

TOPSFIELD HISTORIC DISTRICT

A BRIEF DESCRIPTION OF ITS
SIGNIFICANCE & HOW IT AFFECTS YOU...

INTRODUCTION

A nationwide interest in the preservation of historically and architecturally significant properties began in the United States in the early 1930's. The first historic district legislation was introduced in Massachusetts in 1955. Statewide enabling legislation under Chapter 40c of the General Laws was enacted in 1960. Almost 100 communities in the Commonwealth have established approximately 160 local historic districts under this law . . . including the Town of Topsfield. Containing more than 40 sites and structures, the Topsfield Historic District was established by a town bylaw adopted at Town Meeting in 1974. Topsfield is widely known as possessing one of the best preserved rural town centers in New England . . . a symbol of our historic heritage and a place of beauty. The bylaw of 1974 intends this heritage to be preserved for future generations.

HISTORIC DISTRICT REGULATIONS

The regulations of the Topsfield Historic District, (similar to those of other Districts throughout the Commonwealth) require that **NO CHANGE BE MADE TO EXTERIOR FEATURES OF BUILDINGS OR CERTAIN ITEMS OF SITE LANDSCAPING, WITHIN THE BOUNDARIES OF THE DISTRICT, VISIBLE FROM THE PUBLIC WAY, AND THAT NO STRUCTURE BE ADDED OR REMOVED WITHOUT A CERTIFICATE OF APPROPRIATENESS. APPLICATION FOR A CERTIFICATE MUST BE MADE, AND THE CERTIFICATE ISSUED, BEFORE CHANGES ARE BEGUN.**

DO ALL CHANGES REQUIRE REVIEW?

Ordinary maintenance, repair or replacement of existing exterior features which do not change the exterior design, material or appearance do not require review.

WHAT ITEMS REQUIRE APPLICATION AND REVIEW?

Changes to buildings and building details, visible from the public way, as well as certain landscape items. Typically, the following must be reviewed:

- Exterior remodeling, additions to main structures and outbuildings
- Demolition of any structures
- Roofs (material and color)
- Siding (material)
- Doors, windows and shutters
- Chimneys and brickwork
- Fences and gates
- Signs and signposts
- Stone walls

HOW DO I APPLY FOR A CERTIFICATE OF APPROPRIATENESS?

Application forms are available at the Town Clerk's Office or by contacting the Historic District Commission through Town Hall. The application forms are self explanatory. They may be

mailed or delivered to the Commission through the Town Clerk's Office for filing in accordance with the bylaw at the next regularly scheduled meeting.

WHAT IS THE HISTORIC DISTRICT COMMISSION?

