

BILLERICA HISTORIC DISTRICT COMMISSION MINUTES
June 4, 2025

A meeting of the Billerica Historic District Commission was held on Wednesday June 4, 2025, at 7:00 p.m. at Town Hall, in room 210 and via Zoom. This meeting is recorded.

Present: David Gagliardi, Chairman; Travis Brown, Vice Chairman; Mary McBride, Secretary; Richard Hawes, Member; Mary Jones, Alt Member Dan Valentine, Alt Member; Katherine Malgieri, Town Planner and Joyce MacMillan, Recording Clerk

Excused: Michael Rea, Member; and Kathy Meagher, Alt Member

Absent: John McKenna, Member; George Simolaris, Member; and Tina Pesiridis, Alt Member

CALL TO ORDER:

Chairman Gagliardi called the meeting to order at 7:01 p.m.

PUBLIC COMMENT:

Marlies Henderson, 31 Sprague St. N. Billerica – Agrees with removing the dam, strongly supports freeing the river and restoring it back to its natural origins. Doesn't want to see this go into litigation. Would like to see the memory of the history preserved.

Tom Lincoln, Medford, MA - Middlesex Canal Commission, Secretary – Believes the application of hardship is a blatant attempt to force the removal of the dam at no cost to the owner. Mr. Lincoln is not for the removal of the dam; it is an important piece of history.

J. Breen, President of the Middlesex Canal Association – States according to the last inspection the dam is in fair condition. The loss of the dam would be risking life and property in lying areas. The actual name of the dam is Billerica Falls Dam not Talbot.

Katherine Malgieri, Town Planner – The Community Preservation Committee will be hosting a Public Hearing on June 12, 2025, at 6:00 pm. They are asking the residents for their ideas on preserving Billerica's Open Space, Historic and Affordable Housing Resources. More information can be found on the Town website.

Bob Martin, Naples Florida and Cape Cod, MA – Owner of the dam – He stated that at one of the Select Board meetings the Town Manager and the Select Board said that Mr. Martin has the right as the owner to take down the dam. He is hopeful that together they can come to a smart decision. He does not want his family to inherit this problem. The dam no longer serves a purpose. It has been offered to the Town and the to the Canal Association, both refused.

Dan Cook, Cross St Carlisle – Lives upriver and supports opening up the river by removing the dam. It would be healthier for the fish and help increase their population. It would also be more beneficial to boaters and kayakers.

Howard Wigger, Lexington, MA – He is in favor of keeping the dam. It is 196 years old and on the national registry of historic structures. He believes it is an important piece of our history.

Mary Leach, William Rd. – Historic District Commissions role is about preserving the history and believes the HDC needs to vote to keep the dam. It is a major focal point in the town and had a great industrial purpose for Billerica and the state.

Thomas Young, Concord Rd. – Mr. Young is in favor of adding solar panels to the First Parish roof. We need to be more forward thinking and take into consideration the need to make electric affordable.

APPLICATIONS:

7 Concord Road – Minor - App #2025-06 – First Parish Billerica Unitarian Universalist – Barbara Maloney Board President and Matthew Braga board Member

Applicants are seeking approval to install roof mounted, black solar panels on dark asphalt roof (southern side) on the existing structure.

Ms. Maloney and Mr. Braga handed out a copy of their presentation. Ms. Maloney started by going over some of the history of how the Town had helped them rebuild after a devastating fire and then helped again to rebuild their steeple via CPA funds. She began the presentation by outlining what they would be going over and that their electric bill last year was \$18,000.

Mr. Braga took over with the presentation, he went over the economic hardship, their stakeholder review, the vendor selection (Boston Solar), building alterations and a timeline. They have tried to bring the electric bill down by installing LED lights through the church, lowering the heat, not putting the lights on until necessary and making sure everything was shut off at the end of the day. It is a real struggle and is only going to get worse over the next few years.

Brian Cassidy of Boston Solar was also on hand to answer any questions.

