

Town of Newcastle
Historic Preservation Ordinance Committee
Meeting Date 4/26/23 at 5pm
At the Town Community Room (Fire Station)

Members Present: Ben Frey, Karen Paz, Catherine Burke, Tor Glendinning

Members Absent: Bonnie Stone

Also Present: Isabelle Oechsle (Consulting Planner), Mal Carey (Resident), Stephen Popp (Resident)

Minutes

1. **Call to Order:** In the absence of an elected Chair, Isabelle Oechsle began the meeting at 5:02PM.

Ben Frey asked for a point of order. Noting that a Chair for this Committee had not been elected, **Ben Frey nominated Tor Glendinning to be the Chair of the Ad-Hoc Historic Preservation Committee. Karen Paz seconded, and the motion carried 3-0-1, with Tor Glendinning abstaining.**

2. **Review of minutes of previous meeting: February 16, 2023, March 23, 2023 & April 6, 2023:** Chair Glendinning called for a motion on this item. **Ben Frey moved to accept the meeting minutes as presented. Karen Paz seconded, and the motion carried unanimously.**
3. **Overview of Historic Preservation Ordinance, Draft 3:** Isabelle gave a brief presentation reviewing the comments that the Committee provided her at the April 6th meeting and indicating how Draft 3 of the Historic Preservation Ordinance intends to address the Committee's comments and concerns.
4. **Committee Discussion:** In response to Isabelle's analysis and question surrounding changing the Ordinance to put a limit on how far the Town would regulate structures when seen from the water, the Committee came to the consensus that the Ordinance should remain as drafted in this regard (continuing with no limitation on how far you can see structures; if it can be seen from the public realm, it should be regulated by this Ordinance).

Discussion occurred surrounding the designation for Local Landmarks (Article 8 of Draft 3). Questions focused on how they get included in the Ordinance (Isabelle noted that they get included in the applicability section, Article 1 Section B.2) and how they intersect with the Core Zoning Code (Isabelle noted that, as written, it essentially gives applicants two possible directions; they can either apply for a zoning map amendment to get their property included in the SD-Historic Zoning District, or they can apply for a zoning text amendment to have their property subject to essentially an "overlay" when they would still be subject to the requirements of their underlying zone but would also have additional protection afforded by the Historic Preservation Ordinance). Ben asked if the second option would regulate the entire property or just the building. Isabelle responded that, as written, it would regulate the entire property (so new buildings would need to follow the New Construction standards in Article 5). The Committee's direction was that Local Landmarks should only be subject to the standards for Additions and Alterations (Article 3), noting that the entire lot should not be put into Local Landmark status, just the existing building. If someone wanted to put their whole lot into the

provisions of this Ordinance, they should pursue a zoning map amendment to rezone it as SD-Historic.

Karen asked how the escrow fee would be established. Isabelle noted that it would be on the Fee Schedule adopted by the Selectboard, but noted that the Selectboard may wish to solicit quotes from 3-4 qualified consultants in researching what the fee should be.

Further discussion occurred around fencing. After hearing the concerns from the Committee, Isabelle suggested that the provision be changed to note that fencing is a Minor Project, except for when fencing is proposed in the frontage zone (along streets).

Tor asked that crumbling brick facades be added to the maintenance and neglect section (Article 10, Section A).

It was noted that the definition of rhythm needs to be provided, and that the standards for New Construction still seem too complicated for the average reader/homeowner. It was decided that discussion at the next meeting would center almost exclusively around the standards for new construction (Article 5).

It was requested that the next draft of the Ordinance be put into the Town's InDesign Ordinance format for readability. Isabelle and Ben briefly discussed logistics of accomplishing that task.

5. **Opportunity for public comment:** Stephen Popp, Resident: Asked for clarification about the time frame of structures that this Ordinance attempts to regulate. Isabelle shared her screen and reviewed the standards for establishment or expansion of historic districts and criteria for designation of local landmarks, as drafted. Mr. Popp asked the Committee to attempt to put a timeframe around what structures are historic to be more palatable for the public. Committee discussion occurred surrounding the standards as drafted, noting that studies and recommendations from the Review Board and Maine Historic Preservation Commission would be required, but also that the Town would need to vote on any designation, as it would be a zoning amendment. The general consensus of Committee members seemed to be to keep the standards for designation as drafted.

Mal Carey, Resident: Asked for clarification about the referenced Design Guidelines Manual and its ability to be a regulatory document if it is not specifically called out in the Ordinance. Isabelle noted that she did some research around this question: The Design Guidelines Manual cannot be a regulatory document unless it is referenced in the Ordinance and adopted by the legislative body (the Town citizens) at a Town Meeting. Instead, the intention is for the Design Guidelines Manual to reference the reviewing standards as adopted in the Ordinance and provide advisory direction to applicants and the Review Board in meeting the standards (so it would not be a regulatory document that application findings could be drawn from).

6. **Discussion of Next Steps:** Isabelle asked the Committee if they think that it will be reasonable that a draft ready for public review would be available after the next meeting. The Committee indicated that that would be feasible. Isabelle noted that once we are at a point where we have a draft that we are all comfortable with, she will forward it to the Town's legal counsel for review. Pending no edits from legal, we would be ready to move forward with scheduling an

Informational Meeting with the public regarding the Ordinance. Postcards will be sent to all who would be impacted by the proposed Ordinance (namely, property owners within the Historic Special Districts) notifying them of that meeting once a date is set.

7. **Adjournment:** Adjourned without objection at 7:15PM.