Agenda
Historic Preservation Commission
Wednesday, November 13, 2019
City Hall Conference Room (First Floor)
Regular Meeting
4:00 PM

1. Call to Order
   a. Welcome to New Members & Introductions
2. Review of Minutes of Previous Meetings:
   a. September 11, 2019: Regular Meeting
   b. October 22, 2019: Special Meeting
   c. October 29, 2019: Special Meeting
3. Review of Staff COA Approvals: No staff approvals since last report.
4. New Business, Public Hearings
   a. Upcoming Grants & Deadlines
   b. CLG Draft Report
   c. Member Attendance & Member Handbook
   d. Liaison Recommendation
5. Old Business & Updates
   a. 90 Temple Street RFP Status Update
   b. Zoning Ordinance Revision Status Update
   c. Historic Building Plaques Update
   d. Financials Update
   e. Website Review/Resources Update
   f. Inquiries & Additional Discussion
6. Tabled Items
   a. Nomination & Election of Vice Chair
7. Adjournment
Minutes
Historic Preservation Commission
Wednesday, September 11, 2019
City Hall Conference Room
Regular Meeting
4:00 PM

Present: Chair Kelley Archer; Diana Huot; Kate Gaudet; Steve Ryan
Excused: Ernie Lowell
Unexcused: Julia May; Rob Biggs
Also present: Emily Cole-Prescott, City Planner; Isabelle Oechslie, Program Coordinator; Roger Gay, City Council Liaison

1. Call to Order: Chair Archer called the meeting to order at 4:00 PM.

2. Review Minutes of Previous Meeting: August 28, 2019 – Diana Huot moved to waive the reading of the meeting minutes from August 28, 2019. Kate Gaudet seconded, and the motion carried unanimously. Steve Ryan moved to approve the meeting minutes as revised (changing typo of Iggy Kroll to Edite Kroll). Diana Huot seconded the motion, and it carried unanimously.

3. New Business, Public Hearings, & Tabled Items
   a. Emily Cole-Prescott presented her staff-level review of a replacement and relocation of garden shed at 73 Middle Street, which was approved. No concerns cited by the Commission.
   b. Application Review & Public Hearing: 60 School Street (Map 32 Lot 65): COA
      Overview: Applicant Ben Caron has presented a Certificate of Appropriateness application for the Commission’s review of replacement skirting at the Unitarian Universalist Church at 60 School Street. The existing skirting on the building has been removed for necessary repairs. It should be noted that the application indicated use of vinyl skirting, though Emily Cole-Prescott highly recommended that the applicant presented something other than vinyl. The applicant has since updated the proposal to be 1 by 10 nickel gap board installed vertically. (See page 11 of the brochure in the meeting packet).

Chair Archer indicated that she has reviewed the property files in City Hall. The Commission has reviewed various COAs on this property in the past, but since then the land that the church is sited on has come under lease with the City of Saco. Chair Archer asked if the City would need to also sign off on any renovations of the church. Emily Cole-Prescott explained that the church has right, title, and interest to this property because they are holders of a lease, which makes them eligible to enter this application without City approval. Additionally, the work is on the existing structure, not on the site owned by the City.

Chair Archer moved to find the application for Certificate of Appropriateness complete. Diana Huot seconded, and the motion carried unanimously.
Chair Archer opened the public hearing.

Applicant Ben Caron said that the skirting on the church is in desperate need of repair. The skirting currently is a mix of three different materials, due to the church attempting to make piecemeal repairs over the years. This proposal is to replace all the skirting on the church to make it uniform as well as to complete necessary repairs.

With no additional comments, Chair Archer moved to close the public hearing on this project.

There was discussion of the applicant’s request for the Commission to consider vinyl material. Steve Ryan asked about any vinyl fixtures currently on the property (windows, doors, etc). Applicant answered that there is currently no vinyl on the structure. Chair Archer explained that the decision on vinyl is up to the discretion of the Commission, following local standards. Diana Huot pointed out that some buildings in the historic district have vinyl siding, but it predates the creation of the Historic Preservation Commission. The ash-based skirting product that the applicant has proposed is a good alternative to typical wood because it doesn’t rot. Kate Gaudet asked about why they chose nickel gap. Applicant answered that it was to mimic the wood that was there before.

Diana Huot moved to accept the proposed findings of fact. Steve Ryan seconded, and the motion carried unanimously.

