

HARTFORD HISTORIC PRESERVATION COMMISSION
Community Discussion: Demolition Delay Standards for Historic Buildings
Thursday, June 3, 2021
Draft Minutes

Hartford Historic Preservation Commission (HPC) Members Present: Susanne Walker Abetti, Pat Stark, Chair Jonathan Schechtman and Selectboard Liaison Dennis Brown.

Planning Commission Members Present: Dillon Bianchi, Toby Dayman, John Heath, Chair Bruce Riddle and Selectboard Liaison Kim Souza.

Staff Present: Planning and Development Director Lori Hirshfield, Zoning Administrator Jo-Ann Ells and Town Planner Matt Osborn.

Others Present: Marcy Bartlett, Sally Bellew, Michelle Boleski, Ken Parker, Michael Redmond, Andrew Winter and Planning Consultant Brandy Saxton.

A remote community discussion on demolition delay standards for historic buildings in compliance with the Vermont Open Meeting Law was held on Monday, June 3, 2021. Historic Preservation Commission (HPC) Chair Jonathan Schechtman called the meeting to order at 6:33 p.m. He proceeded to read the “Remote Public Meeting Script for Opening a Meeting” related to Act 92. Roll call of the HPC and Planning Commission was taken. Matt Osborn noted that this meeting is being recorded. He added that there is a risk of thunderstorms this evening. If power is lost, the meeting will be rescheduled and a notice will be posted on the Town website tomorrow as to the date and time.

Jonathan Schechtman welcomed everyone to the meeting. He noted that the HPC is one of seventeen Certified Local Governments (CLG) in Vermont that are eligible for historic preservation funds. The HPC was established in 1993 and has received nearly \$190,000 in grant funds on a variety of historic preservation projects including historic district nominations and historic surveys. Jonathan noted that the HPC is concerned about the loss of historic buildings in Hartford and received a CLG grant to hire a consultant to consider regulations for demolition of historic buildings. Through a competitive selection process, the Town hired planning consultant Brandy Saxton of PlaceSense of Hartland, Vermont. Jonathan went through a slide presentation of buildings in White River Junction and other villages that no longer exist. He introduced consultant Brandy Saxton.

Brandy Saxton noted that many historic buildings in Hartford have been demolished in the last thirty years which can have a significant effect on a village or neighborhood’s historic character. Requiring review prior to demolition or additional design review districts that have a demolition review process are worth consideration. Brandy noted that since February, she has been meeting with the HPC, Planning Commission and staff to explore options for demolition standards for historic buildings which has included researching examples of demolition standards for historic buildings within and outside of Vermont. The project includes soliciting input from the community, develop draft demolition standards and present them to the Selectboard.

Brady Saxton went over the existing regulations regarding demolition in Hartford. Currently, demolition of historic buildings is regulated in the Downtown White River Junction (WRJ) Design Review District only. In WRJ, the Design Review Committee considers demolition applications and makes recommendations to Planning Commission. Applicants must demonstrate that building is structurally unsound or rehabilitation would cause undue financial hardship. Elsewhere in town, no zoning permit or review is required to demolish a building irrespective of whether it is historic.

Brady Saxton briefly described Hartford's historic resources. There are nine historic districts listed on the National Register of Historic Places. Together those historic districts contain more than 550 contributing structures. The WRJ district accounts for about 60 of the contributing structures. Other historic resources have been surveyed and at least another 150 structures may be eligible for listing on the National Register.

Brady Saxton went over approaches to demolition.

The first option is demolition delay:

- Delay demolition for a specified period (1 - 12 months).
- Work with applicant to find an alternative to demolition.
- Photo document the structure.
- Require building to be advertised for sale, relocation or salvage.
- After delay period elapses, owner is allowed to demolish building.
- Greater level of protection for property rights.

The second option provides a more detailed review:

- Require review and approval for demolition.
- Determine the significance of the building.
- Weigh benefit of redevelopment against loss of historic resource value.
- Assess whether the building is structurally sound.
- Assess whether rehabilitation and re-use is economically viable.
- Review may ultimately result in a denial and owner would not be allowed to demolish the structure.
- Greater level of protection for historic resources.

