



Hingham Centre Historic District - Phase II Extension

PRELIMINARY STUDY REPORT

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Table of Contents

I.	SUMMARY SHEET	3
II.	CONTACTS	4
III.	INTRODUCTION.....	5
IV.	METHODOLOGY.....	6
V.	SIGNIFICANCE	7
VI.	JUSTIFICATION OF BOUNDARIES	8
VII.	MAPS.....	9
VIII.	PROPERTY STREET ADDRESS INDEX.....	10
IX.	OPTIONS AND RECOMMENDATIONS FOR BYLAW	11
X.	TEXT OF BYLAW.....	11
XI.	INVENTORY FORMS.....	16
XII.	PHOTOS.....	17
XIII.	CONCLUSION AND RECOMMENDATIONS	25

*5 Jones Street, Hingham, MA
The Benjamin Andrews House, built 1787*



I. Summary Sheet

- The Hingham Historic Districts Commission (“HHDC”) proposes extending the existing Hingham Centre Historic District. Specifically, the HHDC proposes approval of the “Phase II” of the three-phase plan that was substantially developed and approved by the Town in 1988-1989.
- Phase II concerns the area in and around Hingham Centre, including all or portions of Pleasant Street, School Street, Spring Street and Leavitt Street. This area contains numerous historic homes, many of which are unique to Hingham’s agricultural past and reflective of the farming and agricultural activity that once thrived in the area. The buildings and properties are an integral part of the rich fabric that makes up Hingham’s cultural heritage.
- The need for the Phase II Extension is more pronounced than ever. Given the proliferation of development and redevelopment within the Town generally and more particularly, the recent loss of the 1752 John Leavitt homestead on Leavitt Street, The Hingham Historic Districts Commission together with the Hingham Historical Commission and the Hingham Centre Extension Task Force believe it is time to act now to protect Hingham’s rich cultural heritage before it is gone.
- The remainder of this Preliminary Report is divided into the following sections:
 - Contacts
 - Introduction
 - Methodology
 - Significance
 - Justification of Boundaries
 - Map
 - Property Street Address Index
 - Options and Recommendations for Bylaw
 - Text of Bylaw
 - Inventory Forms
 - Photographs
 - Conclusion and Recommendations
- Dates of Hearings – the process going forward will include:
 - Submission of Report to Massachusetts Historical Commission and Hingham Planning Board (August 2007)
 - Informal neighborhood gatherings (September – October 2007)
 - Public Hearing (November 2007)
 - Preparation of Warrant and Article (November 2007 March 2008)
 - Meetings with Selectmen and Advisory Committee (November 2007 – March 2008)
 - Town Meeting (April 28, 2008)

II. Contacts

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III. Introduction

The first historic districts in the United States are of Southern origin. They were created in the decade preceding World War II in Charleston, South Carolina, and in New Orleans, Louisiana. The intent then as now, was to protect the architectural appearance of buildings within the districts and to preserve the historic character of the neighborhoods in which they are set. Some twenty years later, legislation that has made today's historic districts possible was proposed for the Commonwealth of Massachusetts. In 1955 the Massachusetts Legislature passed a bill enabling the creation of historic districts on Beacon Hill in Boston and on Nantucket Island; subsequently, many Massachusetts communities have followed suit.

Among those communities is the Town of Hingham. Few if any New England towns contain a better representation of homes and other buildings of architectural merit from historic periods than does Hingham. Hingham's first Historic District, the Lincoln Historic District, was established in 1966 to encompass a distinguished collection of structures dating from the 17th through the 19th centuries. Several were built or owned by members of the Lincoln family, who were among Hingham's earliest settlers and whose descendents include General Benjamin Lincoln and President Abraham Lincoln. Since then, the Lincoln Historic District has been extended and five additional districts have been established. They extend from Hingham Harbor into west Hingham, and from lower Main Street through the Centre and into south Hingham. The 6 districts are: Lincoln (including extensions), Pear Tree Hill, Hingham Centre, Tower-Wilder (including extension), Glad Tidings, and Liberty Plain.

Hingham's local historic districts offer significant benefits to the Town. Most obviously, they preserve the Town's architectural heritage by protecting its ancient and appealing structures and open spaces, its churches, its commercial buildings, and homes. Equally important, historic districts preserve neighborhoods. In the case of the Hingham Centre Historic District's proposed Extension, certain of these neighborhoods have endured many changes but still reflect their 17th and 18th century origins.

Historic Districts preserve not only by protecting old buildings but also by encouraging the construction of new buildings or additions that are compatible with the property's original architecture and surrounding streetscape. Historic districts also contribute to the perception that a community is more than just another place to live. They testify to the value of history, architecture, streetscapes, culture, and character of a town or city; this may be their most important function. The value of any community depends upon the importance its citizens place upon it, and the willingness of those same people to preserve their history for future generations to enjoy.

The present Proposal calls for extending the Hingham Centre Historic District, which is bounded by Leavitt Street, Middle Street, and Pleasant Street. The Extension would proceed eastward from Middle Street to include portions of School Street and Pleasant Street. Eastward on Leavitt Street, the Extension would include a large portion of Leavitt Street, Spring Street and two properties on Jones Street at the corner of Jones and Leavitt Streets.

The Extension includes many properties of note, and exhibits representative architecture from the 18th, 19th, and 20th centuries. The proposed Extension includes a total of 70 homes, 64 of which are contributing structures. Many were built by Cushings, Lorings, Southers, Lanes, Ripleys and Leavitts to name only a few. These homes, built by families whose descendents have been a part of Hingham's history for generations, help define and establish Hingham's cultural heritage and future.

