



Billerica Historic Districts Commission

365 Boston Road
Billerica, Massachusetts 01821

William Bulens, Chairman
Travis Brown
David Gagliardi
Michael J. Rea, Jr., Vice Chairman
Mary K. McBride
Bee Magliozzi, Recording Clerk
Barbara Flaherty, Secretary
Charlene McCarthy
John J. McKenna

Wednesday, July 16, 2020 at 7:00 PM
Via ZOOM

Chairman Bill Bulens called the July 16, 2020 meeting of the Billerica Historic District Commission to order at 7:00 PM in a virtual meeting via ZOOM.

Secretary Barbara Flaherty is excused, and Recording Clerk Bee Magliozzi is having some technical difficulties.

Public Comment:

Resident George Simolaris spoke in opposition to razing the barn at the Capobianco property at 29 Andover Road. He followed up on a letter he wrote prior to the previous HDC meeting, stating that the property has been designated as a farm under MGL Chapter 61A for many years, and that the barn had been a working barn until the death of the owner, Rome Capobianco, in 2019.

36 Concord Rd.:

Richard Hawes, representing the Billerica Historical Society, sought approval of plans to repaint the Clara Sexton House at 36 Concord Rd.. It was voted unanimously to approve as a Minor, #2020-15.

29 Andover Road Barn Razing – Major:

Member Dave Gagliardi moved to open the Public Hearing for 29 Andover Road, and it was voted unanimously to do so.

Member John McKenna recused himself from the discussion of 29 Andover Road because he is the attorney for the Estate of Romolo Capobianco.

Member Gagliardi stated that he had done some research and found that the property is not designated a farm for tax purposes as the land is zoned Neighborhood Residential and has been taxed as a residence. He also stated that it could not have been designated as a farm because MGL Chapter 61A requires a minimum of five acres be farmed for such designation to apply. Mr. Gagliardi stated further that he along with other members of the Commission walked the site and when he entered the basement section of the barn there was a strong smell of heating oil and noticeable oil on the floor. In walking through the upper section of the barn there were three home heating oil tanks leaking oil onto the wooden floor, joists and carrying beam. He stated that they would need to be removed and, in his opinion, doing so would compromise the integrity of the building itself. He suggested that given what he observed along with the structural engineers report, Mr. Gagliardi believes that this leaves the Commission no choice but to recommend the barn be demolished. He further stated that although the Commission prefers not to

demolish buildings that may be of historical significance, it is generally due to extreme neglect or misuse that sometimes forces the Commission to recommend demolition.

Jerry Kennedy, whose wife Maria is Capobianco's daughter, spoke for the family. He said that the barn had not been used for many years except to dry wood which Capobianco sold to a pizzeria. The family is eager to sell the entire property in order to settle Capobianco's debts, and a decision to approve demolition of the barn is needed for the sale.

Member Travis Brown, who lives on Andover Road, said that he understood both sides of the issue, and wished to preserve the house.

Member Gagliardi, seconded by member Mary McBride, moved to close the Public Hearing for 29 Andover Road. The vote was unanimous.

Member Gagliardi, seconded by member McBride, moved that the Historic Districts Commission approve demolition of the barn as a Major, # 2020-08.

The vote was 5 – 1:

Travis Brown Nay
Bill Bulens Aye
Dave Gagliardi Aye
Mary McBride Aye
Charlene McCarthy Aye
Michael Rea Aye

29 Andover Rd./Cider Mill Way – Construction of two new residences – Major:

Member Gagliardi, seconded by member McBride, moved to open the Public Hearing for 29 Andover Road/Cider Mill Way, #2020-13. The vote was unanimous (6-0) to do so.

Attorney James Dangora, Sr., on behalf of George Allen, showed previously submitted plans for two residences, one at 29 Andover Road and one on Cider Mill Way, the adjoining roadway.

After some discussion and reviewing plans for the two houses, member Gagliardi, seconded by member McBride, moved to close the Public Hearing, and the vote was unanimous (6-0) to do so.

Member Gagliardi, seconded by member McBride, moved that the HDC approve the construction of the two houses as a Major, # 2020-13.

