



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

August 8, 2022

City Council President Ian Abreu and
Honorable members of the City Council
City Hall
133 William Street
New Bedford, MA 02740

Dear Council President Abreu and Honorable Members of the City Council:

Attached for the Council's consideration are proposed amendments to Chapter 2, Article XI. New Bedford Historical Commission; Historic Districts, providing for the establishment of the Abolition Row and Mechanics Lane Historic Districts which includes individual maps defining the new districts and revising the Historical Commission membership composition.

BACKGROUND

The city values its heritage and has long established policies that encourage the utilization of historic preservation as part of a comprehensive revitalization strategy that serves to maintain and enhance the unique character of the city. New Bedford is proudly home to seven National Historic Landmarks, three of which are located within the proposed Abolition Row District, and currently has fifteen National Register Districts which range in diversity from parks and textile mill complexes to industrial power plants and residential neighborhoods. The city has one local historic district, the Bedford Landing – Waterfront Historic District, established in 1971 and which shares its boundaries with the New Bedford Whaling National Historical Park.

In late 2016 the Historical Commission was approached by several residents along Seventh Street and Mechanics Lane asking that the possibility of creating new Local Historic Districts for the two neighborhoods be explored. A Local Historic District is a specifically designated area deemed historically or architecturally significant that is protected from changes that would negatively impact that area's historic character.

Between 2016 and 2022 the Historical Commission and Preservation Planner met with the neighborhood residents several times and this initiative reflects significant public and stakeholder input, as well as comprehensive review and feedback from the Massachusetts Historical Commission and the New Bedford Planning Board.

ABOLITION ROW DISTRICT AND MECHANICS LANE DISTRICT ESTABLISHMENT

The proposed Abolition Row Local Historic District comprises a unique and cohesive group of residential properties along Seventh Street, which represent New Bedford's significant role in the Abolition Movement. The proposed Mechanic's Lane Local Historic District, named aptly for a small alley way which is the centerpiece of the district, is a small cohesive group of mostly residential properties constructed in the early to mid-nineteenth century which housed tradesmen and craftsmen who were commonly referred to as "mechanics".

The final Study Report for each proposed district can be found on the city's webpage: <https://www.newbedford-ma.gov/planning/historic-district/>

Unlike the previously established Bedford Landing – Waterfront Historic District, the Historical Commission determined to provide exclusions and exemptions of certain elements and features from its review within the Abolition Row and Mechanics Lane Districts, which is consistent with the state enabling legislation, M.G.L.A. c. 40C, § 8(a). The option to provide certain exemptions from review was determined as an effort not to overburden property owners and as a method to facilitate reviews and permitting.

HISTORICAL COMMISSION MEMBERSHIP

The local historic district ordinance provides the Historical Commission with all the powers and duties of an historic district commission, and due to the relatively small number of properties within the proposed Abolition Row and Mechanics Lane Districts, the newly established districts will be administered by the New Bedford Historical Commission, rather than establish separate District Commissions.

M.G.L.A. c. 40C, § 4 requires that where possible, membership include nominees from a local historical society, the Board of Realtors, and the American Institute of Architects. These categories of membership remain unchanged. To accommodate the inclusion of one or more residents or owners of property in the additional historic districts, the current Historical Commission membership is proposed to be adjusted. In addition to the inclusion of district residents and the categories of membership required through M.G.L.A. c. 40C, § 4, the study recommends additional categories for membership. The addition of one (1) licensed general contractor or building tradesperson, and four (4) persons, who through education or experience, have demonstrated a commitment to historic preservation or have a background in any of the categories represented by the regular members of the commission, as alternate members will provide essential skills and knowledge to the Commission and will supplement the Commission's current membership composition.

APPROACH TO AMENDING THE ORDINANCE

As striking Chapter 2, Article XI in its entirety would require reappointment of the current Historical Commission membership, those specific sections of the ordinance are recommended for amendment instead of replacement so as not to impact the operations of the existing commission.

The proposed designation of the Abolition Row and Mechanics Lane Local Historic District will ensure that these unique and cohesive group of properties are recognized for their historic and architectural significance, protected from adverse and irreversible alterations, and that future redevelopment will be consistent with the historic character of the settings. Based on the high degree of integrity retained within each proposed district and the support and advocacy by the residents, these areas merit consideration as local historic districts.