Hingham has long recognized the importance of and sought to preserve and protect its historically and architecturally significant structures. So too should it expand its present historic districts to preserve the many significant homes and streetscapes not currently protected. Extending an existing historic district is a measured attempt to help maintain what makes Hingham "*Hingham*".

IV. Methodology

What makes historic districts such a valuable mechanism for preservation is that they not only protect historic properties but also ensure that these properties continue to occupy a meaningful historic context. The designation of an area as an historic district depends upon the historic architecture of each individual edifice, the relationship of historic structures to each other, and to their setting as a whole. While many buildings within a district may well have unusual merit on their own, even a modest property can hold such interest if it is recognized as a symbol or product of events and patterns in community history; it reflects the timeline of history within a particular area or neighborhood. In that sense, the establishment of an historic district creates a whole that is greater than the sum of its parts.

The origins of the Phase II Extension of the Hingham Centre Historic District lie with the creation of the first Hingham Centre District in the late 1980's. At that time, a broad area was identified for inclusion into the Hingham Centre District. It was decided that a phased approach would be the most effective means of implementing the Master Plan and that a gradual, phased approach would be not only easier for the Town to assimilate but more manageable to implement for the HHDC. In addition, addressing and implementing one phase at a time permitted smaller groups of residents whose properties would be included in the particular phase to be notified and encouraged to participate in the approval and implementation processes.

The main purpose of creating and/or extending this existing Historic District is to preserve and protect the architecture and streetscape of some of the oldest streets in Hingham. The Hingham Centre District as a whole, including the houses in Phase II are appreciated by many who value Hingham's character and represents an integral part of Hingham's architectural fabric that the people of this town would like to better understand and preserve.

With this goal in mind, Alec MacMillan, Historical Commission Chairman, Preservation Consultants Minxie Fannin and Monique Lehner, and a Study Committee, the members of which were selected because of their knowledge of Hingham's history and architecture, developed a phased approach to preserve Hingham Centre.

Within the general framework of preservation and protection of Hingham's unique historic architecture and streetscapes, a number of more precise factors were used and relied upon in the Phase II designation process, including: (1) inclusion of streets that were significantly involved in the Town's history; (2) inclusion of as many historic homes as possible; (3) following natural boundaries (rivers, fields, roads, etc.) as much as possible; (4) concentrating contributing properties as much as possible; and (5) attention to general neighborhood areas.

As those general and specific factors were applied to the general area in and around Hingham Centre, the proposed boundaries for Phase II were selected. For example, the Leavitt Street area was known historically for its agricultural use. Thus, these areas were deemed to be significant in the Town's history, and it was determined the structures that represented this history should be preserved. The concentration of historic homes weakens on Leavitt Street at about the structure owned by the Boy Scouts; thus it was determined that the boundary should end there. The School Street and Spring Street areas were also contributing farming neighborhoods.

Over the past year and one half, individual residents have approached members of the HCHD Task Force to discuss the immediate need to implement Phase II. Neighborhood meetings have been held over several years during past efforts to implement Phase II to gauge public support. Findings from the July 2007 Neighborhood Survey indicate great public support for greater preservation efforts, and informal neighborhood meetings are planned for September-October 2007, followed by a Public Hearing in November. After that, the Task Force will prepare the Warrant and Article for Town Meeting, meet with the Selectmen and Advisory Committee in early 2008 and put the Phase II Extension to the townspeople to vote at Town Meeting, scheduled for April 28, 2008.

V. Significance

The significance of the proposed extension is multifold. As an overarching matter, Hingham Centre has always been a cohesive entity; simply maintaining just one phase of the District is at the very least incomplete. Extending the District within Hingham Centre will help to maintain the unified nature of the village.

In addition, there is a particular significance to the specific areas contemplated by Phase II. The area along and around Leavitt Street was once a prime agricultural area of Town. Indeed Agricultural Hall, home of the Hingham Agricultural and Horticultural Society, founded on October 12, 1858, was built in the Spring of 1867 at the intersection of East and Leavitt Streets. Over the years, the building was the site of exhibitions of crops, livestock, flowers and floral designs, art, needlecraft and baked goods, yearly agricultural fairs, and other events such as the annual plowing match and fire engine trials. It was also the keeping place of the Town's books. Agricultural Hall and the surrounding farmsteads (included in the Phase II Extension) were the center of the agricultural period in Hingham. Many of the surrounding historic homesteads which still exist today were once part of that agricultural heritage. The Leavitt Homestead for example, at 133 Leavitt Street (est.1712), still retains elements of a once broader agricultural operation. The western edge of the Weir River, where Leavitt Street crosses, was an oft-used neighborhood watering hole and crossing point for livestock en route to other towns.

The ball field along Spring and School Streets was, along with the adjacent Common area, an integral part of the Town's defense system for the early settlers. There, men and boys over the age of twelve joined together as part of the Town's "Train Band," where they marched and practiced as a fighting unit while nearby homes served as "garrison houses" where those other than the "Train Band" huddled in the event of an attack. Thus the area is an extension of the Common and the special role it played in our Town's history.

On the corner of Spring and School Street bordering the Training Field is a cluster of three antique houses, two Capes and a Federal, which typify the character and feel of the mostly 19th century neighborhood. On School Street there are several classic examples of Greek Revival architecture dating from the mid 19th century in addition to a lovely 18th century Cape. On Pleasant Street, among many notable homes, is the Jacob Cushing Farm property dating back to the 1750's, which still retains much of its antique Colonial agricultural character today.

