

DOWNTOWN LOWELL HISTORIC DISTRICT PERMITTING PROCESS

WHAT IS REVIEWED?

The erection, demolition, reconstruction, or alteration of any exterior feature (and interior when work affects the exterior appearance) of any building, structure, or parcel including, but not limited to, alteration of the site topography or general architectural arrangement of such portion of the exterior as designed to be open to view from any street, canal, or way open to public or private vehicular or pedestrian travel. Work requires the approval of the Board before it begins and any other City approvals are issued and is divided into two types under the regulations. The Board staff will determine what type of work is covered in your application:

MINOR DEVELOPMENT: Items of ordinary maintenance and repair, items of in-kind replacement, and minor modifications or changes which are easily reversible and are determined to be consistent with the District's Design Review Standards including, but not limited to, cleaning, painting, repairing or replacing architectural elements according to historically compatible plans, placement or removal of signs, awnings, light fixtures, and masonry repointing. These are administrative items and do not require a public hearing.

MAJOR DEVELOPMENT: All other changes. All determinations regarding Major Development are reviewed by the Board at a public hearing.

THE BEST WAY TO DETERMINE WHETHER THE WORK YOU ARE CONTEMPLATING MUST BE REVIEWED BY THE HISTORIC BOARD IS TO CONSULT THE STAFF.

DESIGN REVIEW STANDARDS

The purpose of the District's Design Review Standards is to guide all construction, preservation, restoration, and alteration of all properties in the District so that the integrity of Lowell's 19th century setting is not disrupted. They are intended to help applicants propose and design projects that are consistent with, and maintain, the District's setting. This helps in ensuring that the review process is fair and can be completed quickly. The goal is to minimize reliance on individual tastes and preferences of applicants and reviewers by having clear, understandable guidelines.

WHAT IS THE REVIEW PROCESS?

- 1. CONSULT WITH THE STAFF** as soon as you begin to consider doing work to determine whether the work will require review and what Standards apply. The staff's job is to assist you in making appropriate and long-lasting changes to your building. The Board and its staff are always available to assist with any questions regarding design and process in the district.
- 2. COMPLETE THE APPLICATION FORM** including all required materials and application fee. Incomplete applications will delay the review process. The staff makes every effort to assist the applicant in assembling all necessary materials for the application.
- 3. ATTEND DESIGN REVIEW MEETINGS** if required, to discuss your proposal and hear determinations on Minor Development.
- 4. ATTEND A PUBLIC HEARING** if required, to present the application. The Board will hear your presentation, testimony of interested parties, and the recommendations of the staff before rendering a decision

WHAT ARE THE POSSIBLE OUTCOMES OF REVIEW?

HISTORIC PERMIT: The most common result of design review is the issuance of an Historic Permit. Whether issued administratively or after a public hearing, an Historic Permit outlines the work described in your application and is a legal agreement regarding the methods and results of the proposed work.

HISTORIC PERMIT WITH CONDITIONS: This type of permit outlines the conditions under which the Board has agreed to approve the work. The most common condition is “final details to be reviewed by the Administrator.” This condition is used to expedite the review process while ensuring that all details of the work comply with the District’s Design Review Standards and the Board determination. Any conditions included in a permit are part of the legal agreement and must be adhered to.

CONTINUANCE: Sometimes the Board may vote to continue the discussion to another hearing in order to review additional information such as revised drawings or a site inspection.

DENIAL: Rarely the Board will deny an application. Typically the staff will warn the applicant if the proposed work is inconsistent with the Standards and work with the applicant to amend the proposal to meet them.

PROCESS TIMELINE AND APPEALS

7 DAYS for Historic Permits for MINOR DEVELOPMENT.

30 DAYS for Historic Permits for MAJOR DEVELOPMENT.

These time periods are averages. Completeness of applications, appropriateness of proposals, and timing of application submittals all affect the review process.

By statute, any party aggrieved by a decision for Minor Development can appeal to the Historic Board within 7 days of the issuance of any written decision. Any person aggrieved by a decision for Major Development can appeal to Superior Court within 21 days of the decision being filed with the City Clerk.

ADDITIONAL INFORMATION

- The Board must approve in advance all development in the District. By state law, no City department, board, or commission can issue any permits, variances, approvals, etc. within the District until the Board has first issued its approval and/or granted an Historic Permit.
- If proposed work does not require a Building Permit, Board approval is still required in advance of the project commencing.
- Board approval is required for interior changes when the changes will affect the exterior appearance of the building.
- If unapproved work is found to be in progress or has been completed, a “stop work” order will be issued. If the work is found to be inconsistent with the District’s Design Review Standards, a violation process is instituted and the owner may be required to undo the change and repair any damage at his/her own expense. Violations within the District are subject to fines of up to \$100 a day with each day constituting a separate offense if non-compliance continues.

CONTACT INFORMATION

Additional information and application materials can be obtained in person or on-line at:

Lowell Historic Board
Lowell City Hall
375 Merrimack Street
Lowell, MA 01852

(978) 674-1443 (P)

(978) 446-7103 (F)

ssowell@lowellma.gov

www.historiclowell.net