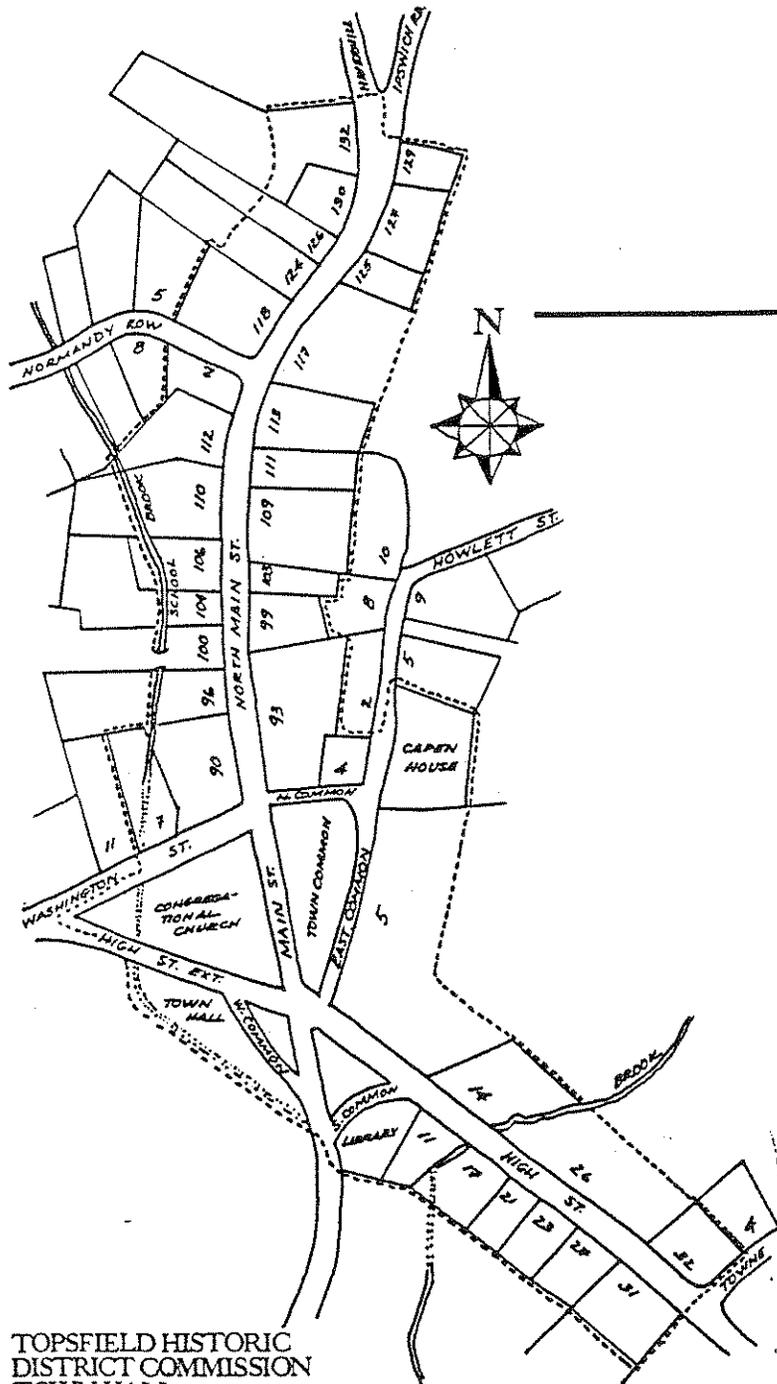
The Commission is a group of 7 townspeople (5 regular members and 2 alternates) appointed by the Board of Selectmen. To the extent possible, the Commission includes a resident of the Historic District, an architect, and representatives of other town groups concerned with historic issues. The Commission meets regularly once a month to consider applications for changes. Public hearings are held as required.

HOW DOES THE COMMISSION CONDUCT ITS REVIEWS?

Applications are reviewed at the Commission's monthly open meetings. Applicants are notified of the date and encouraged to attend. Typically, a public hearing will be held. The applicant and all abutters will be notified directly and the community at large will be notified by public advertising. The Commission must respond to all applications within 45 days.

WHERE MAY I OBTAIN MORE INFORMATION?

The Commission welcomes advance inquiries as to the applicability of the Historic District Bylaw. Inquiries may be made by phone to any of the members of the Commission (list available from Town Clerk), by letter to the Commission or by personal appearance at any of its meetings. Copies of the Historic District Commission Bylaw and the Rules and Regulations of the Commission are available through the Town Clerk's Office.