The Extension of the Hingham Centre Historic District includes 70 properties, many of which are some of the oldest streets and oldest structures in the Town and include a variety of styles such as Federal, Colonial, Cape Cod, Gambrel, Greek Revival, Cape Cod Revival, and Colonial Revival. At least 8 of these notable houses have been featured on the Hingham Historical Society's Annual House Tour.

Of the 70 properties included in the Phase II Extension, 64 are contributing. Twelve houses were built in the 1700's, 25 in the 1800's, and 27 in the early to mid-1900's. The 6 non-contributing houses are revival styles complementing the historic character of the neighborhood.

Inclusion of these areas and structures in the proposed historic district would ensure that these properties are protected and the streetscapes preserved. Last year's loss of the John Leavitt House, built in the 1750's at 71-73 Leavitt Street provides an unfortunately stunning example of what could occur to the remaining historic structures in the area if no additional safeguards are put in place.

The Town has recognized the importance of the Phase II Extension by including its adoption as one of the goals in the 2001 Town Master Plan (<http://www.hingham-ma.gov/planning/Documents/mstrplansmry.pdf>.) This position is consistent with Hingham's demonstrated willingness to protect, preserve and promote its history and heritage.

VI. Justification of Boundaries

The Hingham Centre Extension boundaries were selected by attempting to encompass the greatest concentration of historic structures in the area, giving due consideration to natural boundaries and cross streets. In the instance of Pleasant Street and Leavitt Street, the termination at each location was chosen due to the absence of a concentrated collection of contributing structures beyond the selected point.

This proposed Hingham Centre Historic District Extension would include 70 individual listings as well as what remains today of the historic Training Field, where the 17th century militia or "Train Band" gathered. This field is effectively adjacent to the Town Common, which is in the existing Phase I of the Hingham Centre Historic District.

The Extension boundaries include the portion of Leavitt Street beginning at the corner of Spring Street and Leavitt Street extending eastward toward Turkey Hill and end at the lot owned by the Boy Scouts. This is a natural point to end the extension since the original historic settlement ended here and the concentration of contributing homes dwindles respectively. On Leavitt Street itself there are 6 houses built in the 1700's, including the Leavitt Family Homestead at 133 Leavitt Street, built in 1712. Two properties on Jones Street are included as they front Leavitt Street and are effectively a part of that streetscape.

All of Spring Street is included, which runs southward from the corner of Leavitt Street to School Street. It is distinguished by several 19th century houses and provides a connection to School Street. At this point, School Street continues northwest and southeast and provides a lovely collection of period architecture homes. To the northwest, School Street terminates at Middle Street and links Phase II with the Phase I boundary of the Hingham Centre Local Historic District (HCLHD). Continuing southeast, School Street intersects with Pleasant Street. Extending the boundary west along Pleasant Street to the intersection of Middle Street simply links Phase II with the existing boundary of the original HCLHD Phase I. The boundary is then extended east-southeast along Pleasant Street from the intersection of School and Pleasant Streets and again terminates at 89 Pleasant Street and 94 Pleasant Street, before the intersection of Meadow View Road, a point beyond which the few possible contributing structures are not contiguous.

Consideration was given throughout the preliminary process to extending the boundaries beyond the proposed points at almost every termination point; however, the boundaries must end somewhere and while the points ultimately selected for termination are not scientific, they do represent the best collective efforts to identify a terminus that takes into account natural boundaries and the progressive or regressive concentration of historic structures among other factors.

