

Durham Historic District Commission

Thursday, Jan. 8, 2015

Attendance:

Chair Candy Descipkes

Vice Chair Ben Love

Secretary Seth Koenig

Joe Donovick

Call to Order and Establishment of Quorum

Pledge of Allegiance

Candy added line to agenda regarding town report

Acceptance of Minutes

Motion: Ben made a motion to accept the minutes from Dec. 11, 2014.

Joe seconded.

Vote: Unanimous.

Continuing Business

- **Membership** – Candy Paula Edmann-Purdy has filled out application to join the board; she would be the fifth and final member
- **Historic District Commission records** – Joe Donovick

Synopsis: Commission started meeting in 2007; Joe was surprised to discover there were no records, no files for commission kept at the town office. As a result, if we wanted to put together a history of the commission's work, we'd have to piece it together case-by-case by looking up permit histories of affected properties. We wouldn't even have draft by-laws or other basic documents had Joe not kept his copies from before.

Paul asked if he should check with the state to determine which records are legally necessary to keep, and suggested the commission include language about record-keeping in the by-laws.

Seth asked if the commission chair and/or vice chair should keep a separate copy of the commission file.

Candy said she'd talk to Ruth about record keeping.

Paul said we need to acquire a poster-size map to be available for public review; one wasn't found in the comprehensive plan, but the Board of Selectmen may be receptive to request that such a map be made by GP COG

- **Comprehensive Plan report** – Joe Donovick

Synopsis: Joe reviewed the comprehensive plan of 2002 (amended 2004) to see what it said about the Historic District Commission. He found the CP intends for the town to remain a rural, agricultural area, discouraging heavy industry or big box stores. The CP created the commission and the borders of the district itself, but didn't go into detail about why.

The CP lists two locations in National Historic Registry (Shiloh Church, Osgood Farm on Route 136) as well as about a dozen other less formally designated “historic places,” such as the Friends Meeting House and Bagley House Inn, etc. (Ben said he felt other places, such as the Old Town Hall, have since been added to the Registry)

Joe said there are no known archaeological resources in Durham, but the hill overlooking Runaround Pond and the area within 75 feet of river in Southwest bend could be potential archaeological dig sites.

He said the CP's goal for the commission, with the help of the Historical Society and Selectmen, is to develop a of historical inventory of the town, preserve and protect historical resources, promote preservation and public awareness.

Joe said the commission was created with the future in mind – 20, 30 years out, as population pressure and economic pressure grows, and development interests threaten the historic district and other important properties.

He said the Southwest Bend area was considered the most “Durham-like” area of Durham.

The group discussed using the 12 historic properties listed in the comprehensive plan as source material for a magazine or other educational publication, as well as greater collaboration with the Historical Society.

Ben and Paul brought up the concept of first using social media, like Facebook or a blog, to feature historic properties and the HDC's work before putting out a print publication.

Paul said the commission could ask homeowners for voluntary inclusion in the historic district, and once those properties are encumbered by agreement, future owners would also be obligated to preserve those properties.

The group members informally agreed that they'd like to settle on final ordinance revisions and by-laws before expanding the district, but that they were open to it if homeowners (for whatever reason) wanted inclusion.

– **Budget request**

Candy started by noting that this group has never had a budget; we had talked about putting treasurer/budget duties on the vice chairman.

Commission members discussed seeking a budget of a few hundred dollars to cover basic office supplies, and potentially the aforementioned poster-size map.

Candy said budget proposals are due to be submitted to the selectmen by Jan. 16; Ben volunteered to

draft a short budget for submission.

She also said we may want to include a statement about how this is our first budget and why we wrote one up.

Paul said to cite the ordinance line allowing for the commission to request funding.

Seth agreed to write up the commission's entry in the annual report.

– **Consideration of By-laws**

Candy said By-laws need to be adopted and forwarded to Board of Selectmen

Paul suggested we could add associate members in the by-laws, and those associate members would be available to step in and replace members when they leave.

Motion: Seth made a motion to remove Article II, Section 5, regarding the treasurer position, from the draft bylaws, and to add financial bookkeeping responsibilities, including drafting of the commission's annual budget request and keeping records of expenditures, to the responsibilities of the vice chairman.

Joe seconded.

Vote: Unanimous

Motion: Seth made a motion to change Article III, Section 2, to change the wording from “President” to “chairman.”

Candy seconded.

Vote: Unanimous

Members agreed informally to review by-laws by next meeting for suggested changes.

Motion: Seth made a motion to adopt the By-laws as amended.

Joe seconded

Vote: Unanimous.

Ben asked if we've been posting the meeting times on the town website.

Candy answered that we have been.

– **Continued discussion of ordinance revision**

Paul said the commission could give CEO some authority to approve low-level changes to properties within the historic district, both to reduce burden on the homeowners and to reduce burden on the

commission.

He said the ordinance should be under constant revision, that there's a lot that could be done with this ordinance to simplify it, keep the integrity intact, but remove burden from commission/property owners

Joe noted that the subject segues into the following one scheduled about potentially enhancing the position of the codes enforcement officer.

New Business

– Enhancing power of codes enforcement officer – Joe Donovanick

Joe said he feels the commission ordinance effectively puts property owners through a lot of bureaucratic hassle, even though many of the houses within the district are not historically significant (just happen to be located in the district)

He suggested a method by which the CEO has authority to decide which proposals merit HDC applications, or contacts the chair and vice chair for a conference to quickly decide which proposals merit applications.

Joe said he felt the following article allows the commission to delegate authority to the CEO without seeking full town approval for an ordinance revision: “Article II of the statute; Section 3 F. Commission shall adopt bylaws or additional operating procedures consistent with the intent of this ordinance.”

But Paul said the ordinance specifically also states that the commission review all applications within the district before they are turned over to the CEO (Page 15, Article 5 of the ordinance)

Joe said perhaps the second suggestion (a conference between the CEO and chair and/or vice chair) could qualify as a commission review to satisfy the ordinance.

Paul said the commission should consider seeking a legal opinion, and could ask the selectmen for the allowance to do so.

Paul also cautioned that the commission will likely have to determine very specifically which items can be preliminarily reviewed by CEO, by developing a table of historic district regulations and defining which ones are enforceable by the CEO and which ones must be considered by the HDC.

Seth asked if we just put blanket line in allowing CEO to approve in consultation with commission leadership.

Paul answered that that's likely too broad.

Paul and Joe offered to sit down and draft ordinance language that might shift some approval authority to the CEO.

Seth offered to check with the City of Bath, which streamlined its HDC approval process a few years

ago.

– **Town website**

Candy said she would talk to John Ricker with regard to including more HDC information on the town website, maybe adding a slide on the town's television channel

– **Town report**

Candy noted that Seth said he would do the commission page for the annual report.

– **Homework**

Ben will draft and submit a budget proposal.

Seth will write up commission page for the annual town report and check with the city of Bath on its HDC ordinance.

Candy will talk to Ruth about the commission's previous records and whether they can be kept at the town office, will talk with John Ricker about the website, and will talk with the selectmen/town administrator about a poster-size map.

Joe will meet with Paul to talk about potential ordinance changes.

All members will review the by-laws for changes.

Motion: Ben made a motion to adjourn.

Candy seconded.

Vote: Unanimous.