

**From:** Kristen Tyson

**Sent:** Tuesday, June 14, 2022 2:21 PM

**To:** Hayleigh Walker <[hwalker@concordma.gov](mailto:hwalker@concordma.gov)>

**Cc:** Planning <[planningdivision@concordma.gov](mailto:planningdivision@concordma.gov)>; Marcia Rasmussen <[mrasmussen@concordma.gov](mailto:mrasmussen@concordma.gov)>

**Subject:** Hildreth Corner

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I am writing to ask the Historic District Commission to execute its authority to deny the petition re: Hildreth Corner building lot as the building proposed does not promote the general welfare of the town with respect to the protection of this historic district in our town. As you are all I am sure aware, this historic corner was the site of the line of march of the Acton Minuteman on April 19, 1775 and the corner continues to be the entry point for many into our historic district and town. It is a special place in our town and worth protecting its character.

My name is Kristen Tyson and I am a Bar Advocate in Middlesex County - mostly in Lowell and Concord District Court, and a Concord citizen where I live with my husband and three children. My husband, Chandler - or Chad - who is copied above, is an attorney who works in Boston and grew up here in Concord. I became interested in the Hildreth Corner issue about a year ago. My father in law lives in a little cottage that used to belong to the town cobbler in the 1700's and an undertaker in the 1800's - 685 Lowell Road. We are also acquainted with many of the neighbors. My father in law, Dick Tyson, is 85 and has lived at that address since his 30's ( I believe the early 1970's). (He grew up on Muskettaquid Road in town as well).

What has been beyond us throughout this process is that the HDC has been clear about its concerns: scope, size, height and garage, throughout this process. Each time the petitioner seeking to build here has redesigned the home without actually addressing these issues in any significant way. Each time he presents a set of the Emperor's New Clothes and does not actually make any substantive change that addresses the verbalized and clear concerns of the HDC.

It is baffling to many in the town as we meet on a walk at Simon Willard Woods, discuss it at Crosby's, or on the soccer side-lines on a Saturday morning, is that it would NOT be overburdensome for the petitioner to change the design. My father-in-law's house at 685 Lowell Road is not overly small, is petite for the lot, and consistent in its use of the old New England small structures which join into a home, rather than a large box like builder spec home. Recently on a walk through another historic district, I noticed 48 Elm Street - another example of a very small lot where a beautiful cottage was built that is consistent with both the neighborhood, the historical character and the lot size. This is not rocket science - UNLESS - the goal is to **maximum** profit, rather than to make a profit while staying within the guidelines that the HDC has set. Everyone who lives in this town, or builds in this town (my husband and I included) realizes that certain neighborhoods have certain zoning regulations, and that we are limited by those regulation and districts - whether you are in a historic neighborhood, on the river or in town and have tight set backs. The reason for these restrictions is the general welfare of the citizens and we are all on notice when we purchase land or homes of those stated regulations. As such, the petitioner knew he was buying in the historic district. The HDC's rulings thus far have been consistent and clear and put the petitioner on notice of the concerns. It appears the petitioners' strategy was to keep submitting different versions of the same plan without real or substantive change. After several petitions, where that has not worked, we are under the impression that the strategy has changed.

I hope that it is not the case, but we have heard that the petitioner is now threatening legal action if his building is not approved, and that the town planning division has tried to opine in an effort to push the HDC into approval and avoid litigation. Again, our hope is that a petitioner would not turn to threats against our town boards, and more importantly, that our town commissions would cave under that pressure. If however, that is the case, we are writing to emphasize our support of the independence of the HDC and the power of its rulings. To allow a petition which does not promote the general welfare of our town or preserve and protect its history under such circumstances would be unfortunate at the least and unconscionable at most. To be clear, there are moments when the public interest means compromising the historical ideals, but to maximize the profit of one individual builder is not that moment.

Sincerest appreciation at your efforts,  
Kristen and Chandler Tyson