TOPSFIELD HISTORIC
DISTRICT COMMISSION
TOWN HALL
TOPSFIELD, MASSACHUSETTS 01983

SITES & STRUCTURES WITHIN DISTRICT

- 132 North Main Street
Conant-Palmer House, 1778-9
- 130 North Main Street
Bailey Cottage, 1876-7
- 129 North Main Street
Residence, 1950's
- 127 North Main Street
Abram Welch House, 1872
- 126 North Main Street
Cummings-Clarke House, 1854-5
- 125 North Main Street
Stable for Gilbert Balch House, 1872
- 124 North Main Street
Kneeland House, pre-1841
- 118 North Main Street
"Bare Hill Farm,"
Merriam-Williams House, 1789
- 117 North Main Street
Gilbert Balch House, 1872
- 113 North Main Street
Residence, 1980's
- 112 North Main Street,
Wilkins House, Circa 1920
- 2 Normandy Row, Residence, 1960's
- 111 North Main Street
Residence, 1950's
- 110 North Main Street
Lake-Kendall House, 1827-8
- 109 North Main Street
Andrews House, pre-1784
- 106 North Main Street
Open lot
- 104 North Main Street
Front of property
- 103 North Main Street
Perkins-Todd House, 1860
- 100 North Main Street
Front of property
- 99 North Main Street
Residence, 1950's
- 96 North Main Street
Residence, 1950's
- 93 North Main Street
Emerson-Jordan House, 1808
- 90 North Main Street
Smith's Tavern, 1832
- 7 Washington Street
Residence, 1960's
Kohlhofer Way
Congregational Church, 1842
West Common Street
Town Hall, 1873
South Common Street
Town Library, 1935
- 5 East Common Street
Emerson Center, 1814
- 1 Howlett Street
Parson Capen House, 1683
- 4 North Common Street
Congregational Church Parish Hall,
Topsfield Town Common, 1665-1840
- 11 High Street
Kimball-Wildes House, 1756
- 14 High Street
Williams House, 1925
- 17 High Street
Ell of Kimball-Wildes House, 1756
- 21 High Street
Methodist Parsonage, 1850
- 23 High Street
Henry W. Lake House, 1837
- 26 High Street
Residence, 1950's
- 29 High Street
Topsfield Fire Station, 1965
- 31 High Street
Wildes House, 1829
- 32 High Street
Jacob Towne House, 1815

TOPSFIELD HISTORICAL COMMISSION

DESIGN GUIDELINES

TOPSFIELD HISTORICAL COMMISSION DESIGN GUIDELINES

These guidelines were formulated and approved by the Topsfield Historical Commission to assist the Commission in their review process and to provide property owners with an overview of the criteria used by the Commission in evaluating applications for a Certificate of Appropriateness. It is our hope that these guidelines will help expedite the approval process. It is important to note that these guidelines are intended for use in preparing the application and that changes to a property must still be approved by the Commission and a Certificate of Appropriateness must be issued before work can proceed.

Architectural Trim and Siding

1. Trim is an essential part of a building's architectural character. Features such as cornices, brackets, window moldings, doorway pediments, corner quoins, and all other decorative elements should be retained.
2. Original siding material should be retained whenever possible.
3. Deteriorated material should be repaired or replaced, where necessary, with new material that duplicates the original as closely as possible.
4. Wood shingles are only appropriate for exterior cladding if they were used as an original siding material such as on some Queen Anne buildings. Shaped shingles and shingle patterns of that period should be duplicated where repair and replacement are necessary.
5. Aluminum or synthetic sidings (such as vinyl and asphalt) or materials that were unavailable when a building was constructed are not permitted for properties in Topsfield's historic district and their installation will not be approved. Removal of such sidings is encouraged.
6. If a house is to be resided with clapboards, the clapboards should line up to match the window heads and sills.

Doors, Doorways, Porticos, and Steps

1. Historically appropriate entries including doors, glass, pediments, hoods, moldings, steps, and all hardware should be retained.
2. The enlargement or reduction of historical or original door openings to fit new stock door sizes is not advised and will only be approved for compelling reasons (ie. modification for handicap accessibility).
3. The stylistic period or periods a building represents should be respected. Original doors and door hardware should not be discarded when they can be repaired and reused in place. If

replacement doors are necessary, the replacements should duplicate the material, design, and hardware of the older or original doors.

4. The arrangement of door panels is a significant architectural feature and varied from period to period. Replacement doors should have the appropriate panel arrangement for the date of the house's construction.
5. Generally it is not appropriate to introduce a new door opening into the principal or front elevation. The appropriateness of new side or rear doors depends on their design.
6. The design of the entrance is related to the style of the house. Simple houses tend to have relatively plain doorways while high style houses have greater articulation around doorways. Therefore, when a replacement doorway is necessary on the principal facade or a new doorway is being added on a side or rear facade, it should harmonize with the style of the house as far as the type and extent of detail. For rear locations, French doors are preferred to sliding glass doors because they are divided into panes. Large sheets of glass are not generally in keeping with the character of a historic house.
7. Doorways above ground floor level which provide secondary egress must be individually evaluated. In general, approval will result only when visibility from the street is minimal. The application of exterior staircases to buildings is generally not acceptable.
8. Porticos, porches, steps, and railings that are appropriate to the building and its development should be retained. Porticos or additions reflecting later architectural styles are often important to the building's historical integrity.
9. Deteriorated porticos, porches, steps, and railings should be repaired, where necessary, with materials that duplicate the original as closely as possible.
10. Front steps should be made of granite or wood. Brick, flagstone, or concrete steps were not used historically in Topsfield and are not appropriate.

