

How to establish a Local Historic District (LHD) in Brookline

In Brookline, initiatives for LHDs typically come from neighborhoods and involve multiple adjacent properties. Proposals must obtain the support of the Brookline Preservation Commission (BPC), be submitted to the Massachusetts Historical Commission (MHC) and ultimately pass Town Meeting to become law. Town Meeting typically looks for at least 80% property owner support when they are reviewing a warrant article for an LHD proposal. To date, Brookline has not passed at Town Meeting the creation of a LHD without the majority of ownership support. The town does have one single property LHD, Wild Sargent, created in collaboration with the owner at the time.

To increase the likelihood of success at Town Meeting, the neighborhood should first be surveyed to determine support for an LHD among owners within the potential boundaries. Neighborhood meetings are a good first step to explore the potential for an LHD, and help define its proposed boundary. Residents should be provided with copies of the Design Guidelines for Local Historic Districts so they may fully understand the restrictions that will be placed on their properties, as well as the LHD review application process. Preservation planners and the Chair of the BPC are available to answer any questions residents who are considering being part of an LHD might have.

The establishment of an LHD is a timely process involving deadlines outlined in MGL Chapter 40C and Brookline Town Meeting. Once sufficient support for an LHD is demonstrated, the Preservation Commission may vote to form a Study Committee to oversee the process. A draft study report must be prepared; this is an in-depth historic analysis of the proposed area as well as research on each individual property. Typically this is done by a consultant paid for by the neighborhood, with support from the Study Committee formed by the BPC and Preservation Planners as needed. The BPC must approve the submission of the draft study report to MHC and the Planning Board.

After no less than 60 days after the submission of the draft study report, the BPC must hold a public hearing. All property owners located in the proposed LHD will be notified, provided information on how to access the draft study report, and invited to participate and ask questions in the public hearing. After considering feedback and comments, the BPC will make any additional revisions and finalize the study report. A warrant article to Town Meeting will be submitted by the BPC. The warrant article must pass Town Meeting by a 2/3 vote.

As is required for any bylaw amendment passed at Town Meeting, the LHD only comes into effect after it is approved by the Attorney General (AG). That usually takes 90 days plus up

to 30 days for the Town Clerk to send it to the AG after Town Meeting, for a total of up to 120 days. Lastly, the map of the boundaries of the new LHD must be recorded at the Norfolk County Registry of Deeds.