



OBSERVER REPORT

PLANNING BOARD: April 13, 2021 LWVM Observer: Judith Black
Members in Attendance: Andrew Christensen, Ed Nilsson, Barton Hyte, Bob Schaeffner, Becky Curran, Steve Leveron. (alternate)

Old and Historic District Commission (OHDC): Two articles on Town Warrant, Bob Bragdon and Charles Hibbard presenting

Article 34: Language in bi-law for OHDC 110-7B not clear about what they have purview over. Terrace/Patio; Trellis/Arbor What are the differences? Basically, signs are the only thing they do not have purview over. 110-4 strike terrace and patio

Demolition By Neglect: Article 33 to amend town by laws by adding Chapter 111 to address Demolition by Neglect

- This is about historic preservation (in an extraordinary situation). Despite the name it is not really about demolishing someone's home, but about getting them to fix it. Intended to create a process by which someone notices a house in need, can contact someone, and action can begin to preserve the house or business structure.
- Their objective is to keep a building from such profound neglect that it costs everyone money to fix or demolish it. There is a point at which a structure cannot be fixed. Since OHDC mission is to preserve and protect, this is multi-step process:
 - Property brought to attention of commission.
 - Old and Historic contacts owner and tries to negotiate a fix. This would be a private reach rather than a public shaming.
 - After contacting home owner, if they refuse any remediation, Old and Historic and the Building

Commissioner join in opinion that there is no cooperation they try together to get owner active and involved.

- Primary Issues: Safety, Protecting the Historic Fabric of Town
- Should town have to move in to step up with remediation, the owner can still appeal to the BOS, Building Commissioner and OHDC
- Building Commissioner must agree that serious neglect is at work. This is a check/balance for an over-zealous OHDC commissioner. The home owner can always appeal to the BOS. You aren't allowed to destroy a home that is on the historic register.
- If a house had a fire, the commission would not pressure to rebuild exactly as it was.

The Planning Board had a few concerns:

- Needs exact language so that an individual with a grudge or someone who is power hungry cannot decide that someone must fix their home. What if someone can't afford to fix the house? House rich/money poor is far from unusual in these parts. OHDC is willing to work with folks to figure out how to fix structural failures. This isn't about a drain pipe falling off. It's about a roof in such bad shape that water is leaking into the house in many locations, or all the windows are broken and wind and rain is coming in and destroying the interior.
- This language was put together with the help of town counsel, but the Planning Board felt it could still be more specific.
- Could a developer buy up property and let it burn or rot because they want to put something else up there.
- Must be careful of subjective terms.
- How often is this a real issue? No stats on how many properties this is a real issue for.
- Where does property insurance come in? If you can't obtain insurance then it is in bad shape.
- No demolition delay bi-law: Anyone can apply to demolish a building: first it goes through OHDC- any applicability to this item?
- Other related issues that emerged:
 - Someone could let it rot from the inside out and no one would know. Then they'd have to pull it down.

- Are these properties not owner occupied? Tend to be unoccupied entirely, and you've seen them, the roof is crumbling, windows broken, and a big storm would knock it out.
- How about other homes, outside the old and historic district that are in terrible disrepair? Nothing on the books to address them.