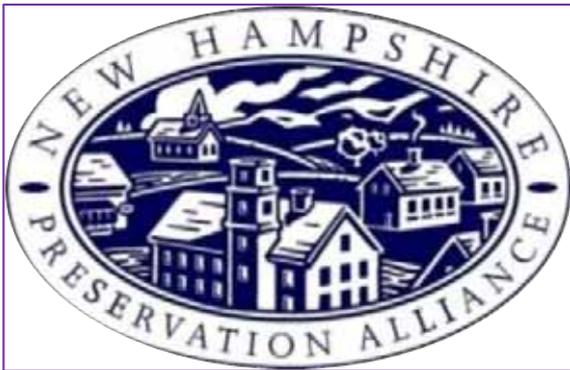


Preservation Planning:

What Every Planning Board Member Needs to Know



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National Historic Preservation Act of 1966

- Legislation intended to preserve historical and archaeological sites in the US.
- Created the National Register of Historic Places, the list of National Historic Landmarks, and the State Historic Preservation Offices.



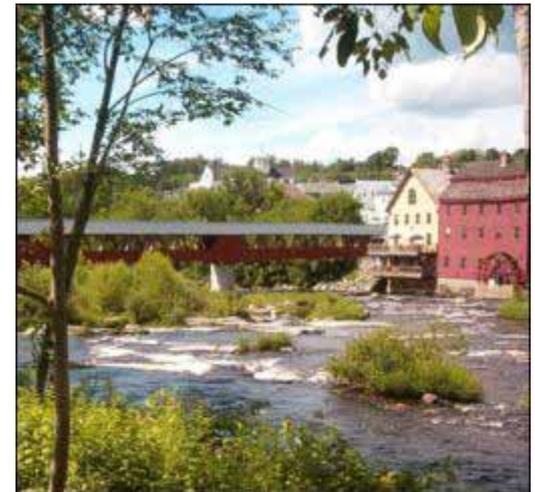
In NH, preservation is mostly local

- Planning Boards
- Historic District Commissions
- Preservation Advocacy Groups
 - (local and statewide)
- State Historic Preservation Office
- Economic Development Interests
- Others



Why Do Historic Resources Matter?

- ❑ Define a place and tell our stories
- ❑ Create and strengthen community connections
- ❑ Contribute to traditional growth patterns and livability
- ❑ Compliance with statutes, laws and ordinances
- ❑ Economic Development and tourism
- ❑ Potential for funding assistance
- ❑ Helps maintain a strong tax base



Master Plan

- Forms the basis for policies and ordinances that help to manage growth, development, and change
- A chapter on cultural and historical resources is recommended



What's in the Chapter?



- Identifies cultural, archeological, and historic resources
- Provides a means of organizing local preservation activities and integrating preservation into broader land use and planning efforts
- Data collection is a key part of the master plan.

Historical Resources Survey

- An Inventory of historic buildings, structures, sites, and objects that define a community
- Essential for any form of preservation planning; provides sound basis for establishing preservation priorities.
- Fewer than 25% of New Hampshire's communities have up-to-date, comprehensive, professional-quality historical resource surveys.



Who Does A Survey?

- ❑ Preservation consultant
- ❑ Format provided by the State Office of Historic Preservation (NHDHR)
- ❑ Volunteers sometimes help a consultant or do informal surveys and photographs of property types such as barns.
- ❑ Some property owners may wish to complete an individual inventory form on their own.



This sounds like a lot of work for the Planning Board . . .



RSA 674:44 states: “A heritage commission may be established ...for the proper recognition, use, and protection of resources, tangible or intangible, primarily man-made, that are valued for their historic, cultural, aesthetic, or community significance within their natural, built, or cultural contexts”

The Heritage Commission

- Has a town-wide scope
- Assists other town officials, boards, and commissions
- Serves as an advocate for historic resources within the community



Powers and Duties:

- Carry out an inventory (survey) of historic resources
- Assist Planning Board with inclusion of historic resources in Master Plan
- Advise local agencies/boards in project review affecting historic resources
- Research and implement preservation planning initiatives



Powers and Duties:

- Can accept and expend funds for a non-lapsing heritage fund, acquire and manage property, and hold preservation easements
- May undertake the duties of a historic district commission also
- Can manage discretionary barn preservation easement program



HC's might also work on:

- ❑ Walking Tours
- ❑ Oral Histories
- ❑ Publications
- ❑ Programs
- ❑ Exhibits and Signage
- ❑ Public Meetings
- ❑ Local Organizing and Lobbying
- ❑ But they aren't the same thing as the local Historical Society!