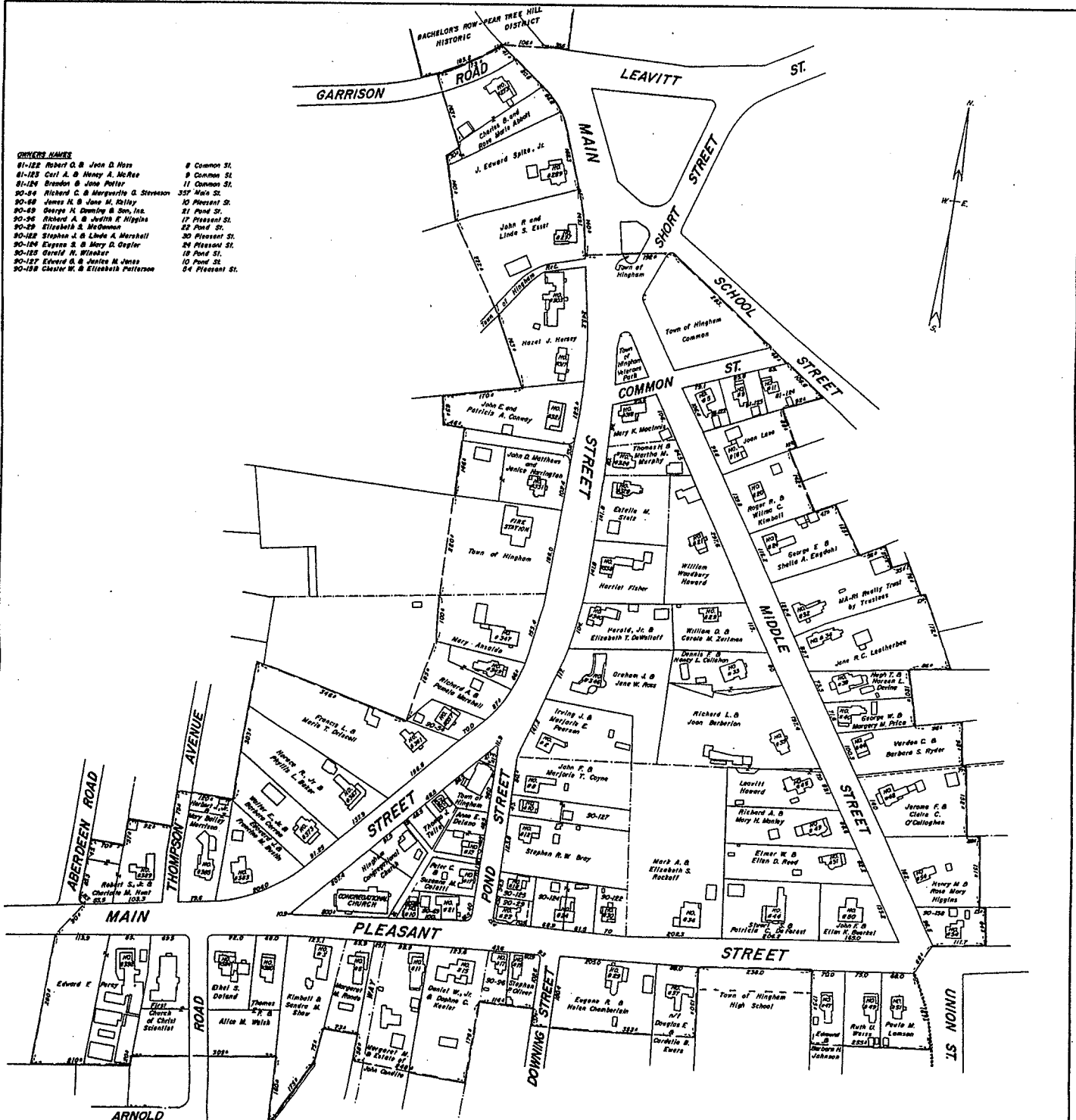
VII. Maps

Hingham Centre Local Historic District Phase I (Existing)

Hingham Centre Local Historic District Phase II (Proposed)

OWNER NAMES

81-122 Robert G. B. Jone D. Moss	8 Common St.
81-123 Carl A. & Nancy A. McRee	9 Common St.
81-124 Brandon & Jane Potter	11 Common St.
92-184 Richard C. & Marguerite G. Stevenson	337 Main St.
90-68 James K. & Jane M. Hilly	10 Pleasant St.
90-69 George H. Dunning B. Son, Inc.	21 Pond St.
90-96 Richard A. & Judith F. Higgins	17 Pleasant St.
90-29 Elizabeth & McQuinn	42 Pond St.
90-122 Stephen J. & Linda A. Marshall	30 Pleasant St.
90-126 Eugene S. & Mary D. Ogilvie	24 Pleasant St.
90-122 Gerald H. Winkler	10 Pond St.
90-127 Edward G. & Justine M. Jones	10 Pond St.
90-128 Chester W. & Elizabeth Patterson	54 Pleasant St.



**HINGHAM CENTRE LOCAL HISTORIC DISTRICT
MAIN STREET
HINGHAM, MASSACHUSETTS**

Prepared for Hingham Historic Districts Commission
Scale: 80 feet to an inch January 31, 1990
Perkins Engineering, Inc., Engineers and Surveyors
10 Industrial Park Road, Hingham, Massachusetts

I hereby certify that the property lines shown are the lines dividing existing ownerships and the lines of streets and ways shown are those of public or private streets or ways already established and that no new lines for the division of existing ownerships or for new streets or ways are shown.

W. J. Perkins
Registered Professional Land Surveyor

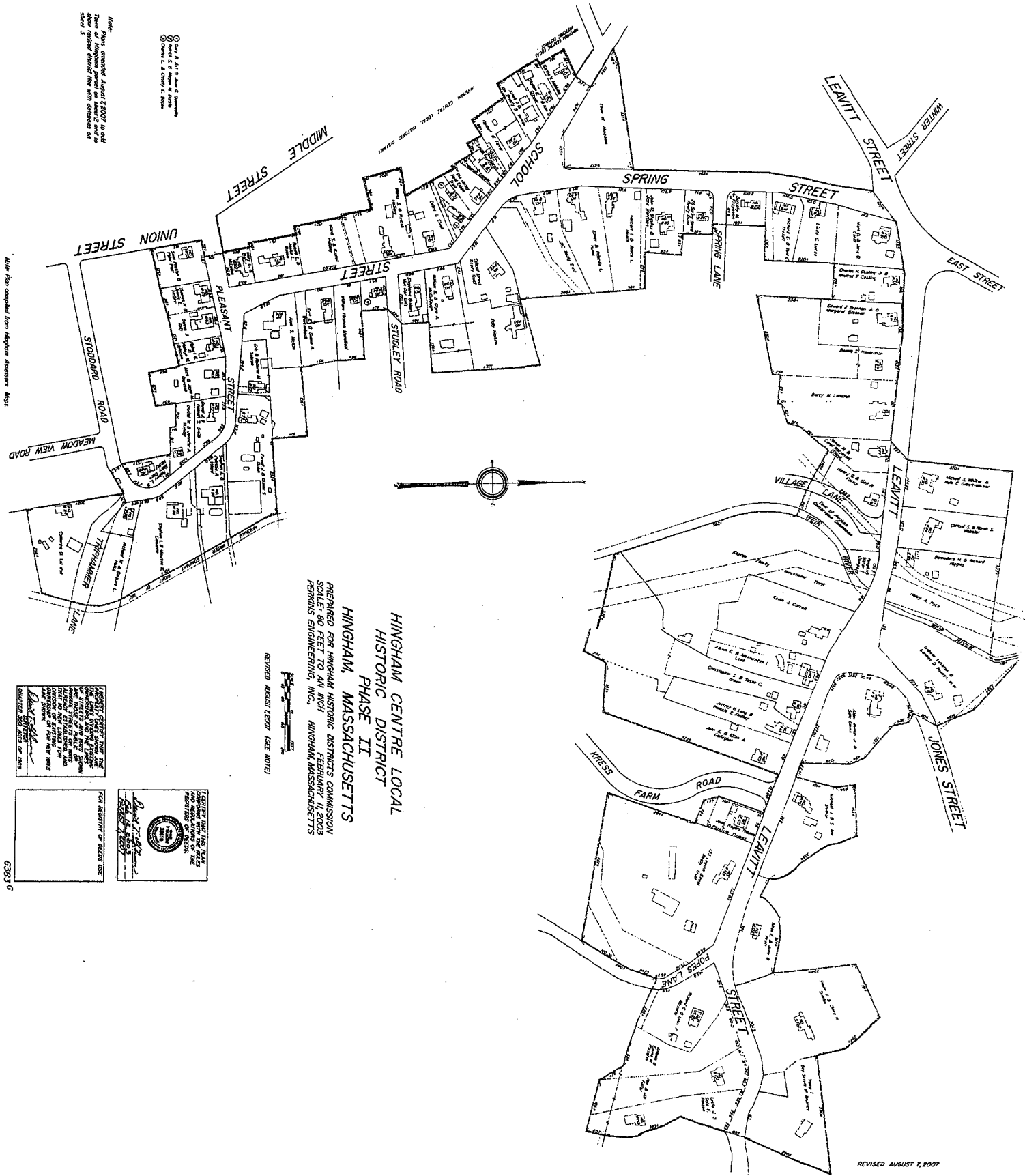
I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS EXCEPT FOR SITES, WHICH IS ALLOWED, IN THIS INSTANCE UNDER GENERAL LAWS CHAPT. 40C, SECT. 3, BY NOT REQUIRING STRICT CONFORMANCE WITH CHAPT. 36, SECT. 13A.