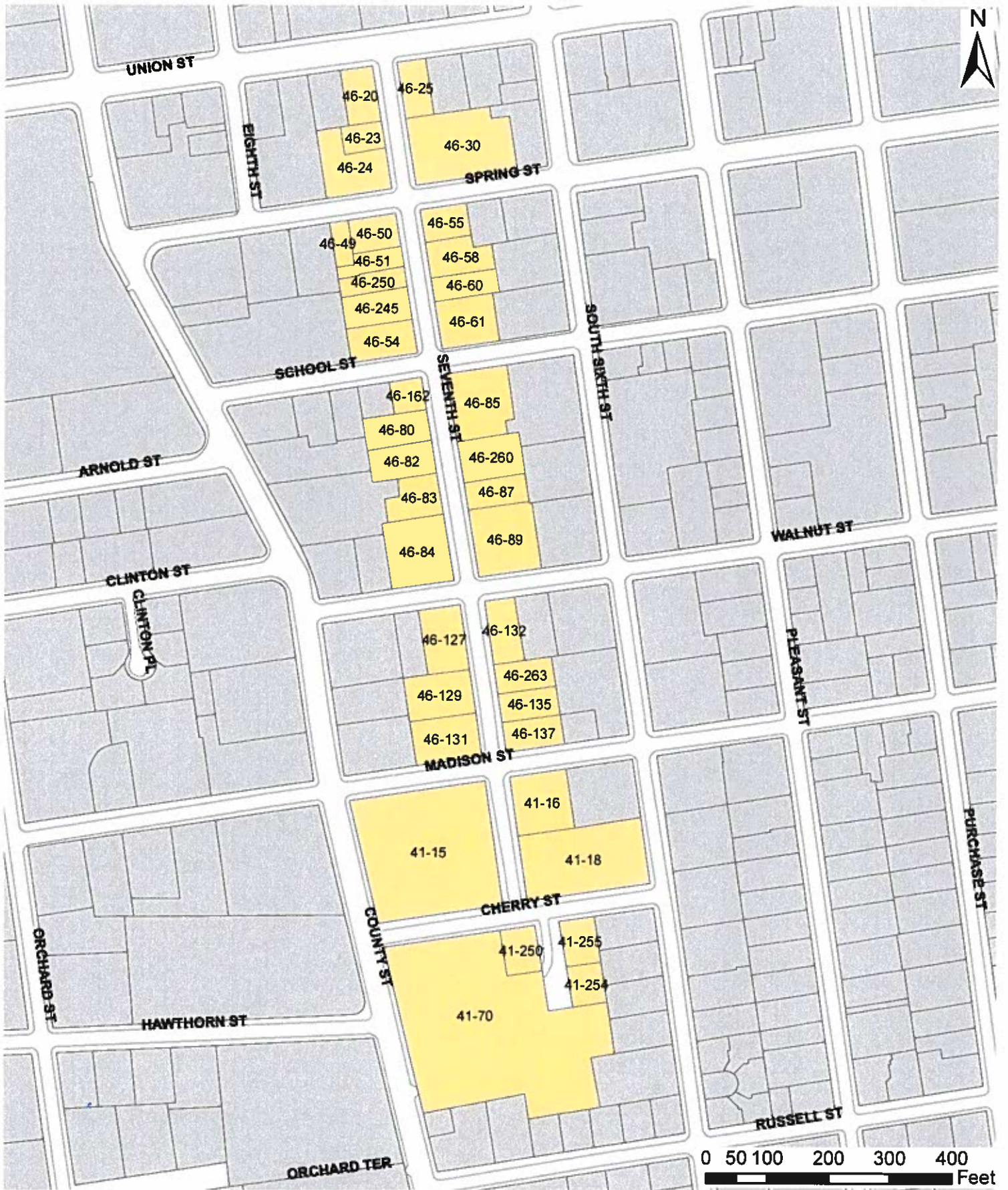
Thank you for your consideration.

Sincerely,



Jon Mitchell
Mayor

Encl.