How Do We Get One?

- Created by municipal council vote or town majority vote and guided by officially adopted rules of procedure



Important properties and areas may warrant designation such as:

- National Register of Historic Places (non regulatory)
- State Register of Historic Places (non-regulatory)
- Locally-designated Historic Districts (regulatory by commission)
- Neighborhood Heritage Districts (regulatory, by Planning Board)



State Register of Historic Places

- ❑ Program of NH Division of Historical Resources
- ❑ Recognizes and encourages the identification and protection of resources significant to New Hampshire
- ❑ Generally, a resource must be at least 50 years old and retain sufficient integrity
- ❑ Nomination form can be completed by layperson
- ❑ Honors a property without imposing restrictions



National Register of Historic Places

- National Park Service program
- Coordinates and supports efforts to identify, evaluate, and protect historic and archaeological resources
- Resource must be significant in American history, architecture, engineering, or culture
- Requires more research and more technical expertise than the State Register nomination form; hiring a consultant is advised.



Locally-designated Historic Districts

- One of the most effective and comprehensive tools for managing change in a historic area
- Ensures that new construction and significant alterations are respectful of existing character
- More than 2,500 local historic districts nationwide



Currently, there are approximately 55 local historic districts throughout NH

Neighborhood Heritage Districts

- New option for NH cities and towns
- Enabled under Innovative land Use Controls statute
- Begins at the grass roots level, with a neighborhood wanting input on major change
- Administered by Planning board with community Advisory Board



Neighborhood Heritage Districts (NHD)

- Zoning overlay district
- More flexible, less stringent standards
- Protects *neighborhood* characteristics rather than details pertaining to individual buildings.
- 2 recent pilots; handbook/guide available through NHDHR



Certified Local Governments (CLG)

- Partnership between municipality and State Office for Historic Preservation (NHDHR)
- Requires some regulatory oversight of historic resources, like a local historic district
- Provides access to federal funds given to SHPO specifically for grants to municipalities for historic preservation activity





Certified Local Governments (CLG)

- Amherst
- Bristol
- Concord
- Derry
- Durham
- Exeter
- Gilford
- Goffstown
- Hollis
- Jaffrey
- Keene
- Kingston
- Lebanon
- Londonderry
- Nashua
- Newington
- Newport
- Rochester
- Sanbornton
- Somersworth
- Wakefield

Demolition Review or Delay Ordinance



Helps ensure that potentially significant buildings and structures are not demolished without notice and some level of review and exploration of alternatives.

Demolition Delay Ordinances

- Locally adopted ordinance
- Mandates delay of 45, 60 or 90 days to allow time to explore alternatives to demolition if structure is determined to be historic



Architectural Design Review

- Manages appearance of new construction and major rehabilitation.
- Has clear design guidelines for benefit of applicant and review board's decision-making process.
- Some towns have made this a voluntary , non-binding advisory process.



Site Plan Review

- Some element of design guidelines or architectural standards— required or voluntary
- Should be based on the particular characteristics and values of each town, not a one-size-fits-all approach



What is Section 106?

- Consultative Process
- Part of 1966 law
- Intended to preserve significant historical and archaeological sites in the US from federally funded, permitted or licensed activities that might cause adverse effects to historic resources.



Section 106 Review

- ❑ Federal agencies initiate review, mostly between the agency and the State Historic Preservation Officer (SHPO).
- ❑ Designed to first identify effects on historic resources (50 years old or older)
- ❑ Federal Agency must ensure that municipalities and local groups are consulted during the process.



