

The Historic Districts Commission Certificate: A Step in the Permitting Process

Until the proper certificate has been issued by the Historic Districts Commission, no building permit may be issued for work on a property within an historic district, nor may painting or any other construction work be done on site **whether or not a building permit is required**. Filing the application for a certificate, therefore, should be a high priority. The commission will discuss any questions, objectives and proposals at any stage of the process. Consulting with the commission before hiring an architect or contractor is especially helpful, because the commission can provide information about its requirements as well as guidance on the acceptability of the work that is contemplated. Residents wishing more information should call the Administrator at 781-741-1492, or stop by the Historical Commissions office at the Town Hall.

The Historical and Historic Districts Commissions make up the Historical Commissions Department located in Hingham's Town Hall. Part of Town government, the Historical Commissions Department is one of the five permitting departments that comprise Community Planning. The other departments are Building, Conservation, Planning, and the Zoning Board of Appeals.

Applications for a certificate from the Historic Districts Commission are part of the permitting process. Application forms for certificates are available from the Historical Commissions' office and the Building Department in the Town Hall at 210 Central Street, and on the Town of Hingham website. Applications must be filed in the Historical Commissions office and approval for a certificate granted before a building permit can be issued. It is the owner's duty, not the duty of the architect or contractor, to ensure that an application has been filed. The information provided on the application must accurately define the entire scope of work.

Applications for Certificates of Non-Applicability

Some types of work do not require a hearing and need only a judgment by the Administrator that the proposed work is consistent with the structure and its neighborhood, and does not detract from the purposes of the By-Law. The Administrator will determine within five (5) days of receiving an application for a Certificate of Non-Applicability, whether the work proposed involves any architectural features or manmade landscape elements which are within its jurisdiction. If the Administrator determines that the application does not involve any features which are subject to its review under the terms of the Historic Districts Bylaw, a Certificate of Non-Applicability will be issued.

Most proposals for routine maintenance and minor renovations or repairs, the majority of applications submitted, fall into this category. Approval is virtually automatic when existing materials or colors are used, when new ones are selected from an approved roster and when alterations are insignificant or are not visible from any public area as determined by the Commission. Property owners wishing to change materials or colors, however, must apply to the commission for review and a Certificate of Appropriateness.

Applications for Certificates of Appropriateness

Applications for Certificates of Appropriateness must be accompanied by the required documentation and be submitted by the posted due date prior to the hearing scheduled for the application. Applications must be clearly legible, complete, and signed by the owner of record. Once filed, the Administrator will review them for completeness, and may request additional information.

A Certificate of Appropriateness always requires a hearing. Major alterations, such as an addition, require a full design review and thus a public hearing. Owners whose applications require a public hearing should file well before the certificate is needed, bearing in mind the additional time that may be required for a building permit to be issued. The hearing will be conducted by the Historic Districts Commission. The commission reviews the proposed work, solicits comments from interested parties and may suggest modifications. The commission then takes a formal vote by which it approves an application as submitted, approves it with changes, or denies the application. The commission may also continue the hearing until the next meeting date if additional information or significant changes are required.

Once an application has been approved by a vote of the commission, a certificate will be issued within 45 days of the approval date, one copy to the applicant, one to the Building Commissioner and one to the Town Clerk. The applicant may then proceed with any other steps necessary to obtain a building permit. Every certificate expires six months from the date of issue unless there is substantial progress on the project. A certificate may be renewed for an additional six months if there are no changes to the approved project. Contact the Historic Districts Commission Administrator to file a request to renew a certificate.

Applications for Certificates of Hardship

An application for a Certificate of Hardship may be filed when owing to conditions affecting the building or structure, but not affecting the historic district, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant. The commission must determine whether the application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purpose of the Historic Districts By-Law. If both conditions can be met, the commission may issue a Certificate of Hardship.