

**Report to the Town Council
from the
Cape Elizabeth
Historic Preservation Study Committee**

Including:

Exhibit A - Committee Charge	Page 7
Exhibit B - National Register of Historic Places Criteria	8
Exhibit C - Public Opinion Survey Results	9

Exhibit D - Draft Historic Preservation Ordinance	10
Exhibit E - Summary of Voluntary/Incentive Measures	28
Exhibit F - List of Possible Actions	31
Exhibit G - Secretary of the Interior Treatment Approaches	33

**Report to the Town Council
from the
Cape Elizabeth Historic Preservation Study Committee**

Background

In May, 1997, an ordinance was adopted by the Cape Elizabeth Town Council requiring owners of certain historic properties to give 45 days notice prior to obtaining a permit for initiating any substantial demolition of structures on the property. No other restrictions were imposed on the issuance of a demolition permit. During 1998, acting in conformity with the current ordinance, the owner of the lighthouse keeper's cottage at Two Lights gave the said 45-day notice and replaced the existing landmark with a modern, palatial home at the location overlooking the waters of Casco Bay.

The keeper's cottage had been the subject of a world-famous painting by Edward Hopper, which hangs in the National Gallery of Art in Washington, D.C. The view had been a symbol of the Maine Coast in art work and posters found as distant as the airport in Toyko, Japan.

At the time of the Two Lights demolition and rebuilding, there existed strong sentiment among some residents of Cape Elizabeth that it might be appropriate for the Town to regulate the alteration or demolition of some of the structures in Town which had historic significance.

Creation of the Committee

After considering the matter, the Cape Elizabeth Town Council created a Historic Preservation Study Committee by its vote on Item 47 at the regular meeting of the Town Council on September 14, 1998. A copy of the charge to that Committee is appended hereto as Exhibit A.

Pursuant to the Council charge, the following resident property owners were designated as members of the Committee:

Henry N. Berry III - Town Council - Chairman
Carol Fritz - Town Council
Nancy Masterton - Planning Board
Amory Houghton* - Zoning Board
Jayne Jordan - Cape Elizabeth Historical Preservation Society
Connie Jordan - Citizen
Nancy Harvey - Owner of Historic Property

* Mr. Houghton moved out of Cape Elizabeth and was replaced by Zoning Board member Jack Kennealy.

Work of the Committee

The Historic Preservation Study Committee held its first meeting on December 17, 1998. Over the next year and a half, the Committee held 21 meetings, including three public forums. The work of the Committee addressed each charge of the Town Council, as summarized below:

• Review the current Town historic preservation regulations and historic structures list

In its earliest meetings, the Committee reviewed the demolition delay provision in the Zoning Ordinance. The Committee also reviewed the requirement in the Town Center District that new construction adjacent to historic structures must be compatible.

• Review the Historic Structures List for completeness and possible priority status for higher priority historic structures

The Committee reviewed the Historic Structures List (89 structures), which identified the structures that were subject to the demolition delay provision. There was concern that, while the list was valuable as the only inventory of Town historic structures, it had not been assembled using objective criteria. There was a strong sense by committee members, and also voiced by members of the public at the April public forum, that a more professional evaluation of Town historic resources was needed. It was generally felt that there were structures on the Historic Structures List that did not merit historic protection and that there were structures of significant historic value that were not on the list.

At the request of the Committee, the Town Council authorized funding for a historic preservation consultant to evaluate significant historic structures. The Committee selected the team of Nancy Barba of Barba Architecture and Preservation and Anne Ball to conduct a historic structure architectural evaluation. The Team's credentials include certification under the U.S. Department of the Interior federal credential requirements stipulated in 36 CFR 61 for Architectural History.

The Committee specified that the architectural evaluation must use the National Register of Historic Places criteria (See Exhibit B) in order to be as objective as possible. Due to limited funding, this evaluation of historic structures would only apply the National Register criterion regarding architecture. The consultant team did not do any research to identify structures that may be historically

significant due to, for example, its role in the culture of the community or whether they were associated with a historic person.

The consultants reviewed a baseline survey from 1992 of 750 structures and also made site visits. Their final report identified 199 structures that were architecturally *Significant* and 251 structures that were *Contributing*. For each *significant* structure, a one-paragraph description was prepared of the architectural features that make it significant. A copy of the consultant's report, Historic Structures Survey, Town of Cape Elizabeth 4 November 1999, is available in the Town Planner's Office and on the Town web site.

In order to become more familiar with structures identified by the consultants, the Committee went on a four-hour tour to see most of the structures identified as significant on January 22, 2000.

• Aggressively solicit public opinion regarding the extent of historic preservation and regulation desired by residents using a variety of techniques

Throughout the meeting process, the Committee solicited comments from residents who attended meetings. Articles were periodically printed in the Cape Courier and posted on the Town web site informing residents of the Committee's discussions and of upcoming public forums.

The Committee also hosted three public forums. The first forum, held in April, 1998, featured a slide show of past and present Cape Elizabeth structures and a panel discussion including: Dana Vaillancourt, Maine Historic Preservation Commission; Deb Andrews, City of Portland Senior Planner; and Don Sharland, Saco Historic Preservation Commission. The second forum was held on November 4, 1998 and featured a presentation by our consultant team of the historic structures evaluation report. The third forum, held on December 8, 1998, featured a draft historic preservation ordinance written to provide a focus for discussion of local historic preservation regulation.

At the end of January, 2000, the Committee wrote and circulated a public opinion survey, including it in an issue of the Cape Courier. Over 250 residents responded. The results of the survey are included as Exhibit C.

• Explore a variety of historic preservation options, including the elements of a historic preservation ordinance;

The Committee reviewed a model historic preservation ordinance and several ordinances currently in place in Maine and in other states, including Portland, Maine; Saco, Maine; Topsham, Maine; Bangor, Maine, Kane County, Illinois, and Houston, Texas.

In June, 1998, the Committee agreed that a substantive discussion of local historic regulation in Cape Elizabeth would be difficult without a specific ordinance upon which to focus discussion. The Committee then began to draft a historic

preservation ordinance that might reflect the characteristics of Cape Elizabeth. This draft ordinance is included as Exhibit D.

Following the public forum in December, 1998, the Committee revisited the variety of incentive techniques that can be used to encourage historic preservation. They include the acquisition of easements, provision of tax breaks, and education programs. A memorandum summarizing these techniques is included as Exhibit E.

• Provide a report to the Town Council no later than June 30, 1999 including only recommendations which have broad public support

The Committee has twice asked for extensions in order to conduct more analysis and public comment. The Committee met with the Town Council in a workshop on February 7, 2000 to get feedback before they began to discuss recommendations. Committee members prepared a comprehensive list of possible recommendations and then voted on the recommendations to send to the Town Council. The complete list of recommendations is included as Exhibit F.