Fences

1. Fences are significant architectural features. They were sometimes architect designed. Therefore, architecturally important fences should be repaired or replaced in kind, where necessary, with new materials that duplicate the old as closely as possible. Other fences may be architecturally unimportant, the result of inappropriate fence replacement in more recent years. In these cases, property owners would be encouraged to upgrade their design to be more compatible with the historic character of the building rather than duplicate the existing fence.
2. Fences along the street facades of historic houses were meant to serve a decorative purpose. Such fences should not block a house's view, but complement it; they should be in scale to the property and they should be open, not solid. Narrow pickets (approximately 2 1/2" in width)

are preferred to wide pickets. Back and side yard fences which serve a screening purpose may be higher and solid.

3. The design of a fence should be sensitive to that of the house. Since Federal architecture stressed delicate proportions, the fence in front of such a house should also be delicate in scale, whereas the fence in front of a more massive Victorian house could be heavier. Also, elaborate fences are suitable for elaborate house; simple houses should have simple fences.
4. If wood is to be used, picket, capped picket, or spindle fences are recommended for anywhere around the yard. Capped flat board fences are most appropriate for side and back yards. The flat board fence with a lattice top is a good privacy option.
5. The Commission encourages the retention of suitable cast and wrought iron fences. Such fences should be repaired and painted as necessary. If sections are missing and it is financially feasible, replacement sections should be obtained. Otherwise it is preferable to consolidate the existing sections of the fence than to remove the fence altogether.
6. Historically, fences were located along the sidewalk and the continuity of such fences is an important asset to the street. The Commission generally discourages fence relocation to accommodate off-street parking. Gates may be required as an alternative to relocation.
7. Chain link, stockade, and wire-type fences are not appropriate in historic districts. Low brick walls and brick planters are also not appropriate.

Masonry

1. Original masonry and mortar should be retained, whenever possible, without the application of any surface treatment. Do not apply waterproof or water repellent coatings unless required to solve a specific technical problem that has been studied and identified.
2. Old mortar should be duplicated in composition, color, and texture. Do not repoint with mortar of a high Portland cement content. Mortar that is harder than the material it is binding will cause masonry to deteriorate.
3. Old mortar should be duplicated in joint size, method of application, and joint profile.
4. Masonry should be cleaned only when it is necessary to halt deterioration and always with the gentlest method possible, such as low pressure water and soft natural bristle brushes. **DO NOT SANDBLAST MASONRY UNDER ANY CIRCUMSTANCES.** Chemical cleaning products which could have an abrasive reaction with masonry should be avoided.
5. Deteriorated original materials should be repaired or replaced, where necessary, with new materials that duplicate the old as closely as possible. Replacement bricks should be carefully matched in size and color to the originals.

6. New construction should follow traditional brick coursing and appearance; salvaged brick should not be used.
7. Foundations should be repaired or extended with the material of the existing foundation. The exposed portion of a foundation for a new building should not be concrete or concrete block.
8. The original or early color and texture of masonry surfaces should be retained whenever possible. Brick or stone surfaces may have been painted or whitewashed for practical and aesthetic reasons. Indiscriminate removal of paint from masonry surfaces may be historically incorrect and may also subject the building to harmful damage.
9. Chimneys are an important architectural feature. They should not be shortened or removed but repaired as necessary.
10. Existing stucco should be repaired with a stucco mixture duplicating the original as closely as possible in appearance and texture.

Paint Colors

1. Although paint color is not under the jurisdiction of the Historical Commission, the following suggestions may be helpful:
 - a. Paint colors should be chosen with sensitivity to the architectural period of the house. The Commission has materials explaining the types of colors used during various architectural periods and can recommend appropriate color combinations from name-brand paint manufacturers, particularly those who carry a line of historic colors.
 - b. If a two-color scheme is appropriate, clapboards should be painted the body color and all else should be painted the trim color. For certain 19th century buildings, it may be appropriate to pick out some of the trim elements with the body color or to use a three-color scheme.
 - c. With proper preparation, opaque stains are acceptable alternatives to paint.