Kate Gaudet moved to approve the application as proposed, with ash-based TruExterior skirting. Diana Huot seconded, and the motion carried unanimously.

4. Old Business & Updates
   a. RFP – 90 Temple Street: The concept of an RFP was approved in January 7th by the Council to move forward. The Commission hopes to have this RFP sent out as soon as possible.
   b. Zoning Ordinance Revision: Planning & Development staff are looking to have a final draft of the revised zoning ordinance ready by September 20. That draft will be sent to all boards and commissions, including the Historic Preservation Commission, in the city on September 27th for review and feedback. HPC has its own amendment process and must hold its own public hearing for the zoning ordinance, which will be held on October 22. Staff hopes to have the revised zoning ordinance put to a vote at the City Council’s meeting on November 18th. During this discussion, Emily Cole-Prescott pointed out that they are asking the consultants to remove the confusion surrounding proposed Historic District B.
   c. Historic Building Plaques – Draft Program: Tabled until next meeting.
   d. Financials: Tabled until next meeting.
   e. Inquiries & Additional Discussion: Andrew Bracy’s appointment was approved by the Council. Jack Cianchette has also applied to join the Commission.

5. Tabled Items
   a. Nomination & Election of Vice Chair: Tabling until next meeting.

6. Adjournment: Adjourned at 5:22 PM.
Minutes  
Historic Preservation Commission  
Tuesday, October 22, 2019  
City Hall Auditorium  
Special Meeting  
7:30 PM

Present: Chair Kelley Archer; Ernie Lowell; Kate Gaudet; Diana Huot; Rob Biggs; Andrew Bracy; Jack Cianchette  
Excused: Steve Ryan  
Unexcused: Julia May  
Also Present: Emily Cole-Prescott, City Planner; Isabelle Oechslie, Program Coordinator; Roger Gay, Council Liaison

1. Call to Order: Chair Archer called the meeting to order at 8:25 PM.

2. New Business, Tabled Items & Public Hearings –
   a. Zoning Ordinance Revision Public Hearing
      ▪ Historic Preservation Ordinance

Overview: Emily Cole-Prescott provided a brief overview on the Zoning Ordinance Revision project.

Public Hearing: Diana Huot moved to open the public hearing. Kate Gaudet seconded, and the motion carried unanimously.

The following members of the public chose to speak:
   ▪ Roger Gay, Ward 2 City Councilor, asked a question about vinyl siding over wood siding relative to the Commission’s ordinance revision.
   ▪ Beth Johnston, 62 Pleasant Street, asked about the timing of the process and how the historic preservation ordinance would be changing.

Discussion from the Commission: If vinyl siding came off wood, wood would need to be used moving forward. Chair Archer expressed that the current Historic Preservation Ordinance has not been comprehensively updated since 1998, so it needed to be updated for clarity. Much of the content in the proposed ordinance has been edited for the better. The things which have been added are the vinyl siding that Emily addressed, protecting exterior details such as wood sashing and masonry. The Commission believes that staff review times for minor COAs should be 10 working days to retain timeline of current ordinance.
“Installation of vinyl siding on buildings that are not sided with vinyl is prohibited” is how the proposed ordinance reads currently. Kate Gaudet asked if it should be specified within the ordinance that wood is preferred, and Chair Archer asked about specifying no vinyl windows in the district. The Commission agreed to review potential material preferences and topic of vinyl windows as a subsequent amendment.

- Carolyn Leibowitz, 177 Lewis Avenue, asked if the Commission has contributed to the conversation about heights in the proposed Downtown district in the Zoning Ordinance.

Chair Archer reminded members of the public that the Commission will need to review any applications that would plan to develop within the District and in certain areas near the District. The Commission is always concerned about whether proposed downtown development will dwarf historic buildings and they do consider in the review process how proposals will fit in with the surrounding buildings.

- Beth Johnston, 62 Pleasant St, spoke, noting concern that potential of the height in the zoning ordinance would diminish character of surrounding buildings. Asked Commission to consider this and weigh in if possible.

The Commission discussed adding a review of heights to a list of subsequent amendments. Emily Cole-Prescott explained that the Commission has the authority to request specific data on proposed heights during plan reviews to ensure it is making an appropriate compatibility finding.

**Action:** Diana Huot moved to direct City staff to compile a draft report for the Historic Preservation Commission’s review at its October 29th meeting, noting its recommendation to the City Council to adopt the draft zoning ordinance’s historic preservation provisions with the following amendment: that the minor COA review timetable remain at 10 working days. Kate Gaudet seconded, and the motion passed unanimously.