Result of Meeting with the Town Council

At the joint meeting with the Council, the Committee presented a number of issues and were provided with the following direction:

1. Incentives. The Council is initially receptive of incentives for property owners to maintain historic properties, although the fiscal impact would need to be assessed.
2. Surveys. It was felt that surveys would not provide any meaningful guidance, and, at an approximate cost of \$450.00, they should be discontinued.
3. Referendum. Because the Town Council is a representative form of government, the consensus was that historic preservation issues should not be presented to the residents as a referendum.
4. Mandatory Regulation. Because there is a strong sense of opposition to mandatory regulation among many of the property owners in the Town, it was the sense of the Town Council that any regulatory measures for historic preservation should be voluntary on the part of each property owner, in order to not interfere with the use and enjoyment of private property rights.
5. Number of Historic Properties. The consultants prepared a list of approximately 200 architecturally, historically significant structures out of approximately 3,500 properties in the Town. Other properties have some

contributing historical features, and the remaining properties were described as non-contributing. Only architectural aspects were reviewed, rather than connections with persons or cultural events in the history of the Town.

Recommendations

The work of the Committee has been an educational experience for us all. We wish to express our kindest thanks to our Town Planner, Ms. Maureen O'Meara, without whose tireless efforts the work of the Committee could not have achieved fruition in responding to the charge of the Town Council.

Based upon the guidance of the Town Council and the thoughtful input we have received from many residents of our community, we submit the following suggestions for possible action to be considered by the Town Council:

1. Manual. The Town Council should fund the creation of a homeowner's manual describing how to care for/alter significant historic structures in a way that preserves historic integrity. The manual should include a paragraph description of each structure and pictures. An important reference should be the U.S. Department of the Interior Standards for the Treatment of Historic Properties, which are included at Exhibit G.
2. Free consulting services. Owners of historic structures would be eligible for 3-5 hours of free consultation with an architect experienced in historic preservation, to be paid by the town.
3. Advisory Committee with experts. We recommend that the Town Council create a five-member standing committee to assist with education and guidance for those property owners who wish to preserve the historical characteristics of properties in the Town. One member should have some expertise in the architectural field; one should have a background in construction; and three members should demonstrate an interest in historical preservation for properties in the Town. If tax incentives are adopted by the Town Council in accordance with the recent State Constitutional Amendment authorizing the same, the Committee shall assist the Town Council in determining fair and equitable amounts for interested volunteering property owners. Property owners who take advantage of the tax break shall be required to meet minimum standards as established by the Town Council.

Members of the Committee should serve 3-year, staggered terms, initially with two selected for three years, two for two years, and one for one year.

Members shall be selected by the Appointments Committee of the Town Council, and shall serve without compensation.

4. List of 200. The list of 200 significant historic structures created by the consultant should be revised to include all the National Register standards, not just the architectural standard. The list should be revised by a professional consultant who is supervised by an appointed committee. Some of the structures on the list of 200 should be removed. The final list should replace the current Historic Structures List of 89 structures in the Zoning Ordinance.

Respectfully Submitted,

Henry N. Berry, III, Chairman

Carol Fritz

Nancy Masterton

Jack Kennealy

Jayne Jordan

Connie Jordan

Nancy Harvey

Historic Preservation Study Committee Charge

Introduction

Recent applications for demolition permits for structures on the Town's Historic Structures List have focused attention on historic preservation regulation. The Town Council hereby creates a committee to study the status of historic preservation in Cape Elizabeth and report its findings.

Historic Preservation Study Committee Composition

The committee shall consist of seven persons. The Town Council has designated two Councilors to serve on the committee. The Planning Board, Zoning Board, and Cape Elizabeth Historic Preservation Society shall each designate one person to serve. The Town Council, following a recommendation from the Appointments Committee, shall appoint two citizens, one of whom shall be the owner of a property on the Historic Structures List, to the committee. The committee shall appoint its own chair and a secretary who shall be responsible for preparing the minutes of the meetings. The Town Planner shall staff the committee.

Committee Charge

- Review the current Town historic preservation regulations and historic structures list;
- Aggressively solicit public opinion regarding the extent of historic preservation and regulation desired by residents using a variety of techniques;
- Explore a variety of historic preservation options, including the elements of a historic preservation ordinance;
- Review the Historic Structures list for completeness and possible priority status for higher priority historic structures; and
- Provide a report to the Town Council no later than June 30, 1999 including only recommendations which have broad public support.

Public Opinion Survey on Historic Protection

The Historic Preservation Study Committee would like your help. They have been appointed by the Town Council to make recommendations about historic protection in Cape Elizabeth. They want to hear your opinions before they make recommendations. The committee will be circulating up to 4 different surveys over the next 4 months. Please fill out the survey below and mail it or drop it off at the Town Hall before February 5, 2000. **[250 respondents]**

1. Are you interested in historic preservation?

Yes 233 No 13 Don't know 3 No answer 1
93% 5% 1% 0%

2. Do you think the town should protect historic structures?

Yes 212 No 27 Don't know 5 No answer 6
85% 11% 2% 2%

3. Are there buildings in town worth saving?

Yes 191 No 9 Don't know 46 No answer 4
76% 4% 18% 2%

4. If so, how many buildings in town do **you think** merit historic protection?

0 : 1 1-5: 37 6 -20: 48 21-50: 20 51-100: 6 100+: 11 Don't know: 103 No answer: 24
0% 15% 19% 8% 2% 4% 41% 10%

5. If you support the concept of historic preservation, should it be voluntary or town-regulated?

Voluntary 105 Town-regulated 117 Don't know 21 No answer 7
42% 47% 8% 3%

6. Should there be historic protection of privately-owned homes?

Yes 118
47%

No 77
31%

Don't know 42
17%

No answer 13
5%

DRAFT * DRAFT * DRAFT * DRAFT * DRAFT * DRAFT

Disclaimer: The following draft ordinance has been prepared by the Historic Preservation Study Committee, which was appointed by the Town Council to study the need and desire to adopt regulations that protect the historic resources of the Town of Cape Elizabeth. In order to more fully understand the issue of local historic preservation, and to provide a focus for public discussion, this draft ordinance has been prepared.

This draft ordinance is not proposed for adoption. It is in rough draft form and would require substantial revision and fine-tuning before it could be formally proposed as a potential ordinance. The Historic Preservation Study Committee has made no recommendations regarding the draft ordinance at this time.