Parking Solutions

Providing for off-street parking is a significant alteration to a property and the Commission encourages careful consideration of parking alternatives and design options. Sensitivity to the surrounding landscape and the type of paving material used is important. Landscaping can greatly enhance the appearance of a yard and should be considered an integral part of the design and installation of a driveway. While the Commission does not have jurisdiction over driveway installation per se, it does review fence construction and removal. Therefore, if alteration or construction of a fence is involved in a driveway installation, the Commission must be consulted.

Roofing

1. The roof of a house is an important architectural feature and should be treated as such. Therefore, all efforts should be made to preserve the original roof shape and to properly maintain or replace roofing materials as necessary.
2. Slating should be retained whenever possible. Slate should not be removed without a careful evaluation of the cost of its repair.
3. Roof replacement materials should be sensitive to the original. Slate and wood shingles are preferable but may not be feasible due to cost, longevity, or fire safety considerations. Acceptable alternatives (if appropriate to the original design) are to install one of the limited group of products which successfully imitate slate or wood or to "render out" the roof by using a dark asphalt or fiberglass shingle which does not draw attention to this feature and the absence of original materials.
4. Asphalt or fiberglass should be black, charcoal, or, in limited uses, dark - brown. Only a very subtle blending of lighter and darker tones is acceptable; variegated asphalt lights and darks are unacceptable.
5. All architectural features that give the roof its essential character, such as dormer windows, cupolas, cornices, brackets, chimneys, cresting, weather vanes, etc. should be preserved or replaced, where necessary.
6. Skylights, roof vents, and mechanical equipment, such as air conditioners should be placed in the most inconspicuous locations possible. Roof vents should be painted to match the color of the roof.
7. Wooden or copper gutters can be an important architectural feature. In older houses they were often designed as part of the eave moldings. Therefore gutters should be properly maintained and only replaced in cases of extreme deterioration.
8. New gutters and downspouts should be placed in an architecturally sensitive manner and painted the color of the surface on which they are installed; i.e. if a downspout runs down a white corner board, it should be painted white.

Windows

1. Historically appropriate window openings including window sash, glass, lintels, sills, moldings, hoods, and shutters should be retained.
2. The stylistic period or periods a building represents should be respected. If replacement of a window is necessary, the replacement should duplicate the material, and design of the historically appropriate window sash.

3. New window openings in a principal elevations are rarely appropriate. Window openings should not be enlarged or reduced to fit new stock window sash sizes.
4. Replacement windows should have the same number and configuration of panes as the original or existing historic windows.
5. The muntin thickness and profile of replacement windows should approximate those of the original historic windows. Also, the proportions of the frame to the sash should be preserved. Windows with removable muntin bars are unacceptable.
6. Double-glazing is permitted under the following circumstances:
 - a. when the double-glazed sash has integral (fixed) muntin bars, provided the proportions of the muntin bars suit the building.
 - b. when the double-glazed sash has glued-on muntin bars-of the proper proportions along with spacers between the panes.
7. Replacement windows should be made of wood. Aluminum and vinyl clad windows are generally not acceptable.
8. The frame and decorative window trim should be retained and repaired if necessary with materials that duplicate the original as closely as possible.
9. Stained glass which has historic significance should be retained and repaired as necessary. Modern tinted glass, however, is not permitted in the historic district.
10. The architectural detail of windows should reflect the elaborateness or simplicity of the building.
11. Size, location, and material are important determinants for the acceptability of skylights. No bubble skylights are permitted. Skylights should be placed on roof surfaces with the least visibility to the street. Smaller skylights are preferable to larger ones.
12. Vinyl or aluminum shutters are not permitted. Wooden replacement shutters should reflect their original operable use: their size should be such that they would cover the entire window if closed; they should be hinged to the window casing so as to be operable, not nailed; the slats should point up if the shutters are open, down if the shutters are closed. Shutters may not be appropriate or necessary to every architectural style and the Commission should be consulted before action is taken to remove or install them.