Kate Gaudet moved to add the topics of vinyl windows, exterior additions, and discussion of height in the historic district to the list of subsequent amendments. Diana Huot seconded, and the motion carried unanimously.

3. Adjournment: Adjourned at 9:38PM.
Minutes  
Historic Preservation Commission  
Tuesday, October 29, 2019  
City Hall Conference Room  
Special Meeting  
7:00 PM

Present: Chair Kelley Archer; Ernie Lowell; Kate Gaudet; Diana Huot; Andrew Bracy; Jack Cianchette  
Excused: Steve Ryan  
Unexcused: Julia May; Rob Biggs  
Also Present: Emily Cole-Prescott, City Planner; Isabelle Oechslie, Program Coordinator; Roger Gay, Council Liaison

1. Call to Order: Chair Kelley Archer called the meeting to order at 7:43 PM.  
Chair Kelley Archer appointed Andrew Bracy as a voting member for tonight’s meeting purposes.

2. New Business, Tabled Items & Public Hearings –  
a. Zoning Ordinance Revision:  
   ▪ Historic Preservation Ordinance: Adoption of Report to City Council on draft  
   Zoning Ordinance Revision relative to Historic Preservation  

Andrew Bracy moved to forward the Historic Preservation Commission’s report on the Zoning Ordinance’s Historic Preservation provisions in Article XIX and recommend that the City Council adopt the Historic Preservation provisions (Article XIX) as amended in the Commission’s report. Diana Huot seconded. Diana Huot asked the City Planner if it was possible to make the City Council aware of items that the Commission plans to review as subsequent amendments. Emily Cole-Prescott replied that the subsequent amendments list can be drafted and sent to the Council after review by the Commission. Chair Archer suggested having some workshops regarding proposed maximum height in the downtown district in the proposed zoning ordinance, and the Commission agreed. Motion carried unanimously.

3. Old Business:  
a. RFP preservation consultant for 90 Temple Street: 90 Temple Street is a national historic landmark, which experienced a major fire in 2012 and then was acquired by the city in 2016. A draft RFP was written in June 2019. Members discovered a grant opportunity that might be applicable to 90 Temple Street with an upcoming deadline in December 2019. Roger Gay, Council Liaison, suggested a workshop to review this matter.

Next HPC meeting is on November 13th at 4:00 PM.

4. Adjournment: Adjourned at 8:05 PM.
Good Afternoon Everyone,

It is that time of year again to file your annual CLG report. I have attached a form for your convinence. If you have any questions regarding the annual report, please feel free to email or call me. Please make sure to include any ordinance changes adopted in the last year and resumes of new members (if any). **The FY19 annual report will be due by December 31st.**

Second, if you haven’t done so already or if you haven’t had your commission members do so already, PLEASE join the CLG ListServ. In the next few months, updates and items will be sent out via the ListServ which is a way for all 11 CLGs to be connected and have discussions with each other. Link to join ->
https://mailman.informe.org/mailman/listinfo/clgmaine

Third, some of you are new to your respective communities so Welcome! If any of you would like to have a brief meeting with me to discuss what the CLG program is or things happening with your commission, please let me know.

Lastly, several CLGs are due for their 4-year annual review. I will be contacting those communities up for review to schedule time for me to attend a commission meeting to discuss the past 4 years and goals for the next 4 years.

Best,

Megan M. Rideout  
Review & Compliance/CLG Coordinator  
Maine Historic Preservation Commission  
55 Capitol Street  
65 State House Station  
Augusta, Maine 04333  
207.287.2992
A Certified Local Government is responsible for submitting an annual report to the MHPC. The annual report must include the following information:

A. Local Legislation:
1. Copies of any new ordinances, amendments, regulations, by-laws, or guidelines enacted during this period. None enacted during this period.
2. List of new historic district or landmark designations. Please also submit a copy of a map showing site locations. No new designations this period.
3. Number of cases reviewed under the authority of the local ordinance with a summary of the action taken:
   - Alterations: Approved: 10 Denied: 1
   - Demolitions: Approved: 0 Denied: 0
   - New Construction: Approved: 2 Denied: 0

