are required. If the Commission determines that the changes are minor, it may accept the changes without a public hearing. Applicants may anticipate this requirement by applying for such a Certificate in a timely manner.
- d) After approval at a public hearing and further development of the plans, if required, each page of two copies of the approved building plans shall be marked as “Approved” signed and dated by the Chairperson or acting Chair. One copy of the approved and signed plans shall be delivered to the Building Inspector and the second, along with any supporting material presented for the Commission’s consideration, shall be placed in the Commission files.

Section 8. Construction, Inspection, and verification of work performed

- a) The Commission will request the Building Inspector to be notified before a certificate of occupancy is issued and, in cooperation with the Building Inspector, verify that the construction appears to be in conformity with the approved design. If any condition at variance with the approved design is observed, the Commission will request that the Certificate of Occupancy be withheld until the project is in conformity with the approved design. Any unauthorized work done outside the scope of the Certificate of Appropriateness and not promptly corrected renders the Certificate of Appropriateness null and void.
- b) For alterations, construction, or demolitions subject to Commission review and which require a building permit, the Building Inspector is the *de facto* next line of enforcement of Historic District Bylaw rules and Commission decisions. The Building Inspector ensures that no building permit is issued in the Historic District for projects that have not received a Certificate from the Commission. In addition the Building Inspector must be attentive to the approved design and must notify the Commission in the event of any variations observed between the approved design and the as-built project.
- c) In the event of differing views or uncertainties about what was approved by the Commission or possible conflicts between Building Code requirements and parameters established in the Certificate issued by the Commission or the plans as stamped and signed by the Commission, the Chairperson will consult with the Building Inspector to establish a mutually agreeable process to reach a solution on an expedited basis. The Chairperson will inform the Commission Members of any such occasions, and the Commission will meet, on an emergency basis if needed, to decide how to proceed.

Section 9. Enforcement and penalties

- a) The Commission shall determine whether a particular activity not authorized by any certificate is in violation of the terms of the Historic District Bylaw. Upon a written complaint of any Town resident or property owner, or upon its own initiative, the Commission may initiate any appropriate action or proceedings to prevent, correct, restrain, or abate violation of the Bylaw.
- b) If an owner of a property in the Historic District either: i) fails to obtain a Certificate for alterations, construction, or demolition under the Commission’s purview, or ii) fails to observe the conditions of a Certificate, the Commission shall notify the owner in writing that the requirements of the Bylaw and/or Certificate are not being met. The owner will be given 30 days to respond to this notification with a plan to correct the situation. The owner may be requested to present the proposed plan at a specified

Commission meeting. If there is no satisfactory response from the owner within that time period or if the proposed plan (as it may be modified during the discussion at the Commission meeting) is found inadequate, the Commission may declare the situation on the site to be illegal under M.G.L. 40C §6 and apply the available remedies under M.G.L. 40C §13. The Commission may also refer the matter to the Building Inspector for enforcement of the conditions of the building permit or to remedy the absence of a permit if that is the case. After notifying the owner of its intention to do so, the Commission may also file a Clerk's Certificate as to the violation at the Registry of Deeds to notify potential buyers of the existence of a violation. Such a certificate shall be promptly cancelled when the violation is corrected.

c) As provided by the Town Historic District and by M.G.L. 40C, section 13, as may be amended from time to time, whoever violates any of the provisions of this Bylaw or of M.G.L. c. 40C, may be punished by a fine of not less than ten dollars (\$10) nor more than five hundred dollars (\$500). Each day any violation continues shall be deemed a separate offense.

Section 10. Filing.

The Commission shall file with the Town Clerk and with the Building Inspector a copy or notice of all certificates and determinations of disapproval issued by it.

April 2010

Revised November 2012

Revised July 2015

Revised August 2016

Appendix A: Royalston Historic District Commission Design Guidelines

A General

The Commission will use design guidelines from the Town Historic Bylaw and from the *The Salem Historic District Handbook*, unless they are superseded below.

B Solar Energy System

The Royalston Historical Commission has jurisdiction over solar energy systems. A solar energy system is a device or structural design feature, a substantial purpose of which is to provide for the collection, storage and distribution of solar energy. Installation of any solar energy system at a publically visible location will not be permitted if the Commission determines the placement has an adverse effect on the character defining features of the building or the District as a whole. Impact on the District's overall landscape shall be considered when reviewing any solar energy system application.

The application shall state the location of the installation, the dimensions and design of equipment to be placed on the exterior of the structure, details of operation, and the route of any exterior wiring or plumbing. Scale drawings of the solar energy system must be provided for any system requiring authorization from the Commission.

A Certificate of Non-Applicability, Appropriateness or Hardship must be obtained before any installation can take place.

The following guidelines should be followed:

- If a solar energy system is mounted on the ground, it shall be positioned in a limited visibility location in a secondary area of the property, possibly with limited screening to make it inconspicuous from a public way.
- A solar energy system on an existing structure may be considered if the face of the solar panel is not visible from a public way.

Technical and Dwelling Considerations:

- The removal of distinctive materials or alteration/covering of features, spaces and spatial relationships that characterize a property must be avoided.
- Solar panels should be selected to best blend with the surrounding surfaces. Non-reflective materials should be used.
- All solar energy installations must be installed such that they can be removed with no permanent damage to the structure on which they are housed.

- Solar Panels mounted on roofs, must follow the roof line (i.e. be parallel to the roof), must not extend beyond the roof, and must be installed such that the top of the panel is not more than 4” above the surface of the roof.
- Solar panels may not be installed/mounted to siding, windows, shutters, or other parts of a building other than the roof.
- Solar energy systems and mounting systems shall be comparable in color to the roofing materials – if an exact match cannot be made, then all material – panels, mounting, electrical and any other material MUST be black and non-reflective.
- Any electrical wiring, plumbing and/or peripheral materials must be concealed from view.
- The solar energy system must be removed at the end of its functional life. This stipulation shall transfer with the deed.
- New innovations in solar technology shall be considered on a case by case basis.

C Antennas for data access

Installation of antennas and connecting cables used for data communications within the Royalston Historic District requires the approval of the Royalston Historic District Commission if the antennas or cables are visible from a public way.

The procedure to approve installation of wireless Customer Premise Equipment (CPE) for the build-out of the Royalston Municipal Light Plant (RMLP) wireless broadband network will be as follows: At every residential installation site the RMLP will:

- Analyze signal strength to determine the locations least visible from a public way that provide acceptable performances.
- Consult with the homeowner to create a short list of proposed locations
- Provide photographs of the site from public ways with an indication of the proposed CPE locations with the application for a certificate of appropriateness or of hardship.
-

The RHDC will review the RMLP applications and approve or reject individual installations, striving to follow the expedited procedure detailed in section E.2.g.2 of this document.