

## **16.1 HISTORIC DEMOLITION REVIEW (3/07, REV. 3/18, 3/21)**

16.1.1 Definitions: As used in this section, the following words or phrases shall have the meanings set forth below, except when the context in which they are used requires a different meaning:

- a. Building: Building is defined as any structure used or intended for supporting or sheltering any use or occupancy.
- b. Demolition Review Committee: A committee of the Stratham Heritage Commission comprised of three (3) members of the commission and two (2) alternates appointed by the chair of the commission. Any conflict of interest by a member shall be determined as set forth in NH RSA 673:14.
- c. Demolition: The act of pulling down, destroying, removing, or razing a building or commencing the work of total or substantial destruction with the intent of completing the same.

16.1.2 Criteria:

Any building or part of a building in the Town of Stratham will fall under the terms of this article where:

- a. The proposed demolition is greater than five hundred (500) square feet of gross floor area; and
- b. The building(s) is assumed to have been constructed more than fifty (50) years before the date of application for demolition permit; and
- c. The building is visible from the adjacent public right-of-way or public lands or is listed or is eligible for listing in the National Register of Historic Places or state or local historic registers.

16.1.3 Procedure:

When an application for a demolition permit, or a building permit involving demolition, or a site plan review involving demolition is made, or a formal written application is submitted to the Building Inspector or Code Enforcement Officer for a determination under this article, the Code Enforcement Officer will determine if the building, or section of the building, meets the above criteria. If it does, the Code Enforcement Officer shall:

- a. Forward a copy of the application to the demolition review committee.
- b. Within five business days of its receipt of a copy of the application, the committee shall issue a preliminary recommendation regarding the granting of a demolition permit. If the committee issues a recommendation in favor of the granting of such a permit, a demolition permit shall be issued. If the committee determines the building to be potentially significant, no permit shall be issued until a more thorough investigation is undertaken and a final written recommendation is provided by the committee to the Code Enforcement Officer. Investigation and recommendation shall be completed within 60 calendar days of the committee's receipt of a copy of the application (**Rev 3/18**).
- c. During the maximum 60 calendar-day-period, the committee shall meet with the property owner and conduct such public hearings and investigations as it may determine to be necessary in the formulation of its written recommendation regarding the granting of such permit. The committee shall consider the following criteria in its deliberation (**Rev. 3/18**):

- i. The building or structure is of such interest or quality that it would meet national, state or local criteria for designation as a historic, cultural, or architectural landmark.
- ii. The building or structure is of such unusual or uncommon design, texture, or materials that it could not be reproduced or could be reproduced only with great difficulty and expense.
- iii. The building or structure is of such architectural or historic interest that its removal would be to the detriment of the public interest.
- iii. Retention of the building or structure would help preserve and protect a historic place or area of historic interest in the town.
- d. In the event of a change of property ownership or expiration of a demolition permit, full compliance with Section 16.5 shall be required.

#### 16.1.4 Demolition Review Committee Responsibilities:

It is the responsibility of the Demolition Review Committee to:

- a. Make a decision within five business days of receipt of the demolition application as to whether the building might be significant and preferably preserved within the standards and specifications provided above. If no decision is made within five business days, the application will be deemed to be approved and the permit may be issued.
- b. Hold a meeting between the demolition review committee and the applicant (or applicant's representative) to discuss alternatives to demolition if the committee determines the building is significant and its loss potentially detrimental to the community.

#### 16.1.5 Demolition:

- a. If no alternatives to demolition have been identified and agreed to by the applicant after the meeting provided for in the preceding section, the applicant is free to proceed with demolition provided a permit is issued. (The Code Enforcement Officer/Building Inspector shall issue a permit if all other typical application requirements have been met.) Prior to demolition, and if the applicant is in agreement, the demolition review committee shall photographically document the building. The committee shall also encourage the applicant to salvage significant architectural features.
- b. Nothing in this article shall be construed to prevent immediate demolition where the public safety is at stake and the building has been determined by the Code Enforcement Officer to be a public hazard and demolition is the only viable recourse.