

CHAPTER XXVII

HISTORIC DISTRICT BY-LAWⁱ

27-1 HISTORIC DISTRICT ESTABLISHED.

27-1.1 Metes and Bounds Listed. There is hereby established a Historic District under the provisions of the Historic Districts Act, GLc 40C, as amended, bounded and described as follows:

Beginning at a point on the southwesterly side of High Street marked with a granite bound on the corner between #31 and #33; thence 177 feet along the southeasterly line of #31 to another stone bound; thence 209 feet along the southwesterly line of #31 to another stone bound; thence 127 feet more or less, across Town property on which is located the fire station, to the southwest corner of #23 High Street; thence 107 feet along the southwesterly line of #23 and #95 feet by #21; thence 152 feet more or less along the southwesterly line of #17; thence 80 feet more or less along the southwesterly line of #11; thence 91 feet along the southwesterly line of the Topsfield Town Library to the easterly sideline of Main Street; thence continuing to the center line of the street and following the center line northerly to a point opposite the northerly side of South Common Street; thence N. 40° West to the westerly side of Main Street and continuing 500 feet to an unmarked point at the easterly edge of Proctor Field; thence N. 12°, 130 feet to the center line of High Street Extension; thence northwesterly 200 feet more or less to the center line of Washington Street; thence northeasterly 350 feet more or less to the culvert carrying School Brook; thence northerly to the southwest corner of #7 Washington Street and continuing by the westerly sideline of #7 to the rear corner; thence easterly 100 feet by #7 and continuing about 10 feet to School Brook; thence northerly along said brook, crossing #96, #100, #104, #106 and #110 Main Street to the rear corner of #12 Normandy Row; thence northeasterly along the rear property line of #12 and continuing 100 feet along the rear of #10 and 76 feet along the rear of #8 to the southwesterly corner of #2 Normandy Row; thence northerly 157 feet along the property line between #2 and #8 to Normandy; thence crossing the street to the westerly corner of #118 Main Street and continuing northeasterly along the rear property line of #118 a distance of 212 feet to the northerly corner; thence southeasterly #30 feet to a point on the southwesterly sideline of #124 Main Street, which point is 200 feet westerly from the curved sideline of Main Street; thence generally northeasterly and northerly on a line which is 200 feet westerly from, and concentric with the curve of Main Street to an angle point in the northerly line of #132 Main Street; thence 200 feet along the property line to northeasterly corner of the lot adjacent to #4 Haverhill Street; thence crossing the street to the junction between Haverhill and Ipswich Road and running southerly 100 feet along Main Street to a point opposite the northerly corner of #129 Main Street; thence southeasterly to the sideline of Main Street and continuing 159 feet to the rear line of #129; thence 100 feet along the rear of #129 and continuing 192 feet along the rear of #127 and 450 feet more or less across #117 to the easterly corner of #111; thence southerly along the rear lines of #111 and #109 Main Street to the southeast corner of #109; thence northwesterly about 26 feet to the northeasterly corner of #103 Main Street; thence along the rear lot line of #103 about 50 feet to the southeasterly corner; thence 46 feet westerly to the rear corner of #99 Main Street; thence southerly along the rear lot line of #99 to the southeasterly corner of #99; thence easterly by #97 Main Street to the northwesterly corner of #2 Howlett Street; thence southerly 223 feet to the southwesterly corner of #2; thence easterly 87 feet to Howlett Street and continuing on the same course to the center line of said street; thence northerly along Howlett Street to a point opposite the corner between #1 and #5; thence easterly to the sideline of Howlett Street and continuing 201 feet to the northeasterly corner of the Parson Capen House property; thence southerly 219 feet by the easterly property line of the Capen House and continuing about 415 feet to a point on property of the Emerson Center, which is 200 feet from the sideline of East Common Street and 200 feet from the northeasterly sideline of High Street; thence southeasterly about 240 feet to the northerly corner of #14 High Street and continuing by the rear property line of #14 to Great Hill Brook; thence southeasterly about 330 feet across the property #26 High Street to the northerly corner of #32 High Street; thence along the property line between #32 and #4 Towne Lane;

thence southwesterly along the sideline of Towne Lane and crossing High Street to the point of beginning. (Art. 32, 5/21/74)

27-1.2 Lands to Be Considered in Historic District. Wherever only part of any building or structure is within the Historic District, according to the boundary lines as heretofore defined in this section, there shall be included within the Historic District the entire land area occupied or to be occupied by all of said building or structure, so that the whole building or structure shall be considered to be within the Historic District for the purposes of this By-Law. (Art. 32, 5/21/74)

27-1.3 Categories Not Included in Review. The Historical Commission shall have all the powers and duties of Historic District Commissions as provided by the Historic Districts Act, GLc 40C, and of subsequent amendments thereto, except that the authority of the Commission shall not extend to the review of the following categories:

a. Terraces, walks, driveways, sidewalks, and similar structures, provided that any such structure is substantially at grade level.

b. Storm doors and windows, screens, window air conditioners, lighting fixtures, antennas, and similar appurtenances.

c. The color of paint. (Art. 32, 5/21/74)

27-1.4 Adopting Rules and Regulations. The Historical Commission shall adopt rules and regulations for the conduct of its business not inconsistent with the provisions of the Historic Districts Act, GLc 40C, as amended, and may, subject to appropriation, employ clerical and technical assistants or consultants and may accept money gifts and expend same for such purposes. (Art. 32, 5/21/74)

27-1.5 Time Permitted to Review. When taking action under the provisions of Section 11 of the Historic Districts Act, GLc 40C, as amended, the Historic District Commission shall make a determination within forty-five (45) days after the filing of the application for a certificate of appropriateness, or such further time as the applicant may in writing allow. (Art. 32, 5/21/74)

27-1.6 Severability Clause. The provisions of this By-Law shall be deemed to be severable. If any of its provisions shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, the remaining provisions shall continue in full force and effect. (Art. 32, 5/21/74)

ⁱ Editor's Note: For the establishment of the Topsfield Historical Commission, see Section 2-17. For the Rules and Regulations adopted by the Historical Commission, see Chapter R:5.