B. Historic Preservation Commission and Staff:
1. Number of historic preservation commission meetings held during this period. 10 meetings & 1 workshop
2. Indication of number of meetings which each historic preservation commission members attended. Here is a summary of meetings attended by each Commissioner:
   a. Kelley Archer 10 meetings
   b. Stephen Ryan 8 meetings
   c. Rob Biggs 5 meetings
   d. Diana Huot 6 meetings
   e. Ernest Lowell 8 meetings
   f. Kate Gaudet 8 meetings
   g. Julia May 2 meetings
3. Summary of how the historic preservation commission obtained qualified professional expertise in the review of nominations or other actions normally evaluated by a professional if such expertise is not available on the commission. The Commission would generally task the City Planner with such research. Currently, the Commission is pursuing a Request for Proposal for a qualified professional to work with the Commission on a feasibility study for a City-owned, historic property listed on the National Register.
4. Indication of the professional training session which each historic preservation commission member and professional staff member attended during this period. Commission members did not attend formal training this period. However, the City’s Planning & Development Department is working with a neighboring community to host trainings.
5. Any changes to the membership of the historic preservation commission. For vacancies, please indicate length of vacancy, how an attempt was made to obtain qualified professionals to fill any vacancies, and how the new appointees evidence demonstrated interest, competence, or knowledge of historic preservation. In addition, please submit a resume for any new commission members, including any professionals. The Commission sought to add three associate members to fulfill the HPC ordinance (ten members) by the continued methods of referrals from the Mayor, City Council, Department heads, City Clerk, social media, Commissioners, homeowners, and Saco’s residents. The Commission also sought a Thornton Academy youth as an advisor member and a college youth for associate membership. Two associate members were appointed, one of which fulfilled our initiative of a Youth Heritage Member Search (20-year old college student). The knowledge in construction, fundraising, and community
outreach benefits Saco’s Historic Preservation Commission.

6. Summary of how the CLG employed, contracted with, or maintained access to, on at least a part-time basis, a qualified professional in historic preservation. The Commission reviewed some questions from the CLG listserv provided by the City Planner. The Commission plans to hire a qualified professional in historic preservation through an RFP process in the coming months.

C. Survey and Inventory:
1. Number of new historic resource forms completed. There were no new historic resource forms completed during this period.
2. If the municipality is completely surveyed describe the process to re-evaluate existing survey information and procedure to keep it up to date. At this time, there is not a formal process to update this data. The Commission plans to review this item in the 2020 year.

D. Public Participation:
1. Outline of public notification procedures. Public notification is completed per section 230-413 of the City’s ordinances. In general, application review items for Certificates of Appropriateness by the Historic Preservation Commission require a public hearing and are therefore noticed in the local newspaper at least five days before the hearing. For those items reviewed by the Commission, letters notifying abutting property owners of the application are postmarked usually a week before (or more) the scheduled hearing. The agenda is posted online on the City’s website (sacomaine.org) and is posted at the City Hall at least five days before the meeting (generally done seven or more days before the meeting). Minutes are taken by the Department’s Program Coordinator and are available for review online.
2. A copy of a historic preservation commission meeting's minutes. Please see attached minutes of the June 12, 2019 meeting.

E. National Register Nominations:
1. List of National Register nominations reviewed by the commission. None reviewed during this period.
2. All minutes relating to the review of National Register nominations. None reviewed during this period.

F. Narrative Summary:
Please include a narrative statement of successes and problems encountered during the year.

The HPC successes recognizes the new hiring of the Planning and Development Department team (Planning & Development Director, City Planner, and Program Coordinator) with Historic Preservation experience. New systems of due process and notifications has been very successful in the ease of operations. Staff support has been tremendous to our continued success with City Council presentations and workshops. The HPC problem has been the implementation of seeking and the writing of grants to fulfill ongoing citywide projects, initiatives, and goals; however, with the new staff in place and a full commission, the HPC is anticipating a successful 2020.
Approved/Amended Minutes  
Historic Preservation Commission  
Wednesday, June 12, 2019  
City Hall Conference Room  
4:00 PM

1. Call to Order: Chair Kelley Archer called the meeting to order at 4:04 PM, with the following in attendance:
   
   Present: Chair Kelley Archer; Ernest Lowell; Steve Ryan; Kate Gaudet; Diana Huot
   
   Absent: Julia May (excused); Rob Biggs
   
   Also Present: Roger Gay, City Council Liaison; Emily Cole-Prescott, City Planner (arrived at 4:15 PM)

   Chair Archer appointed Diana Huot as a voting member for this evening’s meeting.