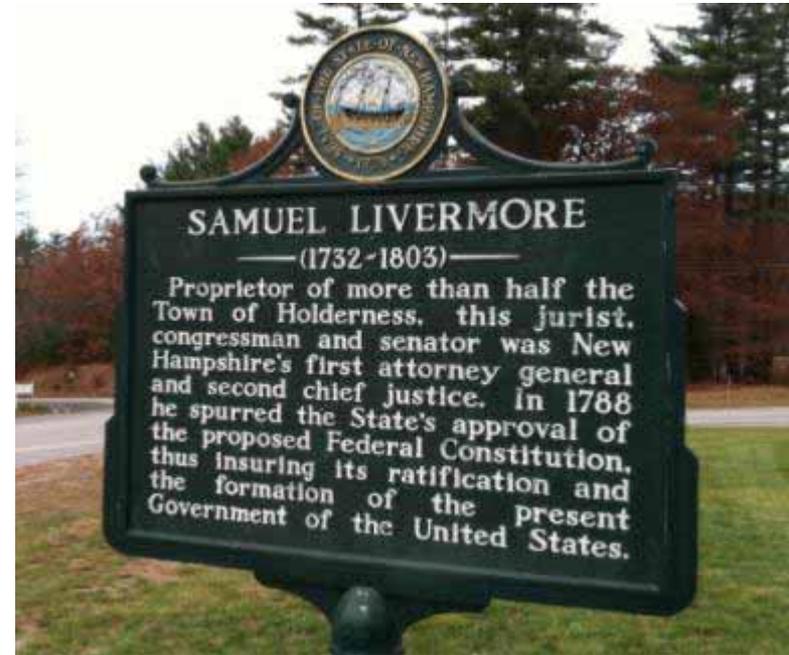
Section 106 Review

- A Heritage Commission (or other party) may request Consulting Party status and take part in process
- allows for consideration of alternatives to avoid or minimize adverse effects while a project is still in the planning stages



Goals of Section 106

- ❑ Cannot stop a project
- ❑ Through process of negotiation, goal is to avoid, minimize, or mitigate any adverse effects.
- ❑ If the project proceeds as designed, develop and implement, through MOA, appropriate mitigation strategies



Preservation Easements

- ❑ Voluntary legal agreement
- ❑ Legally enforceable; filed with Country Registry of Deeds
- ❑ Based on historic and architectural significance
- ❑ Considers owner's wishes and need to keep the building useable and viable into the future
- ❑ Heritage Commission or other entity can hold the easement; includes responsibility for monitoring and enforcing terms of the agreement (\$ is needed)
- ❑ May be perpetual or for a specified TERM of years



Benefits of Preservation Easements

- For owner to receive federal tax deduction for easement donation
 - ▣ Property must be listed to National Register of Historic Places
 - ▣ Qualified appraisal is required
 - ▣ Perpetual Easement is required
- Owner's local property taxes may go down
- Local heritage is protected
- Pioneering use of these for summer camps and farms around Squam Lake