Brandy Saxton noted that following several workshops, the Committee, comprised of the HPC, Planning Commission and staff, has reviewed examples of both approaches from other New England communities, discussed key policy questions for Hartford and is leaning toward the demolition delay approach. At this point, the Committee is seeking public feedback before draft language is prepared.

Brandy stated that she has a list of questions that she would like to get feedback on.

Question 1: What buildings are significant and important for the community to protect? (age, type, size, location...) Kim Souza asked if this only affects a building that is listed as a contributing building in a historic district and if a person can decide against being part of a historic district? Brandy Saxton responded that the recommendation of the Committee is to not use the National Register districts in Hartford as a determining factor but rather use age (100 years or older). In addition, the standards would affect historic buildings town-wide, not just historic buildings in historic districts.

Michelle Boleski stated that she believes that the Covell House on Highland Avenue that is owned by the Hartford School District is an important building and would like to see it restored and not demolished.

Question 2: What is the right balance between the community's benefit/loss and the property owner's benefit/loss? Marcy Bartlett asked if the design review process can be compressed so a project can move forward quickly? Lori Hirshfield responded that the WRJ design review process works parallel with the

normal permitting process. Brandy Saxton noted that the Committee is not considering a design review district approach but rather demolition delay.

Michael Redmond stated that he would like to know more about what is being proposed. Brandy Saxton responded that the present direction is for demolition delay for buildings at least 100 years old, meet with the HPC, determine historic significance and photo document the structure if it is historically significant and have the option to look at alternatives. Michael suggested that we be very clear with the time frame to give property owners predictability.

Question 3: If review process, should there be an approved redevelopment plan for the property before a historic building is demolished? Andrew Winter who works on affordable housing projects recommends against requiring a redevelopment plan prior to receiving approval to demolish a building. He noted that it is very costly to do a redevelopment plan and he prefers obtaining approval to demolish the building first. He noted that redevelopment plans can cost upwards of \$50,000 and can involve a lengthy design process and engineering. Ken Parker agreed noting that a property owner with a deteriorated building is already experiencing an economic hardship. He expressed concern that further delays and costs add to the economic hardship. Dennis Brown noted that he supports the concept of a demolition delay for historic buildings that are not a burden to property owners in order to look at alternatives to demolition, possible grants and photo documentation. Lori Hirshfield responded that there are no large grants out there. Grants tend to be small. Brandy Saxton agreed.

Question 4: If review process, what evidence would an applicant need to provide to demonstrate economic hardship? What is reasonable to expect? Brandy Saxton discussed privacy and the cost of assembling information. She noted that in Burlington, Vermont they use a pro forma. There were no public comments for this item.

Question 5: If delay, how long should a delay be in effect for? Andrew Winter responded that 12 months is too long. He suggested a shorter delay. Kim Souza agreed noting the short construction season in northern New England. Ken Parker added that time is money. He suggested being expeditious and noted that a longer delay runs the risk of interfering with a contract on a property. Bruce Riddle added that he perceives a difference between residential and commercial properties. He suggested a delay no longer than 45 days especially for residential. He also stated that all lots where buildings are demolished should be graded. There should not be any empty cellar holes. Bruce also expressed concern about the health concerns of demolition dust. Brandy noted that a building that poses a health and safety risk can be demolished without a delay.

Next Steps: Brandy Saxton noted that the Committee will work on a revised draft and present to the Hartford Selectboard sometime this summer. Then, the Committee will continue further revisions of the draft as needed and commence the adoption process when ready. That will involve Public Hearings with the Planning Commission and Selectboard. Matt Osborn emphasized that we are not going to rush this. We want to get it right before beginning the adoption process. He added that he is keeping an e-mail list of interested residents and will send out e-mails of future community meetings/hearings on the topic. If you would like to get on the list, e-mail Matt at mosborn@hartford-vt.org

Adjournment: Jonathan Schechtman thanked everyone for attending. The meeting adjourned at 7:57 p.m.