2. Minutes of Previous Meetings:
   a. May 8, 2019: Kate Gaudet moved to approve the minutes of the May 8, 2019 meeting. Steve Ryan seconded the motion, and it carried unanimously.
   b. May 22, 2019: Diana Huot moved to approve the minutes of the May 22, 2019 meeting. Steve Ryan seconded the motion, and it carried unanimously.

3. New Business
   a. COA Application Form: Updates – Emily Cole-Prescott shared an updated application form with the HPC. The HPC provided general feedback. Kate Gaudet suggested adding a note to “see the City Planner for plans for smaller projects.” Kate Gaudet also recommended adding references to the ordinance section and the Historic District Guidelines to let applicants know what the Commission will use to complete the application review. Diana Huot asked that the checklist include an application number section for tracking purposes, in case the checklist is separated from the application form.
   b. Election of Officers – Chair Archer asked that this item be added to the July 10th agenda.

4. Old Business
   a. Historic Buildings Plaques – Update – Emily Cole-Prescott indicated that there is enough funds and a purchase order has been requested. The plaques now need to be ordered. The first contact for the plaques should be for the City-owner properties: City Hall, Dyer Library, 90 Temple Street. E. Cole-Prescott will work with Steve Ryan to finalize details of the order.
   b. City Council Workshop on June 10, 2019 – Update – Emily Cole-Prescott and Chair Archer presented an update and shared the presentation that was given at the City Council meeting on June 10th. Here is a link to the Council’s meeting packet, for reference: https://www.sacomaine.org/6-10-19%20Packet.pdf.
   c. Zoning Ordinance Revision – Update – Chair Archer shared her revisions with Emily Cole-Prescott of the current zoning ordinance. Emily Cole-Prescott will compare the drafts and bring the edits to an upcoming meeting.
d. 90 Temple Street – Update – The draft RFP will be distributed at the next HPC meeting.

e. Budget & Financials – The YTD budget report and financials to date were discussed.
   The HPC asked for additional detail on these accounts in the future.
   i. Chair Archer asked the Commission to think about potential grants to pursue in the future, such as the CLG grant.

f. Training – Emily Cole-Prescott will research some training opportunities for the Commission, perhaps to host with a neighboring community. Other items Chair Archer asked that the Department consider: a public hearing script; a resource book for every new Commission member, as well as a handbook for the HPC.

5. Tabled Items: None.

6. Adjournment: Without objection, the meeting ended at 5:40 PM.
TO: Historic Preservation Commission (HPC)
FROM: Emily Cole-Prescott, City Planner
RE: Updates: Zoning Ordinance Revision Project
DATE: November 7, 2019

Since the Commission’s October 29th meeting, Staff has forwarded the Zoning Ordinance report to the City Council. After the Planning Board’s October 29th hearing and the number of revisions that were required, Staff recommended that additional time be taken to finish the Zoning Ordinance Revision in spring 2020. However, because the HPC’s ordinance (Article 19), was well-vetted and both the Planning Board and HPC reviewed and agreed upon the same change of working timeline for minor COA reviews, Staff recommended that this article of the Zoning Ordinance move forward through the Council’s review process.

On November 4th, the City Council held a public hearing and accepted the Planning Board’s and Historic Preservation Commission’s reports on the proposed Historic Preservation section (Article 19) of the Zoning Ordinance.

After closing the public hearing, the City Council moved to send the Historic Preservation section (Article 19) of the proposed Zoning Ordinance to a second and final reading and vote on November 18, 2019.

Attached are the Item Commentaries that were sent to City Council for its November 4th public hearing packet, for the Commission’s reference.

Also, to follow up on October 29th discussion with the Commission, here is the list of subsequent amendments for further discussion:

- Vinyl windows
- Materials preferences – exterior additions
- Height Dimensional Standards & Compatibility Provisions

I look forward to continued conversation and to answer any questions.
MEETING ITEM COMMENTARY

AGENDA ITEM: (Public Hearing) Zoning, Site Plan, and Subdivision Ordinances

COUNCIL RESOURCE: Councilor Nathan Johnston

STAFF RESOURCE: Denise Clavette, Planning and Development Director
Emily Cole-Prescott, City Planner
Jessa Berna, Business Development Specialist

BACKGROUND: On February 20, 2018, the City Council voted to adopt the 2018 update of Saco’s Comprehensive Plan. The 2018 Comp Plan update was the result of nearly two years of review and discussion by the ad-hoc committee and City Staff. The community’s next step was to update the Zoning Ordinances to align with the City’s land use vision: The most forward-thinking land use policies in the State of Maine that ensure financial stability, environmental sustainability, and provides opportunities and accessibility to all.