Town of Cape Elizabeth Chapter 23 Historic Preservation Ordinance

Article I. Purpose and Definitions

SEC. 23-1-1 PURPOSE

It is a public purpose to preserve historic resources within the Town of Cape Elizabeth. To achieve this purpose, it is intended that regulations be used to prevent inappropriate alterations to structures of historic or architectural value; to preserve the essential character of neighborhoods; and to assure that new structures which are constructed in the community are designed and built in a manner which is compatible with the character of the neighborhood. Once destroyed, historic resources cannot be replaced. To prevent such losses, the purpose of this ordinance is to:

- A. Retain the visual reminders of Cape Elizabeth's fishing and farming heritage, its relationship to the sea, and its past as a summer destination and art colony;
- B. Promote the management of the Town's historic resources in accordance with the Comprehensive Plan;
- C. Provide a mechanism to identify and preserve the distinctive historic resources of the Town of Cape Elizabeth which represent elements of the Town's cultural, social, economic, political, architectural, and archaeological history;

- D. Provide a resource of information and expertise to help those interested in rehabilitation of, or construction adjacent to, a historic resource;
- E. Apply design standards in a reasonable and flexible manner to prevent the unnecessary loss of the community's historical resources and to ensure compatible construction and rehabilitation adjacent to historic resources while not stifling change and development or forcing modern recreations of historic styles;
- F. Foster civic pride in the town's history and development patterns as represented by historic resources;
- G. Protect and enhance neighborhood character; and
- H. Stabilize and improve the value of historic resource.

SEC. 23-1-2. DEFINITIONS

For the purposes of this Ordinance, the following terms, words, and phrases shall have the meanings given herein. All words not defined shall carry their customary and usual meanings. Words used in the present tense shall include the future tense. Words used in the singular shall include the plural. Where so indicated in the text, these definitions also include substantive regulations. Where reference is made to Town or State laws, ordinances, or regulations, each reference to a particular law, regulation, or section shall include all amendments and successor sections.

Alteration: Any act or process requiring a building permit and/or the changing in exterior appearance, other than ordinary maintenance, of a historic resource, including additions, and the demolition, in whole or in part, or the removal of a historic resource from its location on the ground.

Committee: The Historic Preservation Committee

Certificate of Appropriateness: A certificate issued by the Historic Preservation Committee evidencing approval of specific plans for alteration of a structure.

Certificate of Economic Hardship: A certificate issued by the Historic Preservation Commission authorizing an alteration, construction, removal or demolition even though a Certificate of Appropriateness has been previously denied.

Historic Resource: Any structure designated by the Cape Elizabeth Town Council on the Historic Structures List.

Ordinary Maintenance: Acts of maintenance or repair which do not include a change in the design, materials or outer appearance of a structure, including without limitation repainting (which may include color changes), replacement of materials or windows of the same scale and texture.

Public Viewing Point: A public road right-of-way or land owned by the local, state, or federal government which is legally accessible to the public.

Article II. Historic Preservation Committee

SEC. 23-2-1. HISTORIC PRESERVATION COMMITTEE COMPOSITION

- A. Appointment. A Historic Preservation Committee is hereby established and shall consist of seven (7) members who shall be residents of the Town. At least one member shall have a demonstrated interest, knowledge, ability, experience or expertise in restoration, rehabilitation, or neighborhood conservation or revitalization. Committee members shall be appointed by the Town Council and serve without compensation. Appointments shall be made on the basis of demonstrated interest, ability, experience and desire to promote historic preservation in the Town within the meaning of Sec. 23-1-1, Purpose, of this Ordinance.
- B. Terms. Members shall be appointed for a term of three years, except in those instances in which the appointment is made to fill a vacancy in an unexpired term, in which case the appointment shall be for the remainder of the unexpired term. Appointments shall be staggered so that the terms of no more than three members expire in any calendar year.
- C. Officers. The members shall annually elect a Chair and Vice-Chair at the first meeting of the calendar year. No person shall serve as chair for more than two consecutive years.
- D. Removal. Members may be removed for cause by the Town Council. Cause shall include, but is not limited to, the failure to attend meetings without good cause. Any members proposed to be removed shall be given written notice and an opportunity to be heard prior to final action.

SEC. 23-2-2. RULES OF PROCEDURE

The committee shall propose rules of procedure necessary for the execution of its duties as set forth in this ordinance and submit them to the Town Council for adoption. All meetings of the committee shall be publicly announced and open to the public, and the committee shall keep a record of its proceedings and decisions.

SEC. 23-2-3. DUTIES

The committee shall have the following responsibilities:

- A. Identify and keep a list of Historic Resources. The committee shall conduct or administer a survey to identify historically, culturally, architecturally and archeologically significant resources. All areas, sites and structures listed in the National Register of Historic Places shall be reviewed. The committee shall maintain a list of all local historic resources designated by the Town Council in accordance with Sec. 23-3-1(C) below, including all information required as part of each designation.
- B. Recommend Historic Ordinance amendments, including nominating historic resources to be protected. The committee shall recommend to the Town Council the consideration of ordinance amendments designating historic resources and ordinance amendments that further the purpose of this ordinance. The committee may also comment on the nomination of historic resources to the National Register of Historic Places.
- C. Review Certificates of Appropriateness and Certificates of Economic Hardship Applications. The committee shall hold meetings and public hearings and review applications for compliance with the applicable standards for certificates of appropriateness and certificates of hardship and shall approve or deny such applications.
- D. Educate public. The committee shall inform and educate the citizens of the Town concerning the cultural, historic, architectural and archeological heritage of the Town by publishing appropriate maps, brochures and pamphlets and by sponsoring programs and seminars.
- E. Advise Town Council regarding alteration of town-owned historic structures and acceptance of gifts. The committee shall advise the Town Council and other town officials and departments prior to the alteration of town-owned historic resources and acceptance of gifts or easements related to historic resources.
- F. Recommend Comprehensive Plan Component. The committee shall participate in the Town's periodic review of the comprehensive plan and develop a proposed preservation component for inclusion in the comprehensive plan.
- G. Submit Annual Report to the Town Council. The committee shall annually report to the Town Council with respect to the following matters:
 1. Survey work in progress and completed;

2. The number of projects reviewed (by type); and
 3. How many certificates of each type were reviewed and issued.
- H. Perform other duties. The committee shall undertake any other action or activity necessary or appropriate to the implementation of its powers and duties, or the implementation of the purposes of this article.