Storm Windows

Although, storm windows are not under the jurisdiction of the Commission, the following suggestions may be helpful:

- a. Consider the house's overall energy needs. An energy audit should be done before any measures are taken to tighten the house. Since hot air rises, attic insulation should take priority over storm windows;
- b. Caulking and weather stripping are inexpensive do-it-yourself procedures that cut down on infiltration. Once these measures are taken, storm windows may not be necessary. Also, insulation, interior shutters, panels, curtains or quilts can be an effective storm window substitute;
- c. If storm windows are to be installed, interior storms are preferable to exterior storms because they are less visible from the exterior;
- d. If they are used, exterior storms should be bought in a color that matches the building's trim or should be painted to match; and,
- e. If triple track storms are purchased, their aluminum mid-rails should match the meeting rails of the historic sash.

**TOWN OF TOPSFIELD
HISTORIC DISTRICT COMMISSION
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS**

Pursuant to the Historic District Acts (MGL, Chapter 40C, as amended) and the Topsfield Historic District By-Law, application is hereby made for certification of exterior work within the Historic District.

To be completed by applicant: (Please answer sections A-E. In sections A and B check as many features as apply to complete the project).

A. Category of Work Proposed:

- | | |
|---|--|
| 1. <input type="checkbox"/> New Construction | 4. <input type="checkbox"/> Alteration |
| 2. <input type="checkbox"/> Reconstruction | 5. <input type="checkbox"/> Relocation |
| 3. <input type="checkbox"/> Restoration | 6. <input type="checkbox"/> Demolition |
| 7. <input type="checkbox"/> Other Specify _____ | |
-

B. Type of Structure or Exterior Feature:

1. New Building
2. Existing Building
 - a. Built before 1900 after 1900
 - b. Type of Exterior change proposed:
 Limited to roofing or siding.
 Limited to placement and detail of doorways, windows, shutters or lighting fixtures.
3. Fence or wall.
4. Sign
5. Terrace, walk, driveway or parking lot other than at grade level.

C. Location of Structure or Exterior Feature:

1. _____
Street Number and Name
2. Visible from Public Way.
3. Not visible from Public Way.

D. Description of Work Proposed: Please print or type on the reverse side. Use additional sheets as needed. Copies of architectural sketches, plans, scale drawings or photographs when required will be retained by the Commission.

CHAPTER R:5

Historic District Commission
a.k.a. Historical Commission
Town of Topsfield

Rules, Regulations, and Procedures

The following rules, regulations, and procedures are in keeping with the specifications of M.G.L., Ch. 40c, as amended, and the Town of Topsfield Historic District Commission by-law, as amended.

1. This Commission shall be known as the Topsfield Historic District Commission (a.k.a. Topsfield Historical Commission as the result of merger of Topsfield Historic District Commission and Topsfield Historical Commission in 1989), herein afterwards referred to as the "Commission".
2. The Commission shall meet on a regular monthly basis, and at such other times as the Commission shall determine.
3. The Commission shall annually elect a chairman and vice chairman from within the Commission and a secretary from within or without the Commission.
4. The Commission shall have all of the powers and duties of an Historic District Commission authorized by M.G.L., Chapter 40c, as amended, and as modified by the Town of Topsfield Historic District Commission By-law, as amended. It shall concern itself with the duties of an Historic District Commission and with the requests and applications of the residents, business properties, and property owners within the District regarding changes in exterior architectural features, new buildings, additions, demolition, exterior renovations, appurtenances, fences, walls, signs, and the like pursuant to the by-law and in accordance with M.G.L., Chapter 40c, as amended. Excluded from review are the following: (a) terraces, walks, driveways, sidewalks, and similar structures, provided they are substantially at grade, (b) storm doors and storm windows, screens, window air conditioners, lighting fixtures, antennae, and similar appurtenances, or any one or more of them, and (c) the color of paint. Exterior architectural features shall mean such portion of the exterior of a building or structure as is open to view from a public street, public way, public park, or public building, whether within or without the District, including but not limited to the architectural style and general arrangement and setting thereof; the kind, and texture of exterior building materials; and the type and style of windows, doors, signs, and other appurtenant exterior features.
5. Each application for a Certificate of Appropriateness shall be made in writing upon the forms available at the office of the Town Clerk. Such application shall be submitted to the Commission. The request for a Certificate of Appropriateness shall normally be processed in three stages:

