

Minutes of the Whately Historical Commission
August 19, 2019, Town Hall, 5:30 pm

Present: Donna Wiley, Chair; Judy Markland; Alan McCardle; Darcy Tozier; and Keith Bardwell. Absent: Susan Baron

The minutes of the June meeting were unanimously approved.

Scenic Roads Bylaw

Keith informed the Commission that the Town's scenic road bylaw references the state bylaw, which requires Planning Board approval for the Tree Warden to remove trees from the town right-of-way on scenic roads following a public hearing by both the Planning Board and the Warden. However, the bylaw establishes no criteria for the Planning Board to use in making its decision. The Tree Warden has the authority to skip the public hearing only when there is a threat to public safety, not when the tree is clearly dead.

The ensuing discussion covered

- the expense of advertising the hearings and the time involved in the process;
- the process for amending the bylaw and possible topics for inclusion, including a requirement for replacement in some circumstances;
- whether the town has the ability to waive a public hearing if it is required by state law;
- whether a bylaw amendment is needed or if the Planning Board could simply adopt regulations, which would avoid the need for town meeting approval and be easier to revise;
- enforcement when homeowners cut trees or remove walls on scenic roads;
- the problem of private activity in public ways (planting, driveway construction, irrigation systems); and
- how to best educate the public about town right-of-ways and scenic roads.

Judy noted that Weston's scenic road bylaw stated implementation criteria which included waivers of the public hearing for repairs and replacement in kind for stone walls. She will share Weston's wording and ask Brian Domina to ask town counsel whether we could also waive the hearing under specific conditions.

Town Safe Restoration

The Historical Commission received two proposals for the safe restoration project: one from Mehlin Conservation for \$10,300 and one from Williamstown Art Conservation Center (WACC) for \$13,350. Mehlin had come to see the safe and had recently worked on a similar project. WACC had not visited, had been unresponsive to emails, and had not included references in its proposal. The Commission voted unanimously to recommend accepting Mehlin's proposal, subject to favorable recommendations.

Center School

Donna noted that the Select Board has had several discussions about what to do about the school and has discussed forming a committee to make recommendations, but has yet to mention including the Historical Commission, despite our written request to be involved. It was agreed that Donna will remind Brian of our desire to be part of the process.

Letters to New Homeowners

Donna has finally been able to obtain the Assessors addresses for the new owners at 101 Chestnut Plain Road and 342 Haydenville Road and has sent our letter about information for local historic homeowners to them. In both cases, the only address yet available is the new owner's previous address.

The next meeting is scheduled for Monday, September 16 at 5:30 at Town Hall.

Respectfully submitted,

Judy Markland

cc: Keith Bardwell