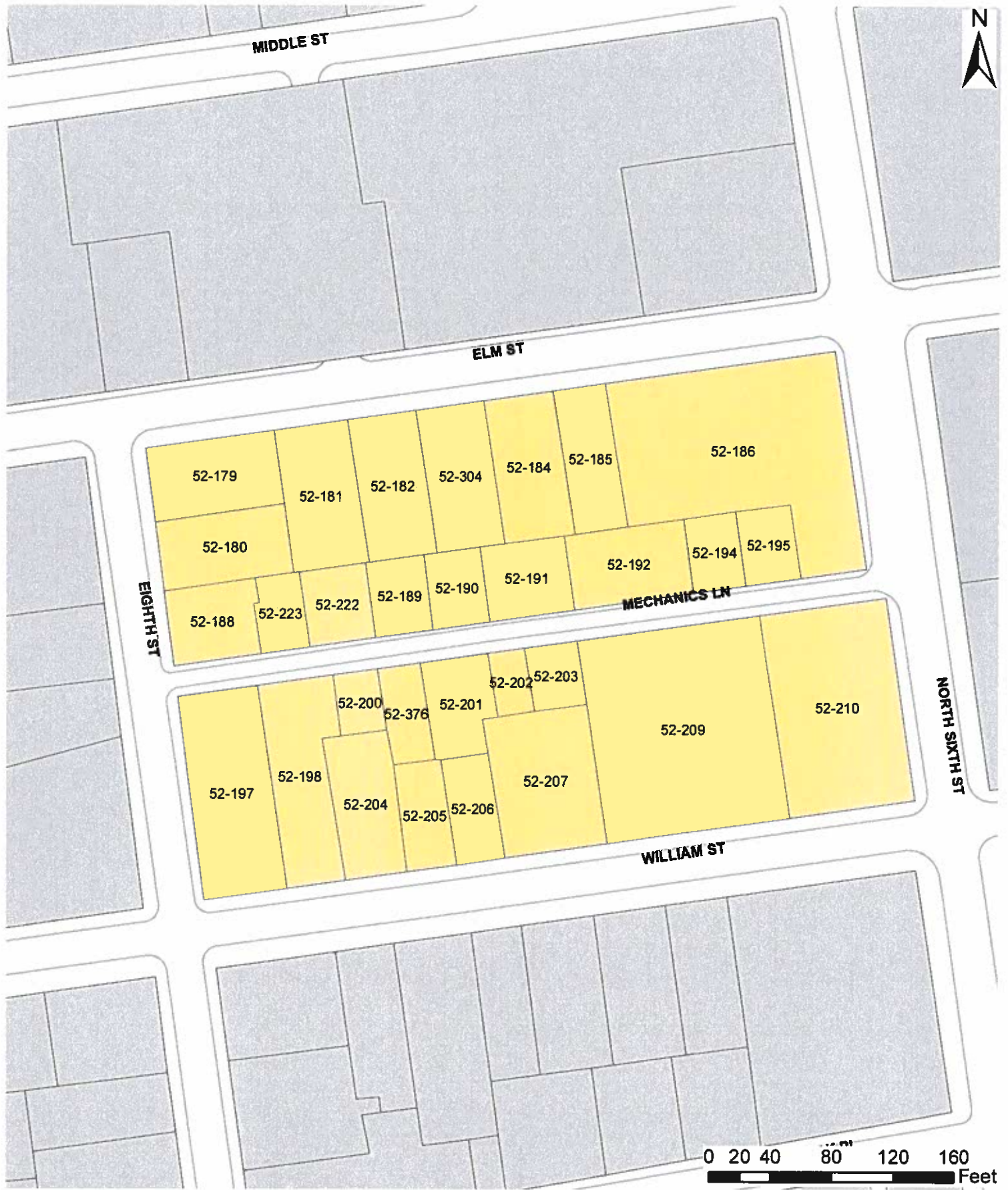
City of New Bedford, Massachusetts
 Department of City Planning

Abolition Row Local Historic District Study Area

By ParcelID



October 2016



City of New Bedford, Massachusetts
 Department of City Planning

Mechanics Lane Local Historic District Study Area

Rv Parcel ID



October 2019



CITY OF NEW BEDFORD

In the Year Two Thousand and Twenty-Two

AN ORDINANCE

Amending Chapter 2, Article XI. New Bedford Historical Commission; Historic Districts

31- 509

Be it ordained by the City Council of the City of New Bedford as follows:—

SECTION 1. Section 2-150 of Chapter 2 of the Code of Ordinances “Establishment; membership”, first sentence, is hereby amended by striking “National Park Service” and inserting “New Bedford Whaling National Historical Park” in place thereof, and by striking

“two (2) members where possible from nominees submitted by the New Bedford Port Society, the Old Dartmouth Historical Society, the Waterfront Historic Area League, the New Bedford Historical Society and any other recognized local historic societies, one architect where possible from two (2) candidates, one of whom shall be nominated by the Chapter of the American Institute of Architects covering New Bedford, and one of whom shall be nominated by the society of landscape architects covering the city, one member where possible from two (2) nominees of the Greater New Bedford Board of Realtors, and one landowner or tenant where possible in the historic districts who should have no connection with any of the above categories.”

and inserting in place thereof

“one member where possible from two nominees submitted by a recognized local historic society, one architect where possible from two (2) nominees submitted by the Chapter of the American Institute of Architects covering New Bedford, one member where possible from two (2) nominees of the Greater New Bedford Board of Realtors, and two members who are property owners or residents of separate established historic districts in the City.”

so that the first sentence as amended reads as follows:

“There is hereby established under the Historic Districts Act, M.G.L.A. c. 40C, with all the powers and duties of an historic district commission, a New Bedford Historical Commission, consisting of seven (7) members to be appointed by the mayor with the approval of the city council, including one member or representative where possible of the city planning department,

one member or representative where possible of the New Bedford Whaling National Historical Park, one member where possible from two nominees submitted by a recognized local historic society, one architect where possible from two (2) nominees submitted by the Chapter of the American Institute of Architects covering New Bedford, one member where possible from two (2) nominees of the Greater New Bedford Board of Realtors, and two members who are property owners or residents of separate established historic districts in the City.”