The vote was 6 – 0:

Travis Brown Aye
Bill Bulens Aye
Dave Gagliardi Aye
Mary McBride Aye
Charlene McCarthy Aye
Michael Rea Aye

1-6 Millstone Way – Demolition – Major:

Member Gagliardi, seconded by member McBride, moved to open the Public Hearing for demolition of 1-6 Millstone Way, # 2020-12. The vote was unanimous (7-0), with member McKenna rejoining the meeting.

The property is a six unit dwelling which used to house mill workers in North Billerica. An engineering study showed that the structure is unsound and there is significant risk of structural failure in the building.

After some discussion, member Gagliardi, seconded by member Charlene McCarthy, moved to close the Public Hearing and the vote to do so was unanimous (7-0).

Member Gagliardi, seconded by member McCarthy, then moved to approve demolition of the building as a Major, # 2020-12.

The vote was 7 - 0:

Travis Brown Aye
Bill Bulens Aye
Dave Gagliardi Aye
Mary McBride Aye
Charlene McCarthy Aye
John McKenna Aye
Michael Rea Aye

7-9 Millstone Way – Demolition – Major:

Member Gagliardi, seconded by member McBride, moved to open the Public Hearing for demolition of 7-9 Millstone Way, # 2020-10. The vote was unanimous (7-0).

This building is similar in condition to 1-6 Millstone Way. It is a three family house which has been reported as structurally unsound in an engineering study. There is a significant risk of structural failure in the building.

After some discussion, member Gagliardi, seconded by member McBride, moved to close the Public Hearing and the vote was unanimous (7-0) to do so.

Member Gagliardi, seconded by member McBride, then moved to approve demolition of 7-9 Millstone Way, as a Major #2020-10.

The vote was 7 - 0:

Travis Brown Aye
Bill Bulens Aye
Dave Gagliardi Aye
Mary McBride Aye
Charlene McCarthy Aye
John McKenna Aye
Michael Rea Aye

27-29 Rogers Street – Demolition – Major:

Member Gagliardi, seconded by member McBride, moved to open the Public Hearing for demolition of 27-29 Rogers Street, # 2020-11. The vote was unanimous (7-0).

Kathleen Hickey, direct abutter to this property, called into the ZOOM meeting to say she completely supports the demolition and looks forward to having all three properties cleaned up and new residences built.

After some discussion, member Gagliardi, seconded by member McBride, moved to close the Public Hearing, and the vote was unanimous (7-0) to do so.

Member Gagliardi, seconded by member McCarthy, then moved to approve demolition of 27-29 Rogers Street as a Major #2020-11.

The vote was 7 – 0:

Travis Brown Aye
Bill Bulens Aye
Dave Gagliardi Aye
Mary McBride Aye
Charlene McCarthy Aye
John McKenna Aye
Michael Rea Aye

Millstone Village – 1-8 Millstone Way, 9-10 Millstone Way, 11 Millstone Way – Major

Member McKenna, seconded by member Gagliardi, moved to open the Public Hearing on the combined Millstone Village, # 2020-16, -17, -18. The vote was unanimous (7-0) and the Public Hearing was opened.

James Dangora, Sr., for Steve Holland, explained that Holland wants to build a total of five duplexes and one single family home, and create Millstone Village. There will be a total of 11 units, similar to the number of units being replaced. There will be old fashioned streetlights and other decorative touches. All will have vinyl siding and one over one windows.

After much discussion and a review of the plans, member Gagliardi, seconded by member McCarthy, moved to close the Public Hearing, and the vote was unanimous, 7-0.

Member Gagliardi, seconded by member McBride, then moved to approve construction of Millstone Village.

The vote was 7 – 0:

Travis Brown Aye
Bill Bulens Aye
Dave Gagliardi Aye
Mary McBride Aye
Charlene McCarthy Aye
John McKenna Aye
Michael Rea Aye

Member Gagliardi, seconded by member McBride, moved to adjourn at 8:47. The vote was unanimous, 7-0, and the meeting was adjourned.

Mary K. McBride
Fill In Clerk