Article III Designation of Historic Resources

SEC. 23-3-1. ELIGIBILITY FOR TOWN HISTORIC RESOURCE DESIGNATION

The Historic Preservation Committee may recommend to the Town Council the designation of "Historic Resource" upon a finding that the proposed historic resource meets one or more of the following criteria:

- A. History of Town. Structures at which events occur or have occurred that contribute to and are identified with or significantly represent or exemplify the broad cultural, political, economic, military, social or sociological history of town and the nation, including sites or buildings at which visitors may gain insight or see examples either of particular items or of larger patterns in the North American heritage.
- B. Persons. Structures associated with important historic personages.
- C. Ideas. Structures associated with important historic examples of a great idea or ideal.
- D. Architecture. Structures embodying examples of architectural types or specimens valuable for study of a period, style, or method of building construction, of community organization and living, or landscaping; of a single notable structure or a single site representing the work of a master builder, master designer, architect or landscape architect.
- E. Visual Continuity. Structures contributing to the visual continuity of the neighborhood.
- F. National Register. Structures on or eligible for listing on the National Register of Historic Places or as a National Historic Landmark.

SEC. 23-3-2. HISTORIC RESOURCE DESIGNATION PROCEDURE

The following procedure shall be used to convey Historic Resource Designation.

A. Nomination of Historic Resource

1. Nomination of a structure to be designated as a historic resource may be made by:
 - a. The owner of the proposed historic resource;
 - b. Any member of the Historic Preservation Committee;
 - c. Town Council (by a majority vote); or
 - d. the Cape Elizabeth Historical Preservation Society (by a majority vote of the Board)
2. A nomination shall be made by submitting a completed nomination form and all other submission information required in Subsection 23-3-2(B) below and the payment of any fee established by the Town Council to the designated staff person to the Historic Preservation Commission.

B. Submission Information:

A nomination for designation as a historic resource shall include an application form and the following information:

1. A map delineating the boundaries of the property and the location of the historic resource proposed for designation.
2. A written statement describing the proposed historic resource and setting forth reasons in support of the proposed designation.
3. A concise description of the physical elements, qualities, architectural style, period and historical significance represented by the proposed historic resource, including a consideration of scale, materials, workmanship and spatial qualities, as relevant.
4. A concise statement of how the proposed historic resource meets the review criteria of Sec. 23-3-1 above.
5. Exterior photographs of the proposed historic resource, illustrating significant details described in (I) above.

C. Procedure:

1. Within 30 days of receipt of a nomination, the Historic Preservation Committee shall hold a meeting to determine if the application is sufficiently complete to consider the nomination. If the application is deemed incomplete, the Committee members shall identify the information needed to make the application complete. Failure to make the application complete within four months or a time

mutually agreed to by the Committee and the applicant shall make the application expired.

If the application is deemed complete, the Committee shall schedule a public hearing within 35 days. Notice of the nomination and of the public hearing shall be in accordance with the procedures for Planning Board Site Plan Review.

2. The public hearing shall be conducted in accordance with the procedures adopted by the Committee. The owner of the proposed historic resource shall be allowed reasonable opportunity to present testimony or evidence concerning the applicability of the designation criteria.
3. Within 30 days following the close of the public hearing, or a time that is mutually agreed to by the Committee and the applicant, the committee shall make a recommendation to the Town Council upon the evidence as to whether the nominated historic resource meets the criteria for designation.
4. Notice of the recommendation shall be sent by mail to the owner of a nominated historic resource within ten business days following the recommendation.
5. If the recommendation of the committee is that the proposed historic resource not be designated, then the nomination process shall end unless the nominator or the property owner notify the Committee, within 30 days of the Committee decision, that they want the nomination to be submitted to the Town Council for consideration. No new nomination shall be submitted for the proposed historic resource for a period of one year from the date of the recommendation, except upon a showing of substantial and material, newly discovered information.
6. The Town Council shall hold a public hearing on the nomination. The Town Clerk shall provide written notification of the public hearing of the Town Council by regular mail to the nominator, the owner(s) of record of the proposed historic resource, and all abutters. Following the public hearing, the Town Council shall consider the proposed nomination and approve or disapprove the nomination.
7. If the Town Council approves the nomination, the Historic Preservation Ordinance shall be revised by the Town Clerk. A copy

of the new ordinance shall be sent to the Historic Preservation Commission within 30 days after the decision of the Town Council. The Town Clerk shall notice of the Town Council decision to the nominator and owner of the proposed historic resource within seven days of the decision.

D. Removal from Historic Structures List

Removal of a historic resource from the Historic Resources List shall follow the same procedures as for the nomination of a historic resource.

E. Interim Protection of Nominations

Once an application to nominate a historic resource has been deemed complete by the Historic Preservation Committee, there shall no alteration, demolition, or removal of the historic resource until final disposition by the Historic Preservation Committee and, if necessary, the Town Council, unless such alteration, removal or demolition is necessary to alleviate an immediate threat to public health, safety, or welfare. In no event shall a written request for alteration, demolition, or removal be delayed under this provision for more than 120 days.

Any alteration, demolition, or removal of a proposed historic resource for which a permit was issued prior to the application completeness of the nomination shall not be affected by the nomination application and may proceed.

F. Extension of Time Limits

Any time limit specified in the process for nomination may be extended with the consent of the nominator, except that the proposed historic resource owner who has submitted a written request for alteration, demolition or removal of the structure may not be required to delay for more than 120 days.

Article IV Protected Historic Resources

SEC. 23-4-1 HISTORIC RESOURCES LIST

The following structures are subject to the requirements of the Historic Preservation Ordinance, Chapter 23.

<u>Map</u>	<u>Lot</u>	<u>Street No.</u>	<u>Street Location</u>	<u>Date</u>	<u>Style</u>
U03	64	8	Bay View	1890-1910	Queen Anne
U05	18	18	Birch Knolls	1910-1930	Colonial Revival