W. J. Perkins
REGISTERED PROFESSIONAL LAND SURVEYOR



FOR REGISTRY USE ONLY

Note: Plan compiled from Hingham Assessors Maps.



Note: This map was prepared August 7, 2007, as part of the Town of Hingham's annual historic district review. The map shows the historic district boundaries as of August 7, 2007, and is not intended to be used as a legal document.

Note: This map was prepared from Hingham Assessors' Maps.

**HINGHAM CENTRE LOCAL
 HISTORIC DISTRICT
 PHASE II
 HINGHAM, MASSACHUSETTS**

PREPARED FOR HINGHAM HISTORIC DISTRICTS COMMISSION
 SCALE: 80 FEET TO AN INCH HINGHAM, MASSACHUSETTS
 PERKINS ENGINEERING, INC.

REVISED AUGUST 7, 2007 (SEE NOTE)

REVISED AUGUST 7, 2007

I, the undersigned, being a duly qualified and licensed Professional Engineer in the State of Massachusetts, do hereby certify that the above is a true and correct copy of the original map as filed in my office.

I, the undersigned, being a duly qualified and licensed Professional Engineer in the State of Massachusetts, do hereby certify that the above is a true and correct copy of the original map as filed in my office.

63303-0

VIII. Property Street Address Index

**HINGHAM CENTRE EXTENSION LHD
HINGHAM, MA**

Prepared by Fannin/Lehner
12/06/02

STREET ADDRESS	INV#	NAME	DATE	PERIOD	FORM	TYPE	STYLE	STATUS	MA/PILOT	DOC
5 JONES	355	BENJAMIN ANDREWS	1787	P/FED	B	RES	GAMBREL COTT	HCXLD	82-019	
10 JONES	356	JOSEPH LOVIS	1768	P/COL	B	RES	TRADITIONAL	HCXLD	82-003	
51 LEAVITT	392	WILLIAM RIPLEY	1900	P/LIN	B	RES	SHINGLE	HCXLD	81-102	
57 LEAVITT	393	DAVID LEAVITT	1861	P/EIN	B	RES	TRADITIONAL	HCXLD	81-100	
61 LEAVITT	394	BURR HOMESTEAD	1789	P/FED	B	RES	GAMBREL COTT	HCXLD	82-045	
67 LEAVITT	396	ALSTON P. BURR	1941	P/EMO	B	RES	CAPE COD/REV	HCXLD	82-044	
71-73 LEAVITT	397	JOHN LEAVITT	1750s	P/COL	B	DOUBLE	GAMBREL COTT	DEM	82-43/1	F/L Comp
77 LEAVITT	398	ELISHA BURR	1771	P/COL	B	RES	CAPE COD	HCXLD	82-040	
80-82 LEAVITT	399	BENJAMIN LORING	1750s	P/COL	B	DOUBLE	COLONIAL	HABS/HCLHD	82-002	
84 LEAVITT	400		1989	P/LMO	B	RES	COL REVIVAL	HCXLD	82-079	
86 LEAVITT	401	CH.H.HARDWICK, 2 ND	1961	P/LMO	B	RES	COL REVIVAL	HCXLD	73-028	
97 LEAVITT	402	CALEB F. GARDNER	1880s	P/LIN	B	RES	COL REVIVAL	HCXLD	82-036	
101 LEAVITT	403	BENJAMIN S. SOUTHER	1861	P/EIN	B	RES	TRADITIONAL	HCXLD	82-035	
107 LEAVITT	404	ELIJAH SOUTHER, JR.	1841	P/EIN	B	RES	CAPE COD	HCXLD	82-034	
111 LEAVITT	405	DANIEL SOUTHER	1781	P/FED	B	RES	CPE COD	HCXLD	82-033	
115 LEAVITT	406	JOHN S. SOUTHER	1851	P/LIN	B	RES	GREEK REVIVAL	HCXLD	82-031	
123 LEAVITT	407	FRED L. CORTHELL	1852	P/LIN	B	RES	QUEEN ANNE	HCXLD	82-030	
124 LEAVITT	408	ALANSON CROSBY	1856	P/EIN	B	RES	GABLE-END	HCXLD	82-020	
125 LEAVITT	409	ALBERT H. KRESS	1930	P/MEO	B	RES	CRAFTSMAN	HCXLD	82-029	
133 LEAVITT	410	LEAVITT HOMESTEAD	1712	P/COL	B	RES	COLONIAL	HCXLD	82-027	
138 LEAVITT	411	PRATT	1963	P/LMO	B	RES	CAPE COD/REV	HCXLD	82-021	
149 LEAVITT	1571	G.W. BURGESS	c.1910	P/LIN	B	RES	19 TH C GABLE END	HCXLD	82-024	
152 LEAVITT	1572	HARRY C. SOUTHARD	1936	P/EMO	B	RES	COLONIAL REV	HCXLD	82-022	
153 LEAVITT	1573			P/LMO	B	RES	COLONIAL REV	HCXLD	82-066	