The City Council formed the Zoning Ordinance Revision Steering Committee on October 15, 2018. After a competitive RFP process in Fall 2018, the City contracted with planning consultants TZM Planning and EF | Design & Planning, LLC to update Saco’s Zoning Ordinance. In January 2019, the City and the consultants initiated an online survey of Saco’s residents and property owners, soliciting input on zoning-related topics that warrant further discussion by stakeholders. A total of 1,088 people participated in the survey. A public charrette was held on February 7 at the People’s Choice Credit Union, where over 70 people participated.

Based on the public input, feedback, and direction from the Steering Committee, City Council, Planning Board, Historic Preservation Commission, Conservation Commission, other City boards and committees, and City Staff from all departments, Draft 2 of the land use ordinances were completed late August 2019.

The ZOR Steering Committee and the Planning Board held individual work sessions and a joint work session, to review the Draft 2 documents. The City Council held a workshop on September 9, 2019. The City also hosted two public forums on September 10th and September 11th. About a dozen residents attended each open-house style meeting and provided valuable input. Feedback from these forums and City boards and committees was compiled and integrated into a final draft (draft 3) that went to a City Council workshop on October 7, 2019. The draft 3 of the Zoning Ordinances then went to a Planning Board Public Hearing on October 22, 2019, where over 50 people attended and provided valuable input, valid concerns and comments. The Historic Preservation Commission held a Public
Hearing on October 22nd, where several people attended. The Planning Board continued the Zoning Ordinances discussion at their October 29th meeting, heard additional public comments, and approved a draft report to go to the City Council for acceptance, the same evening as the Public Hearing to be held at the City Council meeting on November 4, 2019. At that October 29th meeting, the Planning Board directed staff to review the new recommendations for revisions and report back to the Planning Board at their November 5, 2019 meeting.

Subsequent to the October 29th Planning Board meeting, city staff reviewed the recommendations for revisions and changes. Many of these recommendations and revisions will require further research and merit discussion at the Planning Board level. As a result, staff recommends extending the process through spring, being able to ensure that we have captured all the necessary revisions. This extension enables us to move forward with one cohesive document. The City Council will still hold a public hearing for the proposed revised Zoning Ordinances on November 4, 2019.

The Historic Preservation section of the Zoning Ordinance has received a positive recommendation from the Planning Board, with the second and final reading and vote of approval set for November 18, 2019.

Draft 3 of the Zoning Ordinance, Site Plan Review Ordinance, and Subdivision Ordinance is posted online here. Links to the specific Ordinances and proposed zoning map are following:

The third draft of the proposed land use ordinances are available:  
Zoning Ordinance (Draft 3 updated with legal edits 10/18/19)  
Zoning Map (Draft 3 - 10/2/19)  
Site Plan Review Ordinance (Draft 3 updated with legal edits 10/18/19)  
Subdivision Ordinance (Draft 3 updated with legal edits 10/18/19)

EXHIBITS:
1. Zoning Ordinance  
2. Zoning Map  
3. Site Plan Review Ordinance  
4. Subdivision Ordinance  
5. Staff Memo re: Planning Board Report on Zoning Ordinances, Historic Preservation Section, Article 19, of the Zoning Ordinance  
6. Historic Preservation Commission Report on the Historic Preservation Section, Article 19, of the Zoning Ordinance

RECOMMENDATION: Staff recommends the following:  
- That the City Council hold the Public Hearing, as noticed;
• That the City Council refer the Zoning, Site Plan and Subdivision Ordinances; excluding Article 19 (Historic Preservation) and Zoning Map back to the Planning Board;
• That the City Council accept the Planning Board report on the proposed Historic Preservation section (Article 19) of the proposed Zoning Ordinance;
• That the City Council send the Historic Preservation section, Article 19, of the proposed Zoning Ordinance to a Second and Final Reading and Vote on November 18, 2019.

SUGGESTED MOTIONS: "I move to open the Public Hearing on the Zoning, Site Plan, and Subdivision Ordinances and Zoning Map."