R06	46S		Bowery Beach Rd I#076-0722	1938	Colonial Revival
R06	32	90	Bowery Beach Road *	1840-1850	Greek Revival
R06	4	226	Bowery Beach Road *	1800-1840	Federal
U01	5	1	Charles Road	1890-1920	Colonial Revival
U01	45	2	Charles Road	1890-1920	Colonial Revival
U01	46	4	Charles Road	1890-1920	Colonial Revival
U01	57	11	Charles Road	1910-1920	Colonial Revival
U01	49	12	Charles Road	1910-1930	Colonial Revival
U01	71	30	Cliff Avenue	1910-1930	Colonial Revival
U01	42	11	Cottage Farms Road	1915	Colonial Revival
U03	4	12	Cottage Farms Road	1920's	Colonial Revival
U01	41	15	Cottage Farms Road	1890-1920	Colonial Revival
U01	40	17	Cottage Farms Road	1910-1920	Colonial Revival
U01	38	21	Cottage Farms Road	1920-1940	Colonial Revival
U01	34	33	Cottage Farms Road	1920-1940	Colonial Revival
U01	32	39	Cottage Farms Road	1920-1940	Tudor
U05	62	9	Cottage Lane	1900-1930	Colonial Revival
U05	36	21	Cottage Lane*	1897	Neo-Classical
U05	61	22	Cottage Lane*	1910-1930	Colonial Revival
U02	45	15	Cragmoor	1920-1930	Tudor
U16	62	1A	Crescent View Avenue	1860-1885	Italianate
U16	63	2	Crescent View Avenue	1920-1935	Colonial Revival
U07	14	8	Delano Park	1890-1910	Queen Anne
U07	36	18	Delano Park	1900-1910	Colonial Revival
U07	24	20	Delano Park	1900-1910	Shingle Style
U07	25	25	Delano Park	1900-1910	Arts and Crafts
U07	41	34	Delano Park	1890-1910	Queen Anne
U07	38	19	Delano Park (Building and Outbuilding)	1902	Colonial Revival
U07	21	23	Delano Park (house and outbuilding)	1905-1906	Shingle Style
U07	43		Delano Park Carriage House I # 076-0379	1900-1910	Queen Anne
U07	13	9	Delano Park*	1886-1887	Shingle Style
U03	25	18	Elmwood	1910-1920	Arts and Crafts
U03	20	4 to 6	Elmwood	1910-1920	Arts and Crafts
U03	43	21	Forest Road	1910-1920	Arts and Crafts
U03	55	32	Forest Road	1915-1935	Colonial Revival
U03	40	37	Forest Road	1905-1935	Tudor
U03	39	39	Forest Road	1905-1935	Tudor
U03	38	45	Forest Road	1905-1935	Tudor
U03	108	50	Forest Road	1905-1925	Colonial Revival
U48	1	9	Fort Williams Artillery Engineer Storehouse 1#076-0343*	1914	Colonial Revival

U48	1	326	Fort Williams Bachelor Officers' Quarters*	1909	Neo-Classical Revival
U48	1	324	Fort Williams Field Officers' Quarters*	1911	Colonial Revival
U48	1	9	Fort Williams Goddard Mansion*	1840-1860	Early Classical Revival
U48	1	419	Fort Williams Gun Shed 1#076-0342*	1934	Colonial Revival
U48	1	9	Fort Williams Militia Storehouse 1#076-0344*	1915	Colonial Revival
U48	1	9	Fort Williams Storage Building	1900-1910	Colonial Revival
U19	3	82	Fowler Road	1910-1920	Colonial Revival
R06	28	164	Fowler Road	1890-1910	Colonial Revival
R06	41	361	Fowler Road *	1880's	Queen Anne
U05	46	17	Garden Lane- JC Stevens	1929	Colonial Revival
U02	30	18	Glen Avenue	1880-1910	Queen Anne
U04	146	2	Hermit Thrush Road	1915-1935	Colonial Revival
U22	73	11	Hill Way	1880-1900	Colonial Revival
U03	74	12	Island View Road	1880-1910	Queen Anne
U03	70	15	Island View Road	1920-1930	Colonial Revival
U33	50	1	Lydon Lane *	1800-1820	Colonial
U05	38	9	Maiden Cove- I # 076-0305	1920-1935	Spanish
U32	4A	325	Mitchell Road	1915-1930	Colonial Revival
U31	1	403	Mitchell Road *	1915-1930	Colonial Revival
U30	22	450	Mitchell Road *	1910	Shingle Style
U34	2A	171	Mitchell Road*	1771	Colonial
U32	7	274	Mitchell Road*	1820-1830	
U03	67	6	Mountain View	1890-1910	Colonial Revival
U03	68	8	Mountain View	1890-1910	Colonial Revival
U03	8	11	Mountain View	1910-1920	Arts and Crafts
U04	178	2	Oakhurst	1905-1920	Colonial Revival
U04	177	11	Oakhurst	1920-1935	Colonial Revival
U04	168	41	Oakhurst	1905-1925	Colonial Revival
U04	147	63	Oakhurst	1900-1915	Colonial Revival
U26	1	75	Ocean House Road	1910-1930	Colonial Revival
U25	10	142	Ocean House Road	1890-1910	Queen Anne
U24	35	186	Ocean House Road	1905-1920	Arts and Crafts
U24	37	196	Ocean House Road	1914	Colonial Revival
U24	4	197	Ocean House Road	1905-1920	Arts and Crafts
U23	1	246	Ocean House Road *	1915-1930	Colonial Revival
U11	16C	312	Ocean House Road *	1865-1885	Italianate
U11	17	320	Ocean House Road *	1905	Colonial Revival
U20	17	351	Ocean House Road *	1850-1870	Greek Revival
U20	15	359	Ocean House Road *	1891	Italianate

U18	3	500	Ocean House Road *	1840-1850	Greek Revival
U16	23	596	Ocean House Road *	1865-1885	Italianate
R02	4_1	340	Ocean House Road *		
R02	4_1	340	Ocean House Road *		
U28	15	39	Ocean House Road*	1870-1880	Italianate
U28	9	51	Ocean House Road*	1865-1866	Greek Revival
U03	79	5	Ocean View Road	1900-1920	Colonial Revival
U03	81	12	Ocean View Road	1890-1910	Queen Anne
U03	78	15	Ocean View Road	1900-1920	Colonial Revival
U03	76	19	Ocean View Road	1910-1920	Colonial Revival
U03	83	20	Ocean View Road	1900-1930	Colonial Revival
U03	84	24	Ocean View Road	1915-1930	Colonial Revival
U03	88	44	Ocean View Road	1900-1920	Colonial Revival
U03	90	62	Ocean View Road	1931-1933	Colonial Revival
R02	4A	400	Old Ocean House Road		Italianate
R02	8	402	Old Ocean House Road	1928	Tudor
R03	20	496	Old Ocean House Road	1850-1870	Greek Revival
R02	9C	412	Old Ocean House Road *	1912	Colonial Revival
R02	9	414	Old Ocean House Road *	1850-1870	Colonial Revival
R02	17A	444	Old Ocean House Road *	1850-1870	Greek Revival
U42	8	468	Old Ocean House Road *	1850-1870	Greek Revival
R02	14	442	Old Ocean House Road * I # 076-0602		
R02	5	410	Old Ocean House Road *(main house, not guest house)	1915-1930	Colonial Revival
R02	14	442	Old Ocean House Road *I # 076-0601	1780-1830	Federal
		420	Old Ocean House Road I#076-0597	1920-1930	Colonial Revival
R03	7	15	Peabbles Cove	1890-1910	Colonial Revival
U48	2		Portland Head Light Keepers' House*	1891	Queen Anne
U02	2	592	Preble	1910-1920	Colonial Revival
U01	1	601	Preble	1880-1900	Queen Anne
U02	6	602	Preble	1890-1920	Colonial Revival
R06	46-1		Ram Island Farm 076-0713 Barn	1910-1930	Colonial Revival
R06	46		Ram Island Farm 076-0714 Stone House Studio	1900-1930	Colonial Revival
R06	46-1		Ram Island Farm 076-0717 Coop outbuilding	1900-1930	Colonial Revival
R06	46-1		Ram Island Farm 076-0718 Garage	1920-1930	Colonial Revival
R06	46	3	Ram Island Farm 076-0720 barn only	1890-1920	