STREET ADDRESS	INV#	NAME	DATE	PERIOD	FORM	TYPE	STYLE	STATUS	MAP/LOT	DOC
155 LEAVITT	1574			P/	B	RES		HCXLD	83-037	
0 LEAVITT	1579	BOY SCOUT LOT		P/EMO	B	PUBLIC		HCXLD	83-002	
55 PLEASANT	1085	MARTIN T. STODDARD	1894	P/LIN	B	RES	TRADITIONAL	HCXLD	90-159	
59-61 PLEASANT	1086	SAMUEL GILL	1769	P/COL	B	RES	QUEEN ANNE	HCXLD	90-168	
60 PLEASANT	1087	OLIVE C. JAMES	1949	P/EMO	B	RES	CAPE COD	HCXLD	90-157	
63 PLEASANT	1088	CAPT. ADNA CUSHING	1811	P/FED	B	RES	CAPE COD REV	HCXLD	90-169	
65 PLEASANT	1089	GEORGE LEWIS	1850	P/FED	B	RES	COLONIAL STYLE	HCXLD	91-051	
69 PLEASANT	1581	ABRAHAM GREENFIELD	c.1924	P/EMO	B	RES	CAPE COD	HCXLD	91-050	
72 PLEASANT	1090	FRANCIS CUSHING	1820	P/FED	B	RES	CAPE COD	HCXLD	91-016	
74 PLEASANT	1091	JOHN B. LEWIS	1869	P/EIN	B	RES	TRADITIONAL	HCXLD	91-017	
79 PLEASANT	1580	HERBERT A. COLE, JR.	1954	P/EMO	B	RES	CAPE COD/REV	HCXLD	91-049	
80 PLEASANT	1092			P/	B	RES	CAPE COD/REV	HCXLD	91-058	
85 PLEASANT	1575	ARNOLD M. PERKINS, JR	1952	P/LMO	B	RES	COLONIAL	HCXLD	91-048	
86-88 PLEASANT	1093	JACOB CUSHING	1750	P/COL	B	RES	CAPE COD/REV	HCXLD	91-019	
89 PLEASANT	1576	CHARLES J. BEAN	1951	P/EMO	B	RES	CAPE COD/REV	HCXLD	91-047	
92 PLEASANT	1577		c.1929	P/EMO	B	RES	CAPE COD/REV	HCXLD	91-020	
94 PLEASANT		SPRAGUE	c.1924	P/EMO	B	RES	TRADITIONAL	HCXLD	91-026	
23 SCHOOL	1111	EDGAR M. LANE	1889	P/LIN	B	RES	TRADITIONAL	HCXLD	81-125	
27 SCHOOL	1112	WILLIAM L. LEAVITT	1876	P/LIN	B	RES	COL REV/GAMB	HCXLD	81-126	
31 SCHOOL	1113	GEORGE E. ANTOINE	1920s	P/EMO	B	RES	GABLE-END	HCXLD	81-127	
35 SCHOOL	1114	HERBERT W. FARRAR	1941	P/EMO	B	RES	TRADITIONAL	HCXLD	81-118	
39 SCHOOL	1115		1920s	P/EMO	B	RES	CAPE COD/REV	HCXLD	81-116	
41 SCHOOL	1116		1920s	P/EMO	B	RES	TRADITIONAL	HCXLD	81-115	
45 SCHOOL	1117	LUTHER STEPHENSON	1831	P/EMO	B	RES	TRADITIONAL	HCXLD	90-148	
47 SCHOOL	1118	SPRAGUE	1870s	P/EIN	B	RES	TRADITIONAL	HCXLD	90-149	
48 SCHOOL	1119	BENJAMIN KING	1752	P/LIN	B	RES	TRADITIONAL	HCXLD	81-114	
49 SCHOOL	1120	D. SPRAGUE	1850s	P/COL	B	RES	CAPE COD	HCXLD	90-150	
50 SCHOOL	1121	PAUL M. BEZANSON	1951	P/EIN	B	RES	QUEEN ANNE	HCXLD	82-048	
53 SCHOOL	1122	DAVID BURR	1847	P/LMO	B	RES	TRADITIONAL	HCXLD	90-151	
54 SCHOOL	1123	JOSHUA HIGGINS	1857	P/EIN	B	RES	GREEK REVIVAL	HCXLD	90-174	
56 SCHOOL	1124	JOSEPH C. BURR	1870s	P/EIN	B	RES	GREEK REVIVAL	HCXLD	90-173	
59 SCHOOL	1125	SETH SPRAGUE	1861	P/LIN	B	RES	GREEK REVIVAL	HCXLD	90-152	
64 SCHOOL	1126	ANNA F. GATES	1950	P/EIN	B	RES	GREEK REVIVAL	HCXLD	90-172	
66 SCHOOL	1127	WILLIAM H. HODGES	1941	P/LMO	B	RES	TRADITIONAL	HCXLD	90-171	
				P/EMO	B	RES	CAPE COD/REV	HCXLD		