"I move to close the Public Hearing and send the Zoning, Site Plan and Subdivision Ordinances and Zoning Map back to the Planning Board for further review."

"I further move to accept the Planning Board and Historic Preservation Report on the proposed Historic Preservation section, Article 19."

"I further move that the City Council send the Historic Preservation section, Article 19 of the proposed Zoning Ordinance to a Second and Final reading and Vote on November 18, 2019."
TO: City Council  
FROM: Denise Clavette, Director  
Emily Cole-Prescott, City Planner  
Jessa Berna, Business Development Specialist  
RE: Planning Board Report to City Council on Historic Preservation provisions of Draft Three Zoning Ordinance Revision (Article XIX)  
DATE: October 31, 2019  

On October 22, 2019, the Planning Board held a public hearing on Draft Three of the Site Plan, Subdivision, and Zoning Ordinances, revised through October 18, 2019. Staff estimates that fifty members of the public attended the hearing, but not all members signed in. Approximately ten people chose to speak. After close of the hearing, the Planning Board discussed the proposal and considered public comment. The Board either addressed questions or asked city staff to answer questions through the Chair. The Board directed staff to compile a draft report with a number of amendments to the proposed Draft Three Ordinance.

On October 29, 2019, the Board met to review the draft report. At that meeting, the Board received additional public comment and a list of revisions from a Board member. The Board reviewed these comments and directed staff to report back on both the comments and the Steering Committee’s review of heights in the dimensional standards table. The Board moved (4-1) to forward a report to the Council, recommending that the Council hold its advertised November 4th public hearing, then continue the hearing so the Board could review and forward the red-lined text amendments to the Council after its review of those edits at its November 5th meeting. This report included the historic preservation recommendation to retain the number of working days staff has to respond to minor Certificate of Appropriateness requests, consistent with current ordinance (section 230-413).

Although staff has recommended that the bulk of the Zoning, Site Plan and Subdivision Ordinances be reviewed over additional time, the proposed Historic Preservation provisions (Article XIX of the Zoning Ordinance) have been well vetted, unanimously recommended by the Historic Preservation Commission, and the same recommendation was forwarded (4-1) by the Planning Board. Please refer to attached draft minutes of the Planning Board’s October 22nd meeting.
TO: City Council

FROM: Historic Preservation Commission


DATE: October 29, 2019

On October 22, 2019, the Historic Preservation Commission held a public hearing on Draft Three of the Zoning Ordinance’s Historic Preservation provisions (Article XIX), revised through October 18, 2019. Four members of the public spoke at the hearing with comments and questions about the proposal. Two members of the public also asked questions about other sections of the Zoning Ordinance relative to height requirements in the Downtown, and asked questions about timeline and process. The Commission addressed every question relative to the public hearing on the Zoning Ordinance’s Historic Preservation provisions (Article XIX), noting that the Commission has discussed ordinance revision for many months, and although dimensional height requirements are determined by other sections of the Zoning Ordinance, the Commission completes design review of proposals in the Historic District, and must make a finding on height compatibility within the District, per section 1914 (A) of Draft Three. After close of the hearing, the Commission discussed the proposal and considered public comment. The Commission also considered items to add to its list of subsequent amendments, which list will be forwarded to the City Council on a future date.

The Commission requested that City staff compile a draft report with the following amendments to proposed Article XIX of Draft Three:

- Section 1912 (B): revise to indicate that a complete application must be reviewed and decision rendered within ten working days, rather than the proposed fifteen.
  - This revision updates the section as follows: “Applications for minor alterations shall be reviewed by the City Planning and Development Department rather than the Commission. The City Planning and Development Department may review the application to the standards cited in this chapter and approve the application, approve it with modifications, or deny it within fifteen (15) ten (10) working days of receiving a complete plan.”

- Section 1912 (E): revise to reflect ten working days instead of the proposed 25 working days.
  - This revision updates the section as follows: “If the City Planning and Development Department has not acted within twenty-five (25) ten (10) working days, the applicant may seek approval from the Commission, rather than the Department. Inaction by the City Planning and Development Department does not constitute approval or disapproval of the application.”

On October 29, 2019, the Commission held a meeting to review the draft report compiled by City staff. After review and discussion, by a unanimous vote, the Commission approves and forwards this report regarding the Draft Three Zoning Ordinance’s Historic Preservation provisions (Article XIX) to City Council, and recommends enactment of the same with the above amendments.