SECTION 2. Section 2-150 of Chapter 2 of the Code of Ordinances, second sentence, is hereby amended by striking the sentence in its entirety and inserting in place thereof the following new sentence:

“Seven (7) alternate members shall also be appointed by the mayor with the approval of the city council. The alternate members shall consist of one (1) representative of the New Bedford Whaling National Historical Park, two (2) property owners or residents of a Historic District, one (1) licensed general contractor or building tradesperson, and three (3) persons, who through education or experience, have demonstrated a commitment to historic preservation or have a background in any of the categories represented by the regular members of the commission. To the extent a person meets more than one of the foregoing specific membership requirements, then each such specific membership requirement so met shall be satisfied by such person's membership on the commission. The appointments to membership in the commission shall be so arranged that the term of at least one member will expire each year, and their successors shall be appointed in the same manner as the original appointment for terms of three years. Vacancies shall be filled in like manner for the unexpired term. In the case of any member being unable to attend commission meetings for any reason, his or her place shall be taken by an alternate member designated by the chairperson.”

SECTION 3. Section 2-150 of Chapter 2 of the Code of Ordinances is hereby amended by inserting the following paragraph as a second paragraph:

“Each member and alternate shall continue in office after 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 elect annually a chairperson and vice-chairperson from its own number and a secretary from within or without its number.”

SECTION 4. Section 2-156 of Chapter 2 of the Code of Ordinances is hereby amended by striking the title “Bedford landing historic district established.” And inserting “Establishment of Historic Districts.” in place thereof.

SECTION 5. Section 2-156 of Chapter 2 of the Code of Ordinances is hereby amended by inserting subsection “(1) Bedford Landing Historic District” before the first sentence of Section 2-156 so that the section as amended reads as follows:

“(1) Bedford Landing Historic District

There is hereby established under the provisions of the Historic Districts Act, one historic district to be known as Bedford Landing, bounded and described as shown on the

map entitled, 'Bedford Landing-Waterfront Historic District,' as amended, attached to and made part of the ordinance from which this section is derived."

SECTION 6. Section 2-156 of Chapter 2 of the Code of Ordinances is hereby amended by inserting the following subsections after subsection (1) as subsection (1) is inserted herein:

(2) Mechanics Lane Historic District

There is hereby established under the provisions of the Historic Districts Act, a historic district to be known as Mechanics Lane, bounded and described as shown on the map entitled, "Mechanics Lane Historic District," attached to and made part of the ordinance from which this section is derived.

- a) All powers and duties set forth in this article shall be incorporated in this section, with the exception that the authority of the commission within the Mechanics Lane district is not extended to the review of the following:
 - i) Temporary structures or signs, subject to requirements of the local zoning code and/or planning board;
 - ii) Terraces, walks, driveways, sidewalks and similar structures or any one or more of them, provided that any structure is substantially at grade level with the qualification that on-grade areas intended for parking more than four motor vehicles are subject to review by the Historical Commission to assure that adequate planting, earth berms, walls or similar structures are implemented to screen or regulate the physical scale of the areas and to minimize their visual impact as viewed from public ways;
 - iii) Walls and fences;
 - iv) Storm doors and storm windows, screens, window air conditioners, lighting fixtures, antennae and similar appurtenances or any one or more of them;
 - v) The color of paint;
 - vi) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is illuminated only indirectly, subject to requirements of the local zoning code and/or planning board.

(3) Abolition Row Historic District

There is hereby established under the provisions of the Historic Districts Act, a historic district to be known as Abolition Row, bounded and described as shown on the map entitled, "Abolition Row Historic District," attached to and made part of the ordinance from which this section is derived.

- a) All powers and duties set forth in this article shall be incorporated in this section, with the exception that the authority of the commission within the Abolition Row district is not extended to the review of the following:
 - i) Temporary structures or signs, subject to requirements of the local zoning code and/or planning board;

- ii) Terraces, walks, driveways, sidewalks and similar structures or any one or more of them, provided that any structure is substantially at grade level with the qualification that on-grade areas intended for parking more than four motor vehicles are subject to review by the Historical Commission to assure that adequate planting, earth berms, walls or similar structures are implemented to screen or regulate the physical scale of the areas and to minimize their visual impact as viewed from public ways;
- iii) Walls and fences;
- iv) Storm doors and storm windows, screens, window air conditioners, lighting fixtures, antennae and similar appurtenances or any one or more of them;
- v) The color of paint;
- vi) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is illuminated only indirectly, subject to requirements of the local zoning code and/or planning board.”

SECTION 7. This ordinance shall take effect in accordance with the provisions of Chapter 43 of the General Laws.