F/L Comp

STREET ADDRESS	INV#	NAME	DATE	PERIOD	FORM	TYPE	STYLE	STATUS	MAPILOT	DOC
68 SCHOOL	1128	WILLIAM T. LITCHFIELD	1896	P/LIN	B	RES	TRADITIONAL	HCXLD	90-170	
73 SCHOOL	1129	RONALD L. BACON	1952	P/LMO	B	RES	CAPECOD/REV	HCXLD	90-156	
74 SCHOOL	1130	COL. CHAS. CUSHING	1785	PFED	B	RES	COLONIAL STYLE	HCXLD	90-175	
10 SPRING	1224	ALFRED Y. MITCHELL	1931	P/EMO	B	RES	COTTAGE	HCXLD	81-103	
14 SPRING	1225	RICHARD NEGUS	1967	PLMO	B	RES	CAPE COD/REV	HCXLD	81-103B	
20 SPRING	1226	BASIL A. EMAMUEL	1949	P/EMO	B	RES	RANCH	HCXLD	81-104	
26 SPRING	1227	GERVASE E. LOUD	1948	P/LMO	B	RES	CAPE COD/REV	HCXLD	81-109	
30 SPRING	1228	FREDERICK L. LANE	1910	P/LIN	B	RES	COL REV/FOUR	HCXLD	81-110	
36 SPRING	1229	LEAVITT LANE, JR.	1832	P/EIN	B	RES	CAPE COD	HCXLD	81-111	
40 SPRING	1230	LEAVITT LANE	1800	P/FED	B	RES	CAPE COD	HCXLD	81-112	
44 SPRING	1231	CAPT. JOS WOODWARD	1820	P/FED	B	RES	FEDERAL	HCXLD	81-113	
1 VILLAGE LANE	1578			P/LMO	B	RES	TRADITIONAL	HCXLD	82-039	

IX. Options and Recommendations for Bylaw

Because what is proposed is an extension, the current HHDC bylaw, set forth in the following section, would apply.

X. Text of Bylaw

The proposed Extension would be subject to the existing HHDC bylaw:

I. Authority and Purpose

1. This By-Law shall be known and may be cited as the Historic Districts By-Law of the Town of Hingham and is adopted by virtue of and pursuant to the provisions of Chapter 40C of the General Laws, as amended.
2. The purpose of this By-Law is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places significant in the history of the Town, or its architecture, and through the maintenance and improvement of settings for such buildings and places and the encouragement of design compatible therewith. Regulations may be promulgated by the Historic Districts Commission in accordance with the provisions of Chapter 40C of the General Laws, as amended, in order to fulfill the purposes of this By-Law.

II. Historic Districts Commission

1. In accordance with the provisions of Chapter 40C, Section 4, of the General Laws, the Historic Districts Commission appointed by the Board of Selectmen pursuant to the provisions of Chapter 502 of the Acts of 1966 shall be designated as the historic Districts Commission under this By-Law. The Commission shall consist of five citizens of the Town appointed for three-year terms, with the terms of either one or two members expiring each year. Five alternate members shall be appointed in like manner. Vacancies shall be filled in the same manner as the original appointment for the unexpired term. One regular member and one alternate member respectively shall be appointed from at least three nominees submitted by the Boston Chapter of the American Institute of Architects, from at least three nominees submitted by the Hingham Historical Society, and from at least three nominees submitted by the Hingham Planning Board. One regular and one alternate member shall be appointed, where possible, from among the residents of the historic districts, and one regular and one alternate member shall be appointed at large. If within thirty days after submission of a request for nominees to an organization entitled to submit nominations for membership on the concession no such nominations have been made the Board of Selectmen may proceed to make the appointments to the commission without nomination by such organization.
2. In case of the absence, inability or unwillingness to act because of self-interest on the part of a member of the commission, his or her place shall be taken by an alternate member designated by the chairman. Each member and alternate shall continue in office until the expiration of his or her term until his or her successor is duly appointed and qualified. All members shall serve

without compensation. The commission shall annually elect a chairman and vice-chairman from its number and a secretary from within or without its number.

III. Definitions

As used in this By-Law the word "altered" includes the word "rebuilt", "reconstructed", "restored", "removed", and "demolished" and the phrase "changed in exterior color", the word "building" means a combination of materials forming a shelter for persons, animals or property; the word "commission" means the commission acting as the Historic Districts Commission; the word "constructed" includes the words "built", "erected", "installed", "enlarged", and "moved"; the words "exterior architectural feature" mean such portion of the exterior of the building or structure as is open to view from a public street, public way, public park or public body of water, including but not limited to the architectural style and general arrangement and setting thereof, the kind, color and texture of the exterior building materials, the color of paint or other materials applied to exterior surfaces and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures; the words "persons aggrieved" mean the applicant, an owner of adjoining property, an owner of property within the same historic district as property within one hundred feet of said property lines and any charitable corporation in which one of its purposes is the preservation of historic structure or districts; the word "structure" means a combination of materials other than a building, including a sign, fence, wall, terrace, walk or driveway.

