

# HARTFORD HISTORIC PRESERVATION COMMISSION

Wednesday, February 17, 2021

## Draft Meeting Minutes

**Members Present:** Susanne Walker Abetti, Dennis Brown, Robin Adair Logan, Pat Stark and Chair Jonathan Schechtman.

**Staff Present:** Town Planner Matt Osborn.

**Others Present:** Planning Consultant Brandy Saxton.

A remote meeting of the Historic Preservation Commission in compliance with the Vermont Open Meeting Law was held on Wednesday, February 17, 2021. Chair Jonathan Schechtman called the meeting to order at 5:00 p.m. He proceeded to read the “Remote Public Meeting Script for Opening a Meeting” related to Act 92. Matt Osborn suggested that HHPC members tell Brandy Saxton a little bit about themselves. Introductions followed.

1. Minutes of the January 20, 2021 HHPC Meeting: Jonathan Schechtman asked if there are any corrections to the Minutes of January 20<sup>th</sup>. Susanne Walker Abetti noted a correction. Robin Adair Logan made a motion to approve the Minutes of January 20<sup>th</sup> with the noted correction. The motion was seconded by Susanne Walker Abetti and unanimously approved.
2. Demolition Standards for Historic Buildings Project: Jonathan Schechtman welcomed Brandy Saxton. He noted that Brandy has extensive experience with land use regulations and stated that her proposal was superlative. Brandy stated that much of her consulting work centers around zoning/land use regulations. She noted that there are two tasks for tonight’s discussion: review the project schedule and go over the technical memo she prepared dated February 12, 2021.
  - a. Schedule: Brandy noted that the project schedule was pushed back slightly from the schedule in the Request for Proposals. She suggested the following revised schedule:

March 17 <sup>th</sup>	Workshop #2 with the Planning Commission to review the draft demolition standards.
April	Community Meeting to present and receive public input on the draft standards.
May 19 <sup>th</sup>	Workshop #3 with the Planning Commission to finalize draft demolition standards.
June	Present draft demolition standards to the Selectboard.

The HHPC accepted the proposed revised schedule.

Hartford Zoning Regulations: Brandy noted that Hartford currently does not regulate building demolition through the Zoning Regulations except in the Downtown White River Junction Design Review District. Design review is required for buildings that are listed as a contributing property in the White River Junction Historic District. She went over the criteria. Brandy noted that Hartford could regulate demolition through its definition of land development but hasn’t.

- b. Statutory Authority: Brandy noted that as a Dillon Rule state, Vermont municipalities only have authority specifically granted them by the state. Under 24 V.S.A. § 2291 Enumeration of Powers, municipalities have the authority to:
  - I. Compel the cleaning or repair of any premises that endangers public health and safety.
  - II. Act to abate or remove public nuisances.
  - III. Recover expenses incident to the maintenance of an uninhabitable building.

IV. Condemn and require destruction of a building damaged in a declared disaster and as a result deemed dangerous.

Brandy also reviewed the following State Statutes

24 V.S.A. § 4411 Zoning Bylaws:

(a) A municipality may regulate land development in conformance with its adopted municipal plan and for the purposes set forth in section 4302 of this title to govern the use of land and the placement, spacing, and size of structures and other factors specified in the bylaws related to public health, safety, or welfare. Zoning bylaws may permit, prohibit, restrict, regulate, and determine land development, including the following:

(2) dimensions, location, erection, construction, repair, maintenance, alteration, razing, removal, and use of structures;

(b) (3) To regulate, restrict, or prohibit uses or structures at or near any of the following:

(F) Places having unique patriotic, ecological, historical, archaeological, or community interest or value, or located within scenic or design control districts.

24 V.S.A. § 4414 Zoning; Permissible Types of Regulations:

Any of the following types of regulations may be adopted by a municipality in its bylaws in conformance with the plan and for the purposes established in section 4302 of this title.

(1) Zoning districts. A municipality may define different and separate zoning districts, and identify within these districts which land uses are permitted as of right, and which are conditional uses requiring review and approval, including the districts set forth in this subdivision (1).

(E) Design Review Districts

(F) Local Historic Districts and Landmarks

24 V.S.A. § 4433 Advisory Commissions and Committees:

Municipalities may at any time create one or more advisory commissions, which for the purposes of this chapter include committees, or a combination of advisory commissions to assist the legislative body or the planning commission in preparing, adopting, and implementing the municipal plan. Advisory commissions authorized under this section and under chapter 118 of this title may advise appropriate municipal panels, applicants, and interested parties in accordance with the procedures established under section 4464 of this title.

(3) Duties and powers of historic preservation commissions.

(4) Powers and duties of design review commissions.

c. Comparative Review: Brandy provided a handout of a comparative review of demolition standards from other communities including:

- Burlington, VT
- Montpelier, VT

- Keene, NH
- Portland, ME
- Cambridge, MA
- Connecticut Model Ordinance

Brandy noted that she did not include Shelburne or Dorset, Vermont since their standards are fairly subjective and do not have clear criteria.

