

HERITAGE COMMISSION

Draft Minutes

July 7, 2011

The Heritage Commission held its regular monthly meeting in the City Council Chambers at 37 Green Street, Concord, New Hampshire, on Thursday, July 7, 2011, at 4:30 p.m.

1. Call to Order and Seating of Alternates:

Chairperson Donovan called the meeting to order at 4:37 p.m.

Present at the meeting were Chairperson Donovan, Vice Chair Frederick Richards, and members Steve Shurtleff, Carol Durgy Brooks, and Dr. Bryant Tolles. Absent from the meeting were Robert V. Johnson, II, Elizabeth Durfee Hengen, Marilyn Fraser, and James McConaha. City Planner Douglas Woodward, Deputy City Manager Carlos Baia, and Administrative Specialist Donna Muir were also present.

2. Minutes of the June 2, 2011 meeting:

The Commission considered the minutes of the June 2, 2011, Heritage Commission meeting. A motion was made by Mr. Richards to accept the minutes as presented and seconded by Mr. Shurtleff. Chairperson Donovan asked if there was any discussion regarding the minutes. The motion to accept the minutes of the June 2, 2011, meeting passed unanimously.

New Business:

- a. *Historic District Application by Peter Goodell at 274 North Main Street to demolish an existing garage and build a new one.*

Chairperson Donovan introduced the applicant, Peter Goodell, and Bob Lambert from A&B Lumber. He stated that the hearing had been tabled at the last meeting to give the applicant time to make recommended changes to the application. Chairperson Donovan asked the applicant to provide an update the Heritage Commission.

Mr. Goodell provided the Commission with copies of updated schematics and photographs of the house, existing garage, and driveway, as well as an aerial photograph of the entire property. Mr. Goodell stated that he incorporated ideas that were brought up at the last Heritage Commission meeting and at a subsequent meeting with members of the Heritage Commission. These ideas reflected the concerns and requirements for properties within the historic district. He stated that the design and trim of the house was instrumental in the new design of the garage, which will be turned 90 degrees facing the roofline. The three-bay garage, which will be used for vehicles and additional storage, has two 10-foot doors on each side and one 8-foot door in the center on the front elevation. The trim above the fascia board and the overhead doors mimics the front of the house. The garage structure will be wood frame construction on a concrete slab. No concrete will be visible on the front. Mr. Goodell said that he hasn't decided whether to have two windows or one window and an overhead door on the east elevation, which is the back side of the building away from the street view. He said that the back area is extremely private and can't be seen by any abutting landowners. Vice Chair Richards stated that the power of the Heritage Commission is limited to view from the street or public right-of-way, so whichever design Mr. Goodell chooses for the east elevation would be okay with the Heritage Commission.

Mr. Shurtleff moved to approve the revised plan and thanked Mr. Goodell for his willingness to work with the Heritage Commission on the application. Ms. Brooks seconded the motion. Chairperson Donovan also thanked the applicant and asked if there were any other questions regarding the application. The motion to approve the plans as revised passed unanimously.

Mr. Goodell thanked the Heritage Commission members, stating that it was an educational experience and that he learned quite a bit through the process. He asked if there was any follow-up to the approval. Chairperson Donovan asked Mr. Woodward to explain the process. Mr. Woodward stated that he would prepare a letter for the Chair's signature, which would be mailed to Mr. Goodell. He said that the next step would be to obtain a building permit and a certificate of occupancy. Mr. Goodell stated that he was in the process of obtaining the building permit.

[Mr. Goodell and Mr. Lambert left the meeting at 4:50 p.m.]

b. Further consideration of the upcoming revisions of the Planning Board's Site Plan Review Regulations as they relate to demolition and preservation of historic structures.

Chairperson Donovan reported that the Heritage Commission provided a letter to the Planning Board outlining the Heritage Commission's recommendations for consideration by the Board in their upcoming review of the Planning Board's Site Plan Review Regulations. He introduced Carlos Baia, Deputy City Manager for Development.

Mr. Woodward stated that a copy of the Heritage Commission's recommendations, a memorandum from Mr. Baia commenting on those recommendations, and an excerpt from the draft Site Plan Review Regulations were provided to the Heritage Commission members.

Chairperson Donovan provided a brief background of the Commission's process regarding these three recommendations. He stated that the demolition review process has been successful at times, but did not fare as well recently. He stated that the Heritage Commission undertook a review of the demolition review process and ordinance and realized that there were some things that were needed to make the process more successful and less cumbersome for both the Heritage Commission and the property owners.

Mr. Baia stated that he was in attendance to shed some light on the memorandum he prepared and to clarify who was responsible for what. He stated that in the first recommendation there are property right implications and statutory definitions that need to be clarified. He was not sure if what the Heritage Commission was proposing was legal or feasible. As for the second recommendation, Mr. Baia stated that the City has been trying to streamline the process for developers and property owners and will continue to do so. With regard to recommendation # 3, Mr. Baia stated that there were already sections in the draft Site Plan Review Regulations that afforded review by the Heritage Commission.

Vice Chair Richards stated that the inclusion of recommendation # 3 may have been an oversight by the Heritage Commission. He also stated that the intent was to make the Heritage Commission more available to the Planning Board. He reported that historic inventories on file are incomplete and spotty at best, so that not all historic properties are contained within the inventories. He suggested that the Heritage Commission could be helpful to the Planning Board on a case-by-case basis.