IV. Certificate of Appropriateness, Non-Applicability or Hardship

1. Except as otherwise provided in Sections VI or VII of this By-Law, no building or structure within an historic district shall be constructed or altered in any way that affects exterior architectural features unless the commission shall first have issued a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship with respect to such construction or alteration.
2. Any person who desires to obtain a certificate from the commission shall file with the commission an application therefore in such form as the commission may reasonably determine, together with such plans, elevations, specifications, material or other information, including in the case of demolition or removal a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application.
3. No building permit for construction of a building or structure or for alteration of an exterior architectural feature within an historic district and no demolition permit for demolition or removal of a building or structure within an historic district shall be issued by the Building Commissioner until the certificate required by this section has been issued by the commission.

V. Factors Considered By Commission In Making Determination On Application For Certificate

1. In passing on matters before it the commission shall consider, among other things, the historic and architectural value and significance of the site, building or structure, the general design, arrangement, texture, material and color of the features involved, and the relation of such features to similar features of buildings and structures in the surrounding area. In case of new construction or additions to existing buildings or structures the commission shall consider the appropriateness of the size and shape of the building or structure both in relation to the land area

upon which the building or structure is situated and to buildings and structures in the vicinity, and the commission may in appropriate cases impose dimensional and setback requirements in addition to those required by other applicable laws and By-Laws. The commission shall not consider interior arrangements or architectural features not subject to public view.

2. The commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects or the architectural characteristics of the surroundings and of any historic district.

VI. Exclusion Of Certain Matters From Review

1. The authority of the commission shall not extend to the reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.
2. The commission may determine from time to time after public hearing that certain categories of exterior architectural features, if the provisions of applicable laws or By-Laws do not limit the authority of the commission with respect thereto, may be constructed or altered without review by the commission without causing substantial derogation from the intent and purposes of this By-Law.
3. The commission may determine from time to time after public hearing that certain exterior architectural features within a district which are subject to view from one or more designated public streets, public ways, public parks or public bodies of water, although other portions of buildings or structures within the district may otherwise be subject to public view, may be constructed or altered without review by the commission without causing substantial derogation from the intent and purposes of this By-Law.
4. Upon request the commission shall issue a certificate of non-applicability with respect to construction or alteration in any category then not subject to review by the commission in accordance with this Section VI.

VII. Ordinary Maintenance; Landscaping; Changes Otherwise Permitted Or Required

Nothing in this By-Law shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature within an historic district which does not involve a change in design, material, color or the outward appearance thereof, nor to prevent landscaping with plants, trees or shrubs, nor construed to prevent the meting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any construction or alteration under a permit duly issued prior to the effective date of the applicable historic district By-Law.

VIII. Additional Powers, Functions And Duties Of Commission

1. The commission shall by majority vote of the members thereof promulgate appropriate procedural rules and regulations for the calling of meetings, the calling and conduct of hearings, the issuance and filing of certificates and other determinations, and the keeping of records, provided that the same shall be consistent with the requirements of Chapter 40C, Sections 10 and 11, of the General Laws, and other provisions of this By-Law.
2. The commission may after public hearing set forth in such manner as it may determine the various designs of certain appurtenances, such as lighting fixtures, which will meet the requirements of an historic district and a roster of certain colors of paint and roofing materials which will meet the requirements of an historic district, but no such determination shall limit the right of an applicant to present other designs or colors to the commission for its approval.
3. The commission may, where certain construction or alteration is otherwise inappropriate, nevertheless determine that owing to conditions especially affecting the building or structure involved, but not affecting an historic district generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and that such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this By-Law. If the commission so determines, it shall cause a certificate of hardship to be issued to the applicant.
4. The commission may, subject to appropriation, employ clerical and technical assistants or consultants and incur other expenses appropriate to the carrying on of its work, and may accept money gifts and expend the same for such purposes.
5. The commission shall have, in addition to the powers, authority and duties granted to it by this By-Law, such other powers, authority and duties as may be assigned to it from time to time by Town Meeting vote.

IX. Appeals To And Enforcement By The Superior Court

1. Any person aggrieved by a determination of the commission may, within 20 days after the filing of the notice of such determination or such finding with the Town Clerk, appeal to the superior court for Plymouth County, in accordance with the provisions of Chapter 40C, Section 12 A, of the General Laws.
2. The superior court for Plymouth County may, in accordance with the provisions of Chapter 40 C, Section 13, of the General Laws, as amended, enforce the provisions of this By-Law, and any determination, ruling or regulation issued pursuant thereto, and may, upon the petition of the commission or the Board of Selectmen, restrain by injunction violations thereof; and, without limitation, such court may order the removal of any building, structure or exterior architectural feature constructed in violation thereof, or the substantial restoration of any building, structure or exterior architectural feature altered or demolished in violation thereof, and may issue such other orders for relief as may be equitable.
3. Whoever violates any of the provisions of this By-Law shall be punished by a fine of not less than ten dollars nor more than five hundred dollars. Each day during any portion of which a violation continues to exist shall constitute a separate offense.

X. Districts Established By Special Acts Of The General Court

The Lincoln Historic District and the Glad Tidings Historic District, established pursuant to a prior Special Act of the Massachusetts General Court, shall hereafter be subject to the provisions of this By-Law, notwithstanding the terms of such Special Acts. The provisions of this By-Law shall not otherwise impair the validity of said historic districts.