



**TOWN OF WHATELY**  
Whately, Massachusetts

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Historical Commission

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MINUTES  
WHATELY HISTORICAL COMMISSION  
JANUARY 20, 2020

The meeting was called to order by Donna Wiley at 5:00 pm.

Present: Donna Wiley (Chair), Susan Baron, Judy Markland, Alan McArdle

Agenda:

1. The minutes of the December 16 meeting were approved unanimously.
2. Scenic roads bylaw – discussion centered around suggested changes to the document circulated to the commission by Judy Markland. These concerned making clearer the purpose and uses of the new bylaw by defining the situations that will not require a public hearing for changes to trees and stone walls and the criteria used by the Planning Board in making its decision. The changes are largely a result of discussions with the town's Tree Warden, Keith Bardwell. The revised bylaw (attached) will be sent to the Planning Board and the Tree Warden for review. It will be on the warrant for the annual Town Meeting in April.  
The commission voted unanimously to support the draft of this bylaw to be added to the warrant for the next Town Meeting in April 2020.
3. Digital Map for 250<sup>th</sup> Celebration – There was discussion of the Historical Commission's contribution to the 250<sup>th</sup> anniversary of the town's founding. We will help to create a web based digital map showing the location of historical properties for use by any interested party. This map will focus on lesser known sites but will not exclude other sources. Clickable links will be provided to display additional information on the sites on the map. It may incorporate some elements from Gordon Ainsworth's 1971 map, distributed at the last meeting, as well as from other sources. After some discussion, it was decided that Donna Wiley, Darcy Tozier and Alan McArdle would request training in the use of the database maintained by the Historical Society in order to expand on and fill in gaps in the historical record for use in the map.
4. Other Business – Under other business, we discussed the limitations and needs of existing solar bylaws used by the town with particular reference to the site planned on Chestnut Plain Road. In particular, we discussed the need to include Scenic Roads and Views in the required subjects to be reviewed by the Planning Board and the Historical Commission.  
The commission voted unanimously to request that Scenic Roads and Views be added to the

draft revised zoning bylaws for large-scale solar projects to be reviewed by the Planning Board at their next meeting (draft attached).

5. The meeting adjourned at 6:15 pm.
6. The next meeting will be Monday, February 17, 5:00 pm, in Town Hall Meeting Room.

Attachments –

- 1- Scenic Roads Bylaw revisions
- 2- Solar bylaw revisions

### **Proposed Whately Scenic Roads Bylaw**

- A. Purpose. The purpose of this article is to maintain the rural, natural, historic and scenic character of the town's roads.
- B. In accordance with MGL Chapter 40, Section 15C, Chestnut Plain Road including North Street, Haydenville Road and Conway Road are designated as Scenic Roads.
- C. Any repair, maintenance, reconstruction, or paving work to be done within the public way of a Scenic Road that will involve or include (i) cutting down or removing trees with a diameter of 6” or more, or (ii) tearing down, burial, relocation, or destruction of stone walls or portions thereof shall require prior written approval of the Planning Board after a public hearing, except no public hearing will be required for
  - (1) repair and replacement of stone walls in kind, with no change in appearance.
  - (2) removal of trees deemed by the Tree Warden to be a public hazard to public safety.
  - (3) removal of trees determined by the Tree Warden to be dead, beyond saving, or a threat to neighboring trees.

Where trees are removed under the provisions of (2) and (3), efforts shall be made to plant appropriate substitutes.

- D. The Planning Board shall hold a public hearing within 30 days of receipt of a properly filed request and shall make a decision within 45 days of that receipt, unless a longer time is agreed to by the applicant.
- E. In evaluating the request, the Planning Board shall consider preservation of natural resources; environmental issues; historical values; scenic and aesthetic characteristics; public safety; existence or absence of reasonable alternatives; compensatory actions proposed, such as tree and wall replacement; and the functional importance and urgency of repair, maintenance, reconstruction or paving.
- F. In the case of a proposed curb cut that impacts the trees and stone walls described in paragraph C, the Planning Board may waive the public hearing if there is no alternative, if it determines that there is little negative impact on the character of the Scenic Road, and if the Historical Commission approves the waiver.
- G. Failure of the Planning Board to make its decision and file it with the Town Clerk within the time allotted shall be construed as approval of the request.

## Scenic Roads and Views for Solar Bylaw

### C. Site Plan Review

Large-Scale Ground-Mounted Solar Electric Installations shall undergo Site Plan Review (see Section 171-17) by the Planning Board prior to construction, installation or modification as provided in this section.

#### (1) General

All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.

#### (2) Required Documents

The project proponent shall provide the following documents in addition to or in coordination with those required for Site Plan Review (see Section 171-17):

- (a) A site plan showing:
  - i. Property lines, map and lot from the Assessor's records, and physical features, including roads and topography, for the project site;
  - ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures including their height;
  - iii. Locations of wetlands and Priority Habitat Areas defined by the Natural Heritage & Endangered Species Program (NHESP)
  - iv. Locations of Floodplains or inundation areas for moderate or high hazard dams;
  - v. Locations of Scenic Roads as designated in [# of Scenic Roads Bylaw], Scenic Views identified on the Scenic Resources and Unique Environments Map of the Town's Open Space Plan, local ~~or~~ and National Historic Districts, and Priority Heritage Landscapes;
  - vi. A list of any hazardous materials proposed to be located on the site in excess of household quantities and a plan to prevent their release to the environment, as appropriate;