Chairperson Donovan stated that recommendations # 1 & 2 were to address the fact that many people weren't aware of the need for review by the Heritage Commission / Demolition Review Committee and oftentimes developers and property owners were taken by surprise. He felt that the recommendations would help people understand the process better. Mr. Baia stated that when an application is submitted, the Planning Division staff would notify the applicants that they would need to go through the review. He also stated that he would ensure applicants for building permits would be informed of the same by the Code Division staff. Ms. Brooks suggested that there be a place on the application to inform applicants of the criteria that may trigger a demolition review. Mr. Woodward thought it would be possible to include something on the application form. He stated that the Planning Staff becomes aware of historic properties when the existing conditions plan is submitted for a project, and that information is conveyed to the Planning Board through the Planning staff reports and during the public hearings before the Planning Board, the public makes it known. Chairperson Donovan asked if there was a better way to ensure that the Planning Board knows about the historic significance of properties in advance of their public hearings. Mr. Woodward suggested that making people more aware of the historic inventories/surveys that are available.

Mr. Baia stated that the City is very sensitive to the Heritage Commission and that when perspective applicants meet with the Development Team, issues such as historical significance are brought to the applicants' attention. He is very cognizant of the need to not have the applicants feel blindsided. Mr. Baia said that it is important that at the site plan review level the applicants are made aware of what they need to do as far as demolition review is concerned. Mr. Woodward stated that oftentimes the applicants have spoken to staff of the Code Division prior to submitting site plan applications and are informed as to what the process for demolition review is. Chairperson Donovan stated that applicants for demolition review are being submitted earlier now. Vice Chair Richards stated that there needs to be a balance between the preservation of historic properties and the rights of property owners. He also stated that he does not feel that the 49-day waiting period affords enough time for applicants to look at alternatives. He said that applicants quickly realize that the demolition review ordinance is good in concept, but all they have to do is wait out the 49 days and that there are no teeth in the ordinance. Vice Chair Richards stated that there should discussion with City staff regarding extending the waiting period for demolition review. He feels that this is important especially in the downtown area.

Chairperson Donovan thanked Mr. Baia for his input. [Mr. Baia left the meeting at 5:20 p.m.]

c. Update on the Certified Local Government Grant.

Chairperson Donovan reported that the Heritage Commission's application for a CLG grant was approved in the amount of \$10,075.00, to conduct historic resources survey work in the south end of the City. Mr. Woodward stated that an appropriating resolution would be needed from City Council. He said that he would prepare the resolution for the City Council. The timeline would be that the resolution would be on the agenda for the August Council meeting, with the public hearing scheduled for September. Mr. Shurtleff suggested that he could contact the City Clerk and have the resolution on the agenda for the July Council meeting, with the public hearing scheduled for August. Mr. Woodward stated that he could have the necessary paperwork to the City Clerk by Monday, if Mr. Shurtleff would contact the City Clerk to get the item on the agenda for the July meeting.

Mr. Woodward also stated that some of the paperwork could be completed and sent out to preservation professionals, as long as the paperwork stated that awarding the proposal was contingent on City Council approval. Ms. Brooks asked whether the initial request to City Council to apply for the grant could include all the necessary information for Council to approve the acceptance of the funds for the grant at the same time. Mr. Woodward stated that it is standard procedure to go before City Council twice – once for approval to apply for the grant, and a second time to accept the awarded funds. Mr. Woodward stated that a member of the Heritage Commission should be at the City Council meeting in August, in case the Council had any questions regarding the grant.

Ms. Brooks asked what would happen if one of the proposals came in at less than the grant amount. Mr. Woodward stated that it wasn't necessary to choose the lower bidder, but instead, the proposal that provided the best chance for a successful project. There are a number of items that the proposal would have to address, and how these items were addressed would be as important as the proposal amount.

d. Agricultural Discretionary Easement – Stickney Hill Road.

Mr. Shurtleff stated that the City Council would be voting on the Agricultural Discretionary Easement for the property at 84 Stickney Hill Road. Mr. Woodward reported that the Conservation Commission and the Five Rivers Trust have been working with the owners of Maplewood Farms to have a conservation easement on the property. Mr. Shurtleff asked whether the Stickney Hill area would be appropriate to be incorporated into an historic district. Mr. Woodward suggested that the Heritage Commission would have to get the neighbors involved in the process, but that it would be a good project for the Heritage Commission. Chairperson Donovan stated that he knew the Conservation Commission was working on obtaining easements and to increase the trails on the Swope property and on the trails that currently exist on Jerry Hill. He thinks it is great that the Conservation Commission is working on maintaining that area.

e. Mr. Woodward's Retirement.

Chairperson Donovan stated that Mr. Woodward would be retiring at the end of July, and he thanked Mr. Woodward for his professional service to the Heritage Commission. Chairperson Donovan also thanked Mr. Woodward for his personal friendship. Members of the Heritage Commission unanimously agreed with Chairperson Donovan and provided their thanks and congratulations to Mr. Woodward.

There being no further business to come before the Commission, a motion was made by Vice Chair Richards and seconded by Mr. Shurtleff to adjourn the meeting. The motion carried. The Vice-Chair adjourned the meeting at 6:00 p.m.

A TRUE RECORD ATTEST:

Donna Muir
Administrative Specialist