R06	49		Ram Island Farm 076-0723 Pierce Cottage	1890-1920	Colonial Revival
R06	46	5	Ram Island Farm 076-0712	1920's	Log Cabin
R06	46	7	Ram Island Farm I # 076-0711	1900-1920	Colonial Revival
U14	17	13	Rocky Point Lane I # 076-0675	1925-1935	Arts and Crafts
U47	3	999	Sawyer Road	1860-1885	Italianate
U47	28	1008	Sawyer Road	1900-1920	Colonial Revival
R04	47	1095	Sawyer Road *	1850-1870	Greek Revival
R04	54	1148	Sawyer Road *	1790-1815	Colonial
U35	2	77	Scott Dyer Road	1860-1885	Italianate
U21	95	36	Scott Dyer Road*	1860-1885	Italianate
U21	12	6	Scott Dyer Road- Middle School *	1933	Neo-Classical Revival
U02	24	6	Sea View Road	1880-1910	Queen Anne
U02	28A	7	Sea View Road	1880-1900	Shingle Style
U02	23	8	Sea View Road	1880-1910	Shingle Style
U02	22	12	Sea View Road	1910-1915	Prairie Style
U02	20	19	Sea View Road	1900-1930	Colonial Revival
U02	21	21	Sea View Road	1920-1930	Spanish Revival
U01	7	551	Shore Road	1880-1900	Shingle Style
U01	6	553	Shore Road	1895-1915	Neo-Classical Revival
U01	44	579	Shore Road	1860-1885	Italianate
U01	43	583	Shore Road	1917	Colonial Revival
U02	37	588	Shore Road	1910-1930	Colonial Revival
U03	9	597	Shore Road	1910-1930	Colonial Revival
U03	65	611	Shore Road	1905-1920	Colonial Revival
U03	73	635	Shore Road	1905-1920	Colonial Revival
U02	42	644	Shore Road	1880-1900	Shingle Style
U02	43	670	Shore Road	1915-1925	Colonial Revival
U02	48	700	Shore Road	1920-1930	Tudor
U03	80	801	Shore Road	1880-1900	Queen Anne
U03	112	821	Shore Road	1905-1925	Arts and Crafts
U03	113	823	Shore Road	1890-1905	Colonial Revival
U03	114	825	Shore Road	1910-1930	Colonial Revival
U02	50	880	Shore Road	1880-1910	Colonial Revival
U02	51	882	Shore Road	1910-1930	Tudor
U04	64	885	Shore Road	1880-1900	Shingle Style
U04	63	897	Shore Road	1910-1935	Colonial Revival
U05	7	900	Shore Road	1890-1930	Tudor
U06	97	969	Shore Road	1890-1910	Colonial Revival
U08	4	1062	Shore Road	1910-1925	Colonial Revival
U09	1	1134	Shore Road *	1919	Colonial Revival
U10	55	1160	Shore Road *	1910-1920	Colonial Revival
U07	43	876	Shore Road Carriage house	1880-1910	Colonial Revival
U06	3	997	Shore Road*	1900-1920	Colonial Revival

U11	1	1221	Shore Road*	1844	Greek Revival
U08	7	1	Singles Road *	1871-1874	Gothic Revival
R04	7	321	Spurwink Avenue *	1860-1885	Italianate
R05	12	490	Spurwink Avenue *	1800	Colonial
R05	13A	495	Spurwink Avenue *	1850-1870	Italianate
R06	8	533	Spurwink Avenue *	1834	Greek Revival
U03	139	17	Stony Brook Road	1915-1930	Colonial Revival
U03	151	72	Stony Brook Road	1910-1930	Arts and Crafts
U03	154	84	Stony Brook Road- Marcel Breuer House	1950-1955	International
U03	48	21	Summit Road	1910-1935	Colonial Revival
U03	47	20	Summit Road- house and outbuilding	1910-1935	Colonial Revival
U05	55	1	Surf Road	1910-1930	Colonial Revival
U05	59	16	Surf Road	1910-1940	Colonial Revival
U05	51	17	Surf Road	1920-1930	Tudor
U08	15	13	Tides Edge I # 076-0386	1910-1920	Craftsman
U12	5	27	Trundy Road *	1920-1930	Colonial Revival
U12	31	39	Trundy Road *	1860-1885	Italianate
R03	59		Two Lights Nathaniel Dyer House*	1800	Greek Revival
U40	19	110	Two Lights Road	1926	Colonial Revival
U37	1	64	Two Lights Road *	1880-1900	Colonial Revival
U39	3	72	Two Lights Road *	1850-1870	Greek Revival
U39	4	82	Two Lights Road *	1850-1870	Greek Revival
U39	8	102	Two Lights Road *	1860-1885	Italianate
U41	5	133	Two Lights Road *	1900-1930	Tudor
U18	12	3	Two Lights Road*	1910-1925	Arts and Crafts
U15	54	15	Two Lights Terrace- Lighthouse I# 076-0667 *		
R03	60		Two Lights World War II Bunker		
R03	60		Two Lights WWII Observation Tower		
U01	22	31	Warren Avenue	1915-1930	Tudor
U01	14A	32	Warren Avenue	1915-1930	Colonial Revival
U18	51	10	Wentworth Road (barn only)*	1840-1860	Greek Revival
U18	11	1	Wheeler Road *	1865	Greek Revival
U16	2	6	Wheeler Road *	1860-1885	Italianate
U18	12	3	Wheeler Road- I # 076-0642- small commercial structure	1890-1910	
U04	58	5	Wood Road	1910-1925	Colonial Revival
U04	31	40	Wood Road	1910-1925	Colonial Revival

* Included on the Historic Resources List in the Zoning

Ordinance

Article V Certificate of Appropriateness

SEC. 23-5-1 CERTIFICATE OF APPROPRIATENESS

A. Applicability

A Certificate of Appropriateness shall be required before the following actions may be taken affecting the exterior architectural appearance of any portion of a historic resource listed in Sec. 23-4-1, Historic Resources List, which can be seen from a public viewing point:

1. Any construction, alteration or removal requiring a building permit from the town;
2. Any demolition, in whole or in part, requiring a permit from the town; and
3. Any change, except repair, in siding materials, roofing materials, door and window sash and integral decorative elements, such as, but not limited to, cornices, brackets, window architraves, doorway pediments, railing, balusters, columns, cupolas and cresting, and roof decorations.