Jonathan Schechtman asked if Brandy looked at demolition standard examples outside of New England. Brandy stated that she stuck to examples within New England.

- d. Questions for Committee Members to Consider: Brandy posed the following questions for the Commission to consider.
- I. Should historic buildings outside designated historic district be subject to review? If so, should there be a process to determine their significance prior to that review?
  - II. How should applications for demolition of a historic building be reviewed? What is the role of the Historic Preservation Commission?
  - III. What consideration should Hartford give to economic hardship in the review process?
  - IV. How proactive should Hartford be with regards to building maintenance and demolition by neglect?

Brandy noted that some communities like Burlington regulate demolition through building and housing codes which Hartford doesn't have. She also noted that Hartford's Town Charter doesn't provide additional powers beyond those provided elsewhere in State Statute. Brandy doesn't believe State Statutes give the Town the authority to create a free-standing demolition ordinance. As a result, Brandy recommends incorporating demolition standards into the Zoning Regulations.

Dennis Brown asked about regulating demolition through the Town Charter, but acknowledged that it is a cumbersome process. Brandy responded that it won't be necessary to update the Town Charter.

Brandy noted that typically the Design Review Committee or the Historic Preservation Commission would provide an advisory role and make a recommendation to the Planning Commission who would make the final decision. Matt Osborn responded that in the White River Junction Design Review District, the Design Review Committee makes recommendations to the Planning Commission. He noted that for more than ten years, this process has worked very well and he does not recall any applications that Planning Commission did not agree with the recommendation of the Design Review Committee. Jonathan Schechtman stated that the Historic Preservation Commission has the expertise and would like to see them in a decision-making role.

Robin Adair Logan stated that she is concerned about losing more historic buildings in Hartford. She appreciates having Brandy to shepherd the town through the development of standards.

Regarding a 50-year threshold, Dennis Brown stated that he wasn't sure. He would prefer to avoid controversy and likes the idea of a carrot vs stick approach. He referred to the barn grant program as an example. He added that the Historic Preservation Commission will have to sell the concept. Dennis asked about enforcement if a historic building is demolished without approval. Brandy responded that enforcement is always a challenge.

Susanne Walker Abetti commented on the demolition of the building adjacent to Vermont Salvage on Gates Street through demolition by neglect and feels that it should be addressed in the standards. She expressed concern about losing additional historic buildings.

At the conclusion of the discussion, Jonathan Schechtman complimented Brandy stating that it was a very comprehensive outline. The HHPC agreed.

Brandy stated that for the March 17<sup>th</sup> workshop, she will prepare some draft language which she described as inclusive and expansive and will be edited at the workshop.

Matt Osborn noted that the March 17<sup>th</sup> meeting will be a joint workshop with the Planning Commission and Planning Department staff.

3. 2021 CLG Grant Application: Matt Osborn reported that the CLG grant application did not receive funding. He noted that it was not a priority project and it was a very competitive grant round. State Architectural Historian Devin Colman provided some constructive criticism on the application. Looking to the next grant round, Matt stated that we could beef-up the application as Devin suggested or select a higher-ranking project such as a historic district nomination. The HHPC agreed to discuss further at another time. Matt will contact Devin to get his thoughts on it.
4. White River Junction Sign: Matt Osborn reported that “White River Junction” sign that Parks and Recreation Department Director Scott Hausler delivered the sign to the Town Hall. It is on the third floor. Matt noted that the sign measures approximately is 2’ x 7’. He stated that the next step is to find a good location in the Town Hall for it and to request approval to put it up. Matt stated that it would be nice to have the HHPC visit the Town Hall to look at possible locations, but due to Covid-19 restrictions, that is not permitted at this time.
5. Announcements:
  - a. Taft’s Flat Intensive Level Survey: Susanne Walker Abetti noted that there is a housing shortage in the Upper Valley today and she was surprised that the Taft’s Flat Intensive Level Survey Report noted the same situation 100 years ago. She would like to share the report with the public. She asked if it would be OK to make the Taft’s Flat Report available to the public. Matt Osborn responded that he will check with Architectural Historian Brian Knight.
6. Next HHPC Meeting: Matt Osborn noted that the second workshop on the demolition standards is scheduled for Wednesday, March 17<sup>th</sup> at 5:00 p.m. It will be a joint workshop with the Planning Commission and Matt expects it to be a relatively lengthy meeting. Since there is nothing pressing on the agenda, Matt suggested skipping the regular HHPC business. The HHPC agreed.
7. Adjournment: Pat Stark made a motion to adjourn the meeting. The motion was seconded by Robin Adair Logan and unanimously approved. The meeting was adjourned at 6:44 p.m.