

RYE HISTORIC DISTRICT COMMISSION

Tuesday, November 24, 2020

5:00 p.m. – Via ZOOM

Members Present: *Chair Alex Herlihy, Co-Chair Kaitlyn Coffey, David Choate, James Tegeder,*
Alternates: *Stacy Smith and Lydia Tilsley – Select Board's Rep. Mae Bradshaw*

I. CALL TO ORDER

Select Board Rep Mae Bradshaw called the meeting to order at 5:00 p.m.

II. READING of ATTESTATION

Statement by Mae Bradshaw:

As the Select Board Representative of the Rye Historic District Commission, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

- a) Providing public access to the meeting by telephone, with additional access possibilities by video and other electronic means. We are utilizing Zoom for this electronic meeting. All members of the Historic District Commission have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone number: 646-558-8656 and Password: 654321 or by clicking on the following website address: www.zoom.com ID #874-3302-5919.
- b) Public notice has been provided to the public for the necessary information for accessing the meeting, including how to access the meeting using Zoom telephonically. Instructions have also been provided on the Town of Rye website town.rye.nh.us
- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.
If anyone has a problem, call 603-964-5523 or e-mail Janice at JIreland2@ryenh.us.
- d) Adjourning the meeting if the public is unable to access the meeting.
In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that all votes that are taken during this meeting shall be done by roll call vote.

Roll call attendance of Commission:

- Kaitlyn Coffey
- James Tegeder
- Alex Herlihy
- David Choate
- Lydia Tilsley
- Stacey Smith
- Mae Bradshaw

Note: The Members stated where they were located and confirmed that they were the only ones in the room for the meeting.

Chair Herlihy seated Stacy Smith for Karen Stewart and Lydia Tilsley for Daryl Kent.

III. Planning Board Rules and Regs, re: HDC process – demolition of monuments and statues

Member Choate explained that he has been meeting with the Rules and Regulations Committee for the past few months regarding changes on the Demolition Review Ordinances. One of the changes that was proposed by Rules and Regs was to the Historic District Ordinance as follows:

§ 190-3.3(5)

Before a building or other structure, ***monument, statue, or memorial*** is demolished or moved out of the district, the applicant shall in good faith prepare a detailed plan for the reuse of the site which the Commission determines will meet the requirements for a certificate of approval. Such certificate of approval for demolition and reuse shall only be granted upon a showing by the applicant that to deny such certificate would result in an unnecessary hardship unique to the property in question and that such unnecessary hardship is not common to neighboring properties within the district. (*Added language bolded*)

This change will make the Historic District Ordinance consistent with the Demolition Review Ordinance. This change will need the approval of the Historic District Commission.

The discussion included concern that by approving this change the applicant would have to prove unnecessary hardship prior to any move of a monument, statue or memorial. The Town Center Committee had been discussing moving the two monuments during their meetings last year, due to the TAP Grant and traffic pattern changes. Would this change “tie their hands”? If the move was within the District this would not affect it. It will only affect any move to outside of the District. Member Herlihy has to report back to the Planning Board prior to the December 8th Public Hearing as to what the decision of what the Commission is.

Motion by David Choate to recommend that the change to section 190-3.3(5) be forwarded to the Planning Board with a recommendation for approval. Due to No Second the Motion Failed.

Note: *Member Choate had to leave the meeting at this time.*

Selectwoman Bradshaw recommended keeping this open until next year after the Town Center Committee has made their recommendations. At which time, the Historic District Commission will have had some time to decide if this is something that they want or not.

Member Herlihy reported that the plaque at Parsons Park is missing and he will be looking into what happened to it.

Selectwoman Bradshaw reported that she has sent a letter of intent to the CLG for a possible grant for this coming year. The grant is for \$2,000 for a total project cost of \$5,000. The Preservation Alliance will organize and present a two-part workshop educational program for the Rye Historic District Commission, Rye Heritage Commission and other municipal officials interested in advocating for good preservation outcome for historic buildings and to further educate Rye citizens on how to preserve the community's historic character. This was sent with a proposal from the Preservation Alliance. The workshop will be run by Maggie Stier.

Selectwoman Bradshaw pointed out that there is no guarantee on the outcome of the application as Ben Wilson has threatened that the Town may lose its CLG status. However, the application was well received by the people that the Town has been working with over the last few years.

