

Durham Historic District Commission

Thursday, April 9, 2015

Attendance:

Chair Candy Descipkes

Vice Chair Ben Love

Secretary Seth Koenig

Joe Donovanick

Paula Erdmann-Purdy

Call to Order and Establishment of Quorum

Pledge of Allegiance

Acceptance of Minutes

Motion: Candy made a motion to accept the minutes from March 12, 2015.

Paula seconded.

Vote: 5-0.

Continuing business

Historic District Map

- Candy talked to GPCOG in Portland; guy thought he could do a more precise map if we gave him the description on the ordinance, and that he would work with us on that
- GPCOG guy said it would be helpful to have a tax map

District Property Owner List

- Candy distributed draft No. 2; asked for a 2002 tax map
- Paul said there are some older tax maps in the fireproof room, but wasn't sure which years
- Candy said the reason she wants an old map is to double check whether lots 47 A & B were in the district at the time the HDC was formed; if lot 47 was subdivided previous to the formation of the district, they would be exempt from the district restrictions (ordinance only makes reference to Lot 47)
- Candy: Lot 25 is in the ordinance description, but the Lot 25 property owners were not on the previous property owner list – their property is not visible from the road.
- Paul: New construction is exempt from the ordinance if not visible from the road
- Paula: The house on Lot 25 may not be in the district; the map will show whether it is or not
- Seth said we can change the ordinance as part of our ongoing revision process to exempt pre-existing structures from HDC review
- Paula said the ordinance only applies to structures of historic value, so if the structure doesn't have historic value, it's not a problem for us?
- Seth: It would be one thing to exempt everything outside of public view, but exempting everything that's not "historically valuable" is dangerous, because homeowner could paint with purple and pink polka dots on non-historic home and throw off the historic character of the district
- Paul: The ordinance lacks verbiage describing what historic character the commission is trying to preserve, which leaves the board little guidance for how to decide
- Joe: The ordinance defines "historic" as "being important to history," and it could be argued

- none of the structures in the district qualify
- Candy said she would try to look at old tax map to see which lots were subdivided

Letter to property owners

- Candy: Should we send the letter out?
- Joe: I agree that we should send the letters out to everyone, and let them come to us with questions

Warrant article – town meeting

- Our budget, part of the planning board, was approved
- Our ordinance change, with two alternatives being added to our board
- Candy: We can post request for applicants in the Tri-Town Weekly
- Ben said we can post in a town weekly e-newsletter
- Seth: We can have Tia post an announcement seeking HDC alternates on the Historical Society Facebook page (Ben said he'd contact Tia)

Town website and TV channel

- It's been updated to reflect our HDC meeting schedule

By-laws

- Candy: I've updated the by-laws and will turn them in to the selectmen for review
- Seth: We also need to update by-laws to dictate what responsibilities the alternates have

Historical society liaison

- Candy asked about establishing a historical society liaison who can attend their meetings
- Joe said he doesn't think it needs to be formal; as long as they know what we're doing and we know what they're doing, it will be fine
- Candy and Paula said they would attempt to take turns attending Historic Society meetings

Amendments to Historic District Ordinance

- Candy distributed memo from her (written by Joe) to Paul, reflecting a proposal to change the process allowing the codes enforcement officer and a two-person subset of the HDC (Ideally the chair and vice chair, but if not, one officer and another member) to give minor changes more expedient approval
- Under Joe's intended proposal, if any member of the three-person subcommittee or the applicant believes it should go through the full board review (Paul said the wording may need to be tweaked to make sure that intention is reflected)
- Paul: The only other thing missing is a provision saying that if the truncated committee denies the application, what happens to the application? "If an agreement is not made by the truncated commission, it will need to be reviewed by the full commission."
- The next step would be Paul taking the concept to the attorney

Motion: Seth moves to direct the codes enforcement officer to seek legal feedback on the concepts reflected in the memo.

Joe seconded.

Vote: 5-0

- Paul: I think the board should consider having this ordinance repealed, and then consider how to move forward best to preserve the history of the town
- Paul said that for structures not historic, the ordinance has been cumbersome and will continue to be so, and yet many of the town's most historic structures are not in the district
- Ben: You're saying repeal it and rebuild it
- Paul: Durham doesn't need a historic district, it may need historic preservation; take away the way the ordinance manages the district
- Joe: It may be the best time to do that, because the town is about to start a new comprehensive planning process
- Paul: The next comprehensive plan may be able to more cohesively tie together the town's historic needs; the ordinance is not doing what it's designed to do, it's just making things difficult for property owners
- Joe: I've been on this commission for years, and we've done nothing to preserve historically important town structures
- Joe: What would we replace it with? Coming up with a new ordinance would be a colossal amount of work
- Seth: I wouldn't want to repeal the ordinance before the comprehensive planning process; we want to make sure whatever we do with the ordinance comports with that comprehensive planning (Joe: That's why this is such a good time)
- Paul: It's done almost nothing in preservation, but it's encumbered everybody else
- Ben: I'd worry if I lived in the district, doing away with the district could open the door to storage containers
- Joe said the middle ground could be to modify the ordinance (as we'd discussed) to make it less restrictive
- Seth: Is the historic district really a historic district? Or just a relatively high concentration of historic buildings?
- Joe: I think maybe we do a moderate alteration in the short-term and then consider a full repeal later as part of the comprehensive planning process
- Paula: The ordinance also says we can enlarge the district; Methodist corner is probably just as important a historic neighborhood
- Candy: "I would hate to see us throw it out the window." It would be nice if there was a process to oversee more places with historic significance. The current HDC shouldn't be penalized because of inactivity by past HDCs or historical society (Ben agreed)
- Paul: I don't think throwing it out is the key, I think it's about changing the HDC to try and get it to do what it's intended to do
- Paula: I've never understood why the district ended where it ended.
- Joe: All we know it is it's not working functionally now. Let's try to modify what we have now to make it less burdensome.

Jeff Wakeman: A Boy Scout will come to the commission to request permission to do an Eagle Scout project building a path and erecting flags at Memorial Park

- For now, members agree to pursue middle-road approach (like memo)

Maine Historic Preservation talk/help

- Paula talked to member of Maine Historic Preservation Society and Portland Historic

Preservation Society; there may be grant money through Stephen King Foundation, which Tabitha runs

- He could come out and talk to us about how Maine Preservation helps local groups
- Paula: Our churches are really distinct (Quaker, Shiloh, Methodist, etc.)
- MHPS rep may be able to help us determine how to preserve historic properties without a defined district
- MHPS rep is developing preservation plan for Union church and Methodist church (Ben said that plan has been forthcoming for months)
- Paul: MHPS rep could come talk during dedicated meeting (Seth said June, because he'll be gone in May)
- Ben plans on calling state group to help train on how to manage Historic Districts
- Joe: We should have an inventory of what we're talking about; pictures, tax records (year built, type of construction, etc.)
- Paula: Ask if he can come second Thursday in June (members agreed)

Flagpoles

- Candy: Flagpoles were erected in the district without approval (we can discuss at a future meeting)

Homework:

- Candy will talk to the GPCOG map guy
- Candy will review old tax maps to finalize property list
- Send out letter to the district (office)
- Request applications for alternates
- Candy and Paula will try to make connection to historical society
- Paul will take ordinance change for legal review
- Paula will request MHPS presentation in June
- Ben will track down state agency for training

Motion: Joe moves to adjourn at 8:02 p.m.

Seconded by Seth

Vote: 5-0