B. Submission Requirements

The application shall state the location, use and nature of the matter for which such certificate is sought, and shall contain at least the following information unless any items are waived by the Commission:

1. A completed application form
2. The applicant's name and address and interest in the historic resource.
3. The owner's name and address, if different from the applicant's.
4. The address or location of the historic resource.
5. The present use and zoning classification of the historic resource.
6. A brief description of the construction, reconstruction, remodeling, alteration, maintenance, demolition or moving which requires the issuance of a certificate of appropriateness.
7. A drawing or drawings indicating the design, texture, brick (including color) or shingles and location of any proposed alteration or new construction for which the certification is required. As used herein, "drawings" shall mean plans and exterior elevations drawn to scale, with sufficient detail to show as far as they are related to exterior appearances the architectural design of the buildings, including materials and textures, including samples of any brick, shingles or siding proposed to be used. Drawings shall not be required to be prepared by a registered architect, but shall be clear, complete and specific.

8. Photographs of the historic resource involved and of immediately adjacent structures.

C. Procedure

The process for review of an application for a Certificate of Appropriateness shall be as follows:

1. The applicant is encouraged to request a meeting with the committee to informally discuss a proposed or pending application.
2. The application shall be submitted to the Town Planner, who shall forward a copy to the Historic Preservation Committee Chair. The Town Planner, in consultation with the Chair, shall make a preliminary determination of completeness. If the application is deemed incomplete, the Town Planner shall inform the applicant in writing of the information needed to make the application complete. Once the application is preliminarily determined to be complete, the application shall be scheduled for the next Historic Preservation Committee meeting, which meeting shall be held within 30 days of the preliminary determination of completeness. Notice of the meeting shall be provided in accordance with the procedures for Site Plan Review.
3. The Historic Preservation Study Committee shall begin by making a finding of completeness. If the application is deemed incomplete, the applicant has four months to make the application complete or it is deemed withdrawn.
4. If the application is deemed complete, the committee shall either conduct a public hearing, or make decision on the application within 30 days of deeming the application complete. If a public hearing is held, the committee shall give the same notice as the Planning Board would give in the case of an application for site plan approval and shall propose a decision within 15 days of the close of the public hearing. The time to consider the application may be extended with the consent of the applicant. In addition to any other notice given the public, the Town Planner shall notify the applicant of the time and place of any committee meeting to consider the application.
5. If the committee denies a Certificate of Appropriateness, the applicant may appeal the decision to the Town Council.

6. A Certificate of Appropriateness shall be valid for one year and will expire if a building permit has not been issued or the applicant has not requested an extension prior to the expiration date.

D. Standards of Evaluation

The following standards shall be used in reviewing applications for Certificates of Appropriateness:

1. Every reasonable effort shall be made to provide a compatible use for the historic resource that requires minimal alteration of historic resource and its environment, or to use the historic resource for its originally intended purpose.
2. The distinguishing original qualities or character of the historic resource and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible.
3. All historic resources shall be recognized as products of their time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.
4. Changes that may have taken place in the course of time are evidence of the history and development of a historic resource and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship that characterize a historic resource shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other structures.
7. The surface cleaning of historic resources shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic resource exterior materials shall not be undertaken.

8. Visual Compatibility factors. Alteration of a historic resource shall be designed to comply with the following factors. Although new construction may be different in its shape or style, its relative proportions should be compatible with the historic resource. The United States Department of Interior Secretary's Standards of Rehabilitation and Guidelines for Rehabilitating Buildings (Rev. 1983) and the Maine Historic Preservation Commission Guidelines for Historic Preservation should be considered by the Commission as a basis for reviewing applications for certificates of appropriateness in any external reconstruction or alterations of historic resources.
 - a. Height. The height of the alteration shall be compatible with the historic resource.
 - b. Width. The width of the alteration shall be compatible with historic resource and reflect the characteristic rhythm of the façade.
 - c. Window proportions. The window proportions (height versus width) shall be visually compatible with those of other windows in the historic resource. In the case of large plateglass display windows on the ground floor, the large surface of a glass can be divided into a number of smaller panes, consistent with shopfront windows of the historical period which the historic resource represents.
 - d. Roof forms. The roof pitch, materials and colors employed on the alteration should be similar to the historic resource.
 - e. Directional expression or mood. Alterations shall respect the directional expression of the historic resource, and new construction shall be related harmoniously.
 - f. Materials and textures. New construction should utilize materials and textures which are visually compatible with adjacent facades. If there is a predominant material in the immediate area, it should be used. Alterations to a historic resource should simulate as closely as possible the color and texture of that historic resource. Mortar color and thickness of joints shall match those of the historic resource as much as possible.
 - g. Details. All existing architectural details should be maintained to the fullest extent that is practicable. When removal is unavoidable, replacement with similar features shall be encouraged. Details may

include cornices; frames and moldings around windows, doors and building corners; lintels; arches; wrought iron work; chimneys, etc.

SEC. 23-5-2 CERTIFICATE OF ECONOMIC HARDSHIP

A. Applicability

A Certificate of Economic Hardship may be requested by an applicant who has been denied a Certificate of Appropriateness by the Historic Preservation Committee.

B. Submission Requirements

The following information shall be provided by an applicant for a Certificate of Economic Hardship:

1. A completed application form.
2. Estimated cost of the proposed alteration, construction, demolition or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the Historic Preservation Committee in order to receive a Certificate of Appropriateness.
3. A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the historic resource and its suitability for rehabilitation.
4. Estimated market value of the historic resource in its current condition; after completion of the proposed construction, alteration, demolition or removal; after any changes recommended by the Historic Preservation Committee; and, in the case of a proposed demolition, after renovation of the historic resource for continued use.
5. The amount paid for the historic resource by the owner; the date of purchase and the party from whom purchased, including a description of the relationship, if any, between the owner and the person from whom the property was purchased.
6. All appraisals obtained within the previous two years by the owner or applicant in connection with purchase, offerings for sale, financing, or ownership of the historic resource, or state that none were obtained.
7. Assessed value of the historic resource.
8. Real estate taxes for the previous two years.

C. Procedure

The procedure for a Certificate of Economic Hardship shall be the same as the procedure for a Certificate of Appropriateness.

D. Standard of Evaluation

The Historic Preservation Study Committee shall grant a Certificate of Economic Hardship if it finds that the denial of the proposed alteration, construction, demolition or removal will result in the loss of all reasonable use of the historic structure.

SEC. 23-6-1 MAINTENANCE

Nothing in this section shall be interpreted to prevent the ordinary maintenance or repair of any exterior feature of a historic resource which does not involve a change in the design or exterior materials.

