



Wayland's Proposed Demolition Delay Bylaw

FREQUENTLY ASKED QUESTIONS

What is a Demolition Delay Bylaw?

The proposed Demolition Delay Bylaw is a general bylaw which is aimed at preserving historically significant buildings by creating a window of opportunity to consider preservation alternatives to demolition. The goal of the bylaw is to limit the detrimental effect of demolition on the historical resources of Wayland, not to permanently prevent demolition but rather to encourage owners and townspeople to seek persons who might be willing to purchase, preserve, rehabilitate or restore such buildings. Currently, Wayland has no means of protecting historic structures outside the Historic District and no means of delaying the demolition of historic structures.

How Does the Bylaw Work?

Under the bylaw the Historical Commission is proposing for Wayland, a property owner requesting a demolition permit submits an application to the building department. The building department reviews the application and if the building is 100 years or older, the building department forwards the application to the Historical Commission. Within 21 days of receipt of the application, the Historical Commission determines whether the building is historically significant. If it is determined that the building is significant, the Historical Commission schedules a public hearing within 30 days. Following the close of the public hearing, the Historical Commission will vote on whether it is in the public interest to find the building preferably preserved. If it is determined that the building is preferably preserved, a delay period of one year is imposed. During the one year delay period, the Historical Commission will work with the owners to explore alternatives to demolition. However, if a successful preservation outcome is not achieved, the building department can still issue the demolition permit at the end of the one-year delay period.

What Criteria are Used to Determine if a Building is Historically Significant?

A building is historically significant if it is 100 years old or older and has been determined by the Wayland Historical Commission to meet one or more of the following:

- is listed on the National and/or State Register of Historic Places
- is importantly associated with historic person(s) or event(s) or with the architectural, cultural, political, economic, or social history of the Town or the Commonwealth
- is historically or architecturally important for its period, style, method of construction, or association with a particular architect or builder, either by itself or in the context of a group of buildings or structures
- is near an historic district with which it shares contextual similarity.

What Criteria are Used to Determine if a Demolition Delay Will be Imposed on an Historically Significant Building?

A building is preferably preserved if it has been determined to be “historically significant” and it retains some elements of integrity such as location, setting, design, materials, workmanship, feeling and association.

- Location: is in its original location.
- Setting: retains some elements of its historical surroundings and context.
- Design: retains architectural features of the period and style in which it was constructed.

- Materials; retains its original materials of construction or replacement in-kind.
- Craftsmanship: retains qualities of workmanship (e.g. carpentry or masonry) from its period of construction.
- Feeling: evokes a feeling of the period, style and or design of construction.
- Association: is associated with persons or events important to Wayland's history.

What Happens During the One Year Delay?

If it is determined that the building is preferably preserved, a delay period of one year is imposed. During the one-year delay period, the Historical Commission will work with the owners to explore alternatives to demolition. Some of the alternatives include sale, rehabilitation, restoration, expansion in place, or moving the structure to a new site. This may result in a successful preservation outcome with the building remaining part of the community and such projects will be granted a waiver of the remainder of the demolition delay. But at the very least, the historic resource can be thoroughly documented.

Will I be able to Make Alterations to My Home if it is 100 Years old or Older?

The bylaw only applies to owners seeking to demolish or substantially demolish the exterior of an historically significant structure. Demolition refers to the act of pulling down, destroying, removing, dismantling or razing a building. This does NOT include demolition of the interior of a building. A substantial destruction includes demolition of 75% of the building and/or demolition of the façade. Thus, replacing the roof or windows of a building would not be considered a demolition or substantial demolition of the structure.

How Much Time will the Demolition Review Process Take?

Under the bylaw, no more than 75 days may pass from the time an application is submitted to the Building Department to the determination of preferably preserved by the Wayland Historical Commission. Most determinations will not take that long.

Will the Demolition Delay Bylaw Reduce the Value of My Home?

Studies indicate that the value of a property is actually enhanced by preservation protections. The demolition delay by-law also affords some comfort that your neighbors' homes will be similarly protected, thus maintaining neighborhood character.

Can This Bylaw Prevent Me From Demolishing My Home?

No. It can only delay it.

How Can I Find Out More About the History of My Home?

Many of the historic structures in Wayland have been documented and can be found on the Massachusetts Historical Commission's website at <http://mhc-macris.net/>.

Who Can I Contact if I Have Questions?

You may contact Elisa Scola, Chair of the Wayland Historical Commission at cpandes@yahoo.com.