Stage One - Preliminary: The applicant shall outline general nature of proposed work in sufficient detail to determine the completeness of the application and whether or not a public hearing will be required. Photographs of existing conditions and sketches of changes must be submitted to allow the Commission to make informed decisions regarding the appropriateness of the proposed work. Within 14 days of receipt of the application, the Commission must determine if the proposed work is subject to approval. If the work is not subject to approval by the Commission or if it does not involve an exterior architectural feature, as defined above, a Certificate of Nonapplicability shall be issued to the applicant so that work may proceed. If the work is subject to review, the Commission shall determine if a public hearing is to be held, in accordance with Ch. 40c which states that if the work to be done is so insubstantial in its effect on the historic district, the application may be reviewed by the Commission without a public hearing. If the Commission determines that a public hearing is not necessary, they must notify all abutters and those deemed to

be materially affected by the project at least 10 days prior to the Commission acting upon the application. A public hearing also need not be held if waivers are filled out by the abutters and those who are deemed to be materially affected by the work. The applicant is responsible for seeing that the forms are filled out by the abutters and those who are deemed to be materially affected by the work.

If a public hearing is to be held, the Commission must notify the public at least 14 days in advance and must mail a copy of the notice to the applicant, owners of adjoining properties, and other property owners deemed to be materially affected by the work (as outlined in Ch. 40c.) Ch. 40 c also states that the planning board should be sent a copy of the public hearing notice as well.

Stage Two - Construction Drawings: Prior to commission acting upon the application the applicant shall submit to the Commission fully detailed construction drawings indicating dimensions and materials, for consideration by the Commission. A Building Permit will not be issued without the Commission's approval. Changes visible from a public way which do not require a Building Permit are also subject to review by the Commission.

Stage Three - Completed Construction: Should construction changes be necessary, the applicant shall revise construction drawings to reflect actual as-built conditions. Changes in the work affecting appropriateness will require review and possible corrective work prior to Commission's approval of completed work.

6. The Commission must act upon an application within 45 days of its filing (or longer if an extension is received from the applicant in writing) in accordance with M.G.L., Chapter 40c, as amended, and section 1-5 of The Topsfield Historic District by-law, as amended. Failure to make a determination within this time will result in the issuance of a Certificate of Hardship, which allows the applicant to proceed. If the application is approved by the Commission a Certificate of Appropriateness will be issued to the owner.

If the Commission determines that the proposed work is inappropriate, they must make record of the reasons and send a notice of the determination along with the reasons to the owner. A copy of such notice must be sent to the building inspector as well. The Commission may also make recommendations as to what modifications to the proposal would bring it into acceptability. Prior to issuing this notice, the Commission may notify the applicant of its proposed action and give the recommendations for making the application acceptable. If, within 14 days, the applicant files written modifications to the plans, in conformity with the recommended changes of the Commission, the Commission may issue a Certificate of Appropriateness.

If the Commission determines that the work proposed is inappropriate but finds that declining the applicant would bring about substantial hardship, financial or otherwise, they may issue a Certificate of Hardship, as long as it will not bring substantial detriment to the public welfare.

Any Certificates issued must be signed and dated by the chairman or vice-chairman and the vote of each member present must be recorded. A copy of the Certificates must be sent to the Town Clerk, Building Department, and another should be sent to the Selectmen's liaison to the Historical Commission. A copy should also be filed in the property files of the Topsfield Historical Commission.

7. The Building Inspector shall not issue a building permit until the construction drawings shall be in accordance with the drawings approved by the Commission, in accordance with Section 6 of M.G.L., Chapter 40c.

8. When drawings have been approved by the Commission, no changes or modification shall be made unless an amendment to the original drawings has been filed with and approved by the Commission.

9. An applicant who disagrees with the findings of the Commission may, within 20 days after filing of the notice of determination with the Town Clerk, file a written request with the Commission for a review by a person(s) of competence and experience in such manners, to be designated by the regional planning agency of which the town is a member. The finding of such a person(s) making the review must be filed with the Town Clerk within 45 days after the request and shall be binding unless further appeal is sought in superior court. Within 20 days of the filing of the determination of the Commission or person(s) assigned by the regional planning agency, the applicant may appeal to the superior court of Essex County.