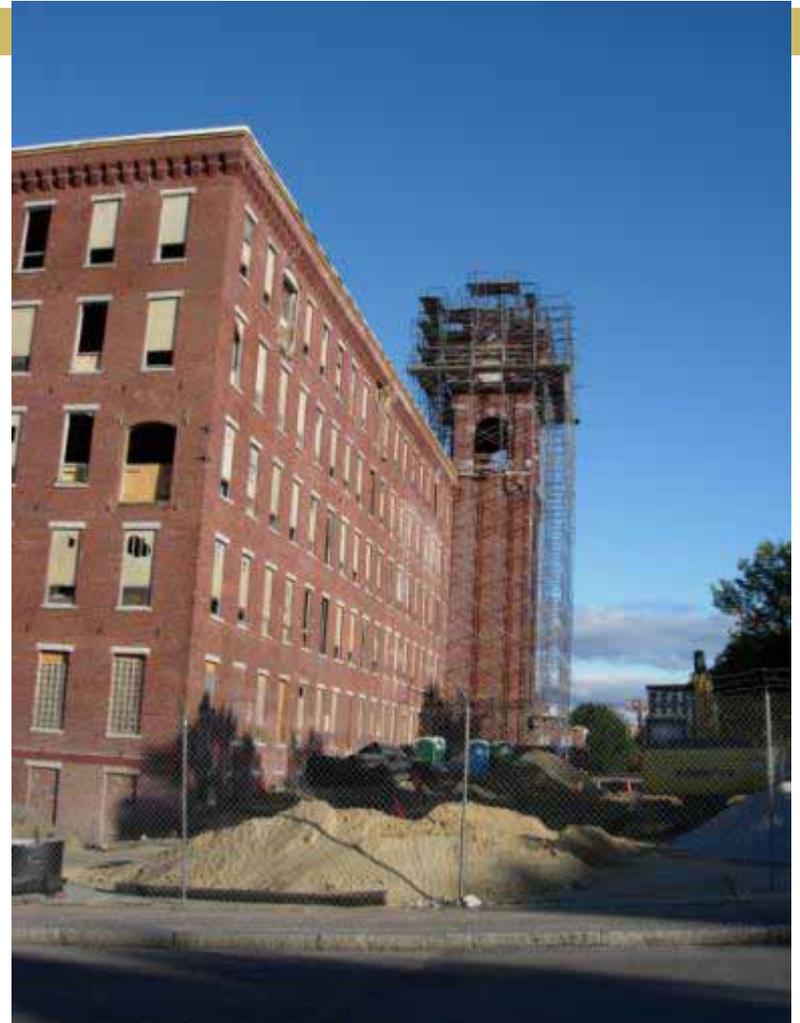


Incentives

- Federal Preservation Tax Credit
- Downtown Tax Incentive, RSA 79-E
- Barn Tax Incentive, RSA 79-D
- Grant Programs
 - Mooseplate
 - LCHIP (Land & Community Heritage Investment Program)
 - Community Development Block Grants
 - USDA Grants and Loans
 - CDFR grants

Federal 20% Tax Credit

- ❑ Qualified historic structure (National Register)
- ❑ Income Producing Property
- ❑ Substantial Rehabilitation
- ❑ Must follow Secretary of the Interior's Guidelines
- ❑ Also 10% tax credit program



RSA 79-E Tax Incentive

- Encourages investment in downtowns and village centers through *rehabilitation and re-use of under-utilized buildings*
- Promotes stronger local economies
- Promotes smart, sustainable growth, as an alternative to sprawl, in accordance with the purpose and objectives of RSA Ch. 9-B (State Economic Growth, Resource Protection, and Planning Policy).



RSA 79-E 2013 Updates

- Promotes the preservation and reuse of existing building stock throughout a municipality
- Focuses on conserving the embodied energy in accordance with energy efficiency guidelines established by the U.S. Secretary of the Interior's Standards



Has to be separately adopted from earlier version

RSA 79-D Discretionary Preservation Easements for Barns

- ❑ Encourages preservation of barns and agricultural buildings.
- ❑ Municipalities may grant property tax relief (from 25% to 75 % of assessed value)
- ❑ barn owners must demonstrate public benefit of preserving their barns
- ❑ agree to maintain their barns for a specified easement period (usually 10 years but can be longer).



RSA 79-D

- First easements in place in 2003
- 26 municipalities participated the first year with 51 buildings protected under easement
- Currently 87 municipalities are participating
- 462 structures protected (up 9% over 2012)
- Peterborough has the most with 23
- Cornish, Deerfield, Hopkinton, Kensington & Plainfield all have ≥ 15
- 2013 was the first year of renewals for the 2003 10-year easements

RSA 79-D

- Application submitted to town office by April 15
- Municipality has 60 days to hold a public hearing and decide on application.
- If approved, municipality and barn owners sign easement agreement, record it at Registry of Deeds.
- Applicant is responsible for the recording fees.



Mid-Century Modern

- Mitigation for a building in Concord has resulted in a document outlining the “context” for mid-century commercial buildings in NH
- Great resource of architects, styles and themes in NH’s recent past
- “Historic” term is relative



Blended Easements

- Conservation AND Preservation partners work together to protect land and historic resources
- Usually one partner takes the lead and the other plays a supporting role
- May be done through a single easement or two parallel easements



Grant funding for historic structures

- ❑ LCHIP – up to \$500,000, has to be matched
- ❑ Mooseplate – up to \$10,000 for bricks and mortar repairs to municipally-owned resources
- ❑ Other programs for historic structures
- ❑ Little assistance for residential properties





Case Studies





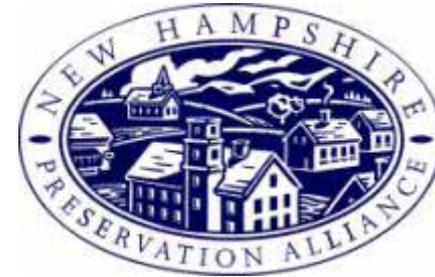






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