IV. Follow up on Dominique Hawkins questions she left HDC to consider

One of the reasons for the grant application was because Ms. Hawkins wanted the Historic District Commission to decide if they wanted to do a larger overlay district. If they want to expand it either contiguously or in a broader way, there will be a need for some serious communication to the public. Selectwoman Bradshaw pointed out that this is good timing to get the training that is needed and to access the community resources to help spread the word.

Member Herlihy pointed out that Selectwoman Bradshaw is talking about two equally important ideas. The overlay would be of the entire town identifying all the historic houses, (say prior to World War II). The continuous expansion of the District could be down Washington Road to Fern Ave, which would include a lot of historic homes. He asked if the overlay would mean that all historic homes in Rye would be under the same jurisdiction as in the Historic District.

Selectwoman Bradshaw explained that her understanding was that there would be a tiered layer of significance. If the building was pre-1850, it would have a different level of review than a building of 1930. Then there would be the Isles of Shoals and the District itself. When Ms. Hawkins draws up the guidelines, her approach will depend on the decision that the Historic District Commission feels will work best for the Town. Selectwoman Bradshaw stated that she got the impression that Ms. Hawkins was leaning toward the overlay, as there are so many beautiful historic homes all over town and the only way to protect them is to do the overlay.

Member Smith stressed the importance of the communication piece of an overlay district. She pointed out that individuals who move into a Historic District, do it with open eyes. However, if this is added on to the Town after the fact, there will be a lot of push-back. She stressed the need to identify, acknowledge, and honor these homes.

Selectwoman Bradshaw asked the members of the Commission what they thought would be the most beneficial to save the historic appearance of Rye for the centuries ahead. What would do it best? What hard work will it take to move in that direction?

Member Smith expressed concern that the process seems turned around. She feels that the homes should be identified and cataloged. The homeowners should be recognized for what they have done to preserve the home, before the Commission seek to hold them accountable in other ways with restrictions on what they can do with their properties.

Selectwoman Bradshaw explained that the Commission would not be able to do that for many years. She felt the Ms. Hawkins was saying; does the Commission want to write the design guidelines with the idea that it is going to be bigger than 20 homes in a 30-home neighborhood? The guidelines for twenty homes could be a lot different than for a potential of two to three hundred homes.

There was discussion about having a Registry of Rye Historic Homes. It would be a way to identify, acknowledge, and honor these homes; maybe placing a plaque on the home and making it an honorary member of the Historic District. It would add value to the home, without having the Commission placing restrictions on it. Because the home has this distinction, the homeowner will become more aware of the historic significance of their home. The guidelines would not be mandatory they would be instructive.

Selectwoman Bradshaw offered to communicate to Ms. Hawkins that the Commission would like to look at a broader view than just the twenty houses and that they would like to have it written as instructive not mandatory. She recommended that it be tried by age groupings. She added that after this, the Commission could start the registration program which would lead to pride of the properties and hopefully lead to their protection.

The Commission agreed.

V. Other Business

Selectwoman Bradshaw noted a mailing from the 1772 Foundation announcing the 2021 Preservation matching grants for private non-profit organizations. Letters of inquiry will be accepted through December 1st with applications due by February 12th.

Member Herlihy explained that he first heard about this from David Choate in reference to the restoration of the gazebo. The New Hampshire Preservation Alliance has received funding from the 1772 Foundation and is soliciting letters of interest until December 1st to fund projects up to \$10,000. A private non-profit must be the applicant. It cannot be a municipality. The determination will be December 8th as to whether or not the applicant will be invited to submit a full proposal. The Friends of Town Hall are in the process of writing the letter of interest.

Selectwoman Bradshaw reported that two of the Historic District members and one of the alternates have taken upon themselves to sue the Town; Tom King and David Choate. They sued the Town based on the idea that the Select Board was exceeding their authority to deal with the Parsonage. Mr. King and Mr. Choate sought a restraining order against the Board of Selectmen. The judge issued an order today stating that he was not going to prevail on the underlying case, so he was therefore not going to restrict the Town from moving forward with the Parsonage teardown and swap. The only thing that may still be remaining

is that the Library had a claim that the Select Board was taking away their land. The judge did not address this issue and it is not clear where things stand on the Library's claim.

No further business was brought before the Commission.

Adjournment

Motion by Stacey Smith to adjourn at 2:25 p.m. Seconded by Mae Bradshaw.

Roll Call Vote: Kaitlyn Coffey –Aye; James Tegeder – Aye; Lydia Tilsley – Aye;

Stacey Smith – Aye; Alex Herlihy – Aye; Selectman Bradshaw - Aye.

Motion passed.

Respectfully Submitted,
Dyana F. Ledger