



**TOWN OF GREAT BARRINGTON  
MASSACHUSETTS**

**HISTORIC DISTRICT COMMISSION**

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS  
OR NON-APPLICABILITY OR HARDSHIP**

HDC 1  
Feb 2023

**Area for Town Clerk Stamp**

*Notice: The Clerk shall not accept for filing until the HDC Chair or Vice Chair confirms that application is complete and fee is enclosed.*

Time / Date Stamp:

As set forth in MGL Ch. 40C and Town Code Ch. 113, no building or structure or part thereof within a Historic District shall be constructed or altered (or razed) in any way that affects the exterior architectural features as visible from a public way unless in receipt of a Certificate of Appropriateness, a Certificate of Non-applicability or a Certificate of Hardship with respect to such construction or alteration. Properties that are in a Historic District are listed in Ch. 113. Interested parties may also contact the Building Inspector or Planning office for more information. Forms, design guidelines, and other information are on the HDC's webpage: <https://www.townofgb.org/historic-district-commission>.

**Instructions:**

1. Refer to the HDC Rules and Regulations on page two (the reverse) of this form.
2. Also refer to the "Great Barrington Historic District Commission Design Guidelines" on the Town website.
3. Type or print, filling in all information on this form. Gather your plans, photos, and other illustrative information as needed.
4. Applicants may, at their option, seek a preliminary determination of applicability per Ch. 113-14, A, by filling out this form and including relevant plans and exhibits in a preliminary filing. No fee or abutters list is required for this step. If at its meeting the HDC determines that the project is jurisdictional, then a full application is required. Applicants must then complete Steps 5 – 8 of this Application and attend a Public Hearing.
5. Applications must include a list of abutters, certified by the Assessor's office. Contact the Assessor at 413-528-1619, x.5 to place your request for a certified list of abutters. (Note that the Assessor's office may charge a fee for this list.)
6. Applications to the HDC must also include a filing fee of \$40 (check made payable to the Town of Great Barrington)
7. Submit one (1) original and seven (7) copies of the application, including the exhibits, collated into complete sets.
8. Applications must be delivered to the Town Clerk. Applicants are encouraged to also provide an electronic version of the application and all exhibits via CD, memory stick, or email. (Receipt of electronic submittal does not substitute for the required hard copies.)

**SITE LOCATION:** \_\_\_\_\_ Map # \_\_\_\_\_ Lot # \_\_\_\_\_

**PROPERTY OWNER:** \_\_\_\_\_

**APPLICANT:** \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

**ARCHITECT:** \_\_\_\_\_

**CONTRACTOR:** \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

**BRIEF DESCRIPTION OF PROPOSED WORK:** (include additional pages if necessary)

**LIST THE DOCUMENTATION** included with this application that shows the proposed work, such as photographs, material samples, manufacturer's illustrations, plans with elevations, shop drawings, etc.

**SIGNATURES:** By signing below we certify that we have read and understand the HDC Rules and Regulations included herein, the HDC Design Guidelines, and the Bylaw (Town Code Ch. 113).

Owner's signature (required): \_\_\_\_\_ Applicant's signature \_\_\_\_\_  
(if different than the Owner):

## HDC RULES AND REGULATIONS

1. Purpose and Authority: These rules and regulations are adopted by the Great Barrington Historic District Commission (the "Commission", or "HDC") under authority of and in compliance with MGL Chapter 40C (the "General Law") and under the authority of Great Barrington Town Code Chapter 113 (the "Bylaw"), including subsequent amendments. If these rules and regulations conflict with the General Law or the Bylaw, the General Law or the Bylaw shall prevail. These rules and regulations guide the conduct, organization, and decision making of the Commission to the extent such matters are not set forth in the General Law or the Bylaw, or to the extent such matters are delegated to the Commission's authority.
2. Meetings: Regular meetings of the Commission generally are held on the third Thursday of each month; however, meetings may be held at the call of the chairman or at the request of any two Commission members or alternates, if the meeting is properly posted in accordance with the Massachusetts Open Meeting Law. All meetings and hearings shall be held in compliance with the Massachusetts Open Meeting law and amendments.
3. Quorum: As set forth in the General Laws, a majority of the members of the Commission shall be considered a quorum (e.g., 3 of 5 members is a quorum), and the concurring vote of a majority of the quorum shall be necessary to issue a certificate of appropriateness, a certificate or non-applicability, or a certificate of hardship, or to take action on any issue that may be before the Commission (e.g., if 3 members are present, at least 2 concurring votes are needed). An applicant may request, in writing, a continuation and the Commission shall forthwith grant such a request, and the granting thereof shall automatically extend the Commission's time requirements for a decision by the number of days of the continuation.
4. Applications: All applications for Certificates of Appropriateness shall be made in writing upon a form approved by the Commission and available from the Town Clerk or Town website. Application packets shall include a list of abutters certified by the Town Assessor. One original and seven copies of such applications, including supporting materials, shall be filed with the Town Clerk. For procedural/legal purposes, the Town Clerk's date/time stamp shall be the date the application is considered received. Applicants are encouraged to provide the Commission with an electronic version of the application and all exhibits via CD, memory stick, or email.
5. Fees: Applications shall be accompanied by a check payable to the Town of Great Barrington in the amount of \$40. This is intended to cover or defray the expense of advertisements and/or mailing of notices to interested parties. The fee shall be waived for applications for which the Town is the Applicant.
6. Criteria: The criteria for determinations are specified in the Bylaw.
7. Exemptions: Exemptions are specified in the Bylaw.
8. Determinations on Applications: Procedures and time frames for determining whether an application is in the Commission's jurisdiction are specified in the Bylaw.
9. Public Hearings: Public Hearings shall be held within 45 days of receipt of an application by the Town Clerk. The Commission, through its Chairperson, shall set a date, time and place for the hearing and give appropriate public notice at least 14 days before said hearing and shall notify by mail, postage prepaid, the Owners of property abutting the applicant's property, as determined from assessors records and shown on the certified list of abutters. Courtesy copy may be provided to all other Owners of Historic District properties, as well as the Historical Commission, Planning Board, and Selectboard.
10. Decisions: Notice of the decision shall be sent in writing to the applicant and filed with the town clerk and building inspector within 60 days of the receipt of the application by the town clerk. The time frames for decision, disapprovals, and other actions shall be as set forth in the Bylaw.
11. Grievances: Appeal of a decision may be filed in accordance with the General Law.
12. Withdrawals: An applicant may withdraw an application without prejudice by giving notice in writing to the Commission prior to publication of the hearing notice, and thereafter only with the approval of the Commission.
13. Reapplication: An applicant may again apply for a Certificate of Appropriateness after two years has lapsed, or if substantive changes have been made to the proposal.
14. Records: The Commission shall keep a permanent record of its resolutions, transactions and determinations.
15. Adoption and Amendments: These rules shall be adopted or amended by a simple majority vote at a properly posted public meeting, with a copy of the rules/amendments placed before or at the time of posting with the town clerk.