Chairman Gagliardi opened the floor to the committee for questions and concerns. There were many questions about the panels, the color, how high off the roof, what happens if the roof needs to be replaced, and do you know what the savings might be. The panels are called Flush Mount and sit about two inches high, they are flat black, not shiny, the roof is only 9 years old and should be okay for the next 30 years. If by chance the roof does need to be replaced, the company typically comes out and takes the panels down and puts them back up after the roof is complete.

Travis Brown, seconded by Mary McBride, made a motion to approve minor Application #2025-06.

It was voted:

6 – In favor
0 – Opposed

Talbot Dam Removal – Major – App #2025-01

Susie Bresney, Restoration Specialist with the MA Div. of Ecological Restoration – Ms. Bresney presented a PowerPoint Presentation. There was also discussion regarding information from their Legal Counsel and from the Town’s Legal Counsel.

Chairman Gagliardi opened the floor to the committee for questions and concerns. It seems the Town’s Legal Counsel and their Legal Counsel do not agree. There was a discussion regarding building versus not a building. The condition of the dam, fair, straight and level. The owner has owned it for over 30 years. The commission would not be doing their job if they agreed to remove it. Middlesex Canal Museum building is over \$3 million, if the dam is removed it will have a direct effect on the museum. The Middlesex Canal Association was offered the dam, but they refused it because they want it to include and \$400,000 endowment and Mr. Martin refused the endowment portion. Once the dam is gone, it will be lost forever and we will have lost that history. Does the owner really have a hardship if there are multiple entities willing to help him with funds? The entities willing to help with funds are only for removal of the dam. Those funds go away if the dam is not being removed.

Andrew Jennings, Talbot Ave – Mr. Jennings spoke about removal versus keeping the dam. How can anyone tell if removing it would be good or not? It has a historical significance on a national level. The canals and the dam are so important to the civil engineering history this particular dam was studied prior to the Erie Canal being built. Mr. Jennings would like to see the Dam given to the town, or the museum or some other public entity.

J, Breen spoke again about liability, the Middlesex Canal Commission and the importance of keeping the dam.

Matt Brown for OARS –

Marlies Henderson – If no one wants to own it they why would we put the Town through litigation over this? It would be a waste of money.

Bob Martin – If you want to talk historical, back in the 16, 17 and 1800s there was no dam. Get rid of the dam and you are historically to before it was built.

There was a bit more discussion about history before and after the dam.

Richard Hawes, seconded by Mary Jones, made a motion to close the public hearing.

It was voted:

6 – In favor
0 – Opposed

Travis Brown, seconded by Mary McBride, made a motion to approve the Application 2025-01.

It was voted:

0 – In favor
6 – Opposed

The Commissions Reason for Deniel

Dan Valentine – We don't believe it is in the public's best interest to remove the dam. It has been established it is a valid piece of history that is very meaningful to not just the Town but of national significance. It falls within our purview to determine that it should remain intact and not removed.

Mary McBride – Echo's Mr. Valentines thoughts.

Travis Brown – the goal of the Historic District Commission is to protect historic structures and this dam and its associated historic district have local, state and regional and national significance and should be protected and preserved.

Richard Hawes – Agrees with Mr. Valentine and Mr. Brown but would also like to explore generating a trust fund or some type of endowment to keep the dam as it is.

Mary Jones – Believes it is the duty of the commission to maintain the historical buildings and sites in Billerica. It would be against that purview of protection if we vote to take the dam down.

Dave Gagliardi – The responsibility of the Historic District Commission is to weigh the value of destroying or eliminating a historic artifact of any kind be it a building a dam, etc. In his opinion, destroying the dam would not be in the best interest of the Town.

OTHER BUSINESS:

Miscellaneous Correspondence: None

Approval of Minutes: April 2 and May 7, 2025

Richard Hawes, seconded by Travis Brown, made a motion to approve the minutes of April 2, 2025.

It was voted:

6 – In favor
0 – Opposed

Mary Jones, seconded by Travis Brown, made a motion to approve the minutes of May 7, 2025.

It was voted:

6 – In favor
0 – Opposed

ADJOURNMENT:

Richard Hawes, seconded by Travis Brown, made a motion to adjourn.

It was voted:

6 – In favor
0 – Opposed

Chairman Gagliardi adjourned the meeting at 9:27 pm.

Joyce MacMillan, Recording Clerk