SEC. 23-7-1 PENALTIES

A. Notice

If, upon investigation, the Code Enforcement Officer determines that an activity has occurred that is in violation of this Ordinance or any permits or approvals granted for a project, the Code Enforcement Officer shall give written notice to the owner and/or occupant of the premises. The notice shall specify the nature of the violation, actions necessary to abate the violation, and the time frame within which these actions shall occur. In addition, the notice shall advise the parties of the right to appeal the Code Enforcement Officer's decision to the Historic Preservation Committee., if appropriate.

B. Enforcement Action

If, after such notice and demand, the violation has not been abated within the time provided, the Code Enforcement Officer and/or the Town Council shall institute appropriate action in the name of the Town to prevent, correct, restrain, or abate the violation(s) of this Ordinance.

Any owner or occupant of, or any person or entity having control or the use of, or any person or entity engaged in the construction, alteration or demolition or removal of any historic structure and found to violate the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable as provided in 30-A, M.R.S.A. Section 4452, except as otherwise provided by State law. Each day such violation is permitted to exist after written notification thereof by the Code Enforcement Officer shall constitute a separate offense.

MEMORANDUM

TO: Historic Preservation Study Committee
FROM: Maureen O'Meara, Town Planner
DATE: January 7, 2000
SUBJECT: Voluntary/Incentive Historic Preservation Measures

Introduction

At the last meeting, the Historic Preservation Study Committee expressed the desire to fully explore all techniques of voluntary historic preservation. Staff was directed to contact several historic preservation organizations for information. The Maine Historic Preservation Commission, Greater Portland Landmarks, Maine Preservation, the National Trust for Historic Preservation and the Society for the Preservation of New England Antiquities were all contacted regarding information on voluntary historic preservation measures. Responses received to date are attached. Also attached are background materials on several historic protection techniques and other pertinent information. Below is a summary of different voluntary/incentive approaches.

Easements/Gifts

Easements or gifts is a method where a property owner volunteers to subject their property to historic protection restrictions. The first attachment describes four separate techniques. In each case the property owners conveys rights to another entity, such as a preservation organization. The property owner may retain ownership of the property, in which case the preservation organization is only involved when physical changes are made to the building. The property owner may be compensated or could claim the historic preservation restrictions as a donation, although it may be hard to quantify the value of the donation. In some cases, the entire property may be conveyed to the historic preservation association. They establish historic preservation restrictions and then sell the property for private use. In this way, the property is protected, remains on the tax rolls and is occupied and maintained.

In the State of Maine, Maine Preservation is a historic protection organization that accepts and holds historic protection easements.

Tax Breaks

The federal government provides tax breaks for rehabilitation of historic properties through the Federal Historic Preservation Tax Incentives Program. Only income-producing properties are eligible for the tax break program. There

is currently before Congress a bill called the Historic Home Ownership Act, which would provide tax incentives for single family homes.

In order to be eligible for these tax incentive programs, the structure generally must qualify as historic using the National Register criteria and proposed rehabilitation must meet the U.S. Secretary of the Interior standards for historic preservation rehabilitation, which emphasize repair over replacement whenever possible. Claims have been made that the cost of rehabilitation using the Department of Interior standards are not offset by the tax break.

In some states or communities, tax breaks are offered independent of the federal program. Enclosed is a description of the Mills Act, which provides tax incentives in the state of California. The City of Houston, Texas provides tax exemptions to property owners who improve historic structures.

Demolition Delay

The City of Houston requires review of alterations of historic structures. After the commission makes a recommendation, the property owner may wait 90 days and then proceed with alterations or demolition that does not comply with the decision.

Building Code

The State of California also has created a Historical Building Code which provides for special treatment of historic structures. (See enclosed)

Other Incentives

The Placer County, California Historic Preservation Ordinance includes a specific incentives provision. Under this provision, application fees and development standards may be waived. (See attached)

Incentives previously discussed by the Committee

In past meetings, the committee has discussed the following incentive techniques:

1. Tax Break. With the recently adopted constitutional amendment and necessary enabling legislation, the town could offer tax abatements to owners of historic structures.
2. Technical Assistance. The town could provide advice from historic preservation experts to property owners who are considering alterations.

A program could be structured where the town contracts with a historic preservation consultant who would meet with homeowners and provide free advice on their construction project. The consultant would be reimbursed from a fund established by the town and replenished annually.

3. Marker Program. The town could establish or work with an existing regional marker program to recognize significant historic structures.
4. Educational materials. Historic organizations in other towns have built local support for historic preservation by creating walking tours or brochures that feature local historic resources.

**List of Possible Actions for Consideration by the Town Council
discussed at 3/9/00 Historic Preservation Study Committee meeting
(in no order of priority)**

1. Adopt Ordinance. Property owners of significant historic structures would be required to submit proposed exterior alterations for committee review. Compliance with the decision of the committee would be optional.
2. Adopt Ordinance. Property owners of significant historic structures could choose to submit proposed exterior alterations for committee review. Compliance with the decision of the committee would be mandatory. (1 vote)
3. Free consulting services. Owners of historic structures would be eligible for 3-5 hours of free consultation with an architect experienced in historic preservation, to be paid by the town. (4 votes)
4. Education programs. The town would sponsor public education that stimulates interest and visual awareness, architectural awareness and sensitivity to the aesthetic of the community.
5. Advisory committee with experts. The Town Council would appoint an advisory committee that includes persons with expertise in compatible alteration of historic structures. Property owners would have the option to voluntarily meet with the committee to get advice about proposed alterations. (3 votes)
6. List of 200. The list of 200 significant historic structures created by the consultant should be revised to include all the National Register standards, not just the architectural standard. The list should be revised by a professional consultant who is supervised by an appointed committee. Some of the structures on the list of 200 should be removed. The final list should replace the current Historic Structures List of 89 structures in the Zoning Ordinance. (1 vote)
7. Financial Incentives. Owners of contributing structures should be provided with financial incentives, such as grants and tax incentives (hold the valuation constant instead of increasing value to include improvements) for alterations that would make their structures meet the criteria of a significant historic structure.
8. Plaque System. Similar to the Greater Portland Landmarks system, plaques should be presented at a Town Council meeting to owners of significant historic structures.

9. Manual. The Town Council should fund the creation of a homeowner's manual describing how to care for/alter significant historic structures in a way that preserves historic integrity. The manual should include a paragraph description of each structure and pictures. (5 votes)
10. Tax Incentive. The Town should provide tax incentives to property owners of historic structures that agree to abide by the National Register Standards at the building permit stage. (1 vote)
11. Award dinner. An award dinner should be held to recognize homeowners who have been "good historic preservation soldiers."
12. Do nothing.