

**Approved
Meeting Minutes
Hartford Design Review Committee
September 30, 2021
Continued from September 23, 2021**

Members Present Denise Welch-May, Jonathan Schechtman, Anita Hamalainen and Larson Burns

Staff Present: Lori Hirshfield, Planning Director, and Jo-Ann Ells, Zoning Administrator

Others Present: Ken Parker, Eric Bunge, and Kim Souza, Selectboard Liaison

Applications

1. Application by Ken Parker for Design Review Approval for the demolition of two structures on lot 45-0151-000, 160 Gates Street, White River Junction in the CB, and Design Review zoning districts. Continued from September 23, 2021.

The Commission conducted at site visit at 9:00AM. Denise reconvened the meeting at Town Hall at 9:50AM.

Denise noted that she was undecided and wanted to hear what other Committee members thought. She stated that the economic health and vitality of the downtown needs to be balanced with the preservation of the character of the downtown.

Jonathan noted that he did not observe any structural concerns at the site visit. Denise concurred and noted that rehabilitation of the building would be expensive.

Ken noted he was not applying to remove the buildings based on structural soundness, but that rehabbing is financially unviable. He reminded the Committee of the two estimates he submitted and his analysis on a rate of return.

Denise noted that Ken stated his case well and that she understood the rate of return analysis. She stated that it is difficult to see a contributing historic structure removed and the loss to the town is of concern.

Jonathan noted the discussion about putting the property on the market. Ken stated that the property has sat empty for three years and he has a buyer for an empty lot. Jo-Ann reminded the Committee of their review criteria.

Anita stated that it is a shame to lose something long term because of disrepair and lack of the ability to maintain/rehab. She noted someone else might be willing to rehab the building. She added that a new structure will not replace what is there today.

Ken noted that a lot of recent revitalization in the downtown has been from the construction of new buildings.

Anita noted that, “ignoring the review criteria”, she felt that a balance between the vibrance of new buildings and the charm of old buildings needs to be maintained. Ken asked if he made a case for a financial hardship. Anita explained that she did, but that she sees a bigger question.

Jo-Ann noted that she understands the emotions the application raises, but asked the Committee to stick to their review criteria.

Lori noted that while prior applications for demolition were accompanied by plans to redevelop, redevelopment at the time of a request for demolition does not trump financial feasibility. She added that the Committee needs to stick to the criteria in the regulations and that she understands it is a difficult decision.

Larson suggested that the regulations might need to be amended and that financial hardship needs to be better defined.

Denise questioned if there were programs that could help with funding rehabilitation.

Lori noted that there might be several opportunities for small grants but no large amounts for historic preservation.

Ken stated that he felt that the Committee was diverting from the question before them. He read section 260-46 (12) (b)(2) of the Zoning Regulations which states “Rehabilitation of the building, or portion thereof, would cause undue financial hardship. The applicant must provide clear and convincing evidence that any reasonable return cannot be obtained from the building without approval of the request for demolition” and requested that the Committee make a decision based on this language.

Larson stated that he agrees that the criteria for demonstrating financial hardship has been met, but voiced concern with the regulations. Anita stated that they set a low bar.

Jonathan and Anita stated that they would abstain from voting. Lori and Jo-Ann explained that they would need to state a basis for abstaining/have a conflict of interest.

Jonathan stated that he had a conflict of interest as the Chair of the Historic Preservation Commission.

Jo-Ann noted that the Committee is advisory to the Planning Commission and whatever they decide will be forward to the Planning Commission. She added that Ken’s application will be heard by the Planning Commission on November 1, 2021, and all can attend.

Denise said that she believed Ken had made a case for financial hardship under the regulations.

Jo-Ann commented that it sounds like the Committee has a problem with the Regulations.

Ken commented that the Committee might be interfering with this contract to sell the property.

Jonathan stated that he did not feel that Ken explored alternatives.

Anita moved to approve the application to demolish the structures under section 260-46 (12) (b)(2) of the Zoning Regulations. Larson seconded and the motion failed 0-3 with Jonathan abstaining.

Anita stated that in reviewing the cost estimates, loan, and money received from insurance, she concluded that over the course of many years rehab would not pose an undue financial hardship.

Larson stated that he thought allowing the demolition would be a conflict of interest of the purpose of the Committee.

Denise stated that she agreed with what had been said, felt undecided about it, and added approving the application was in conflict with what the Committee should be doing.

Jonathan noted he abstained because he felt a conflict of interest because he is the Chair of the Historic Preservation Committee.

Denise stated that she will attend the Planning Commission Hearing and explain the quandary that the Committee had. She stated that she felt Ken demonstrated financial hardship and that the regulations were met but the decision was more complicated than that.

Anita stated that that she questioned some of the expenses given she has a similar home. She added that the structure would be much more efficient if it was renovated.

Administrative Matters

Jonathan moved to approve the minutes of September 23, 2021. Larson seconded, and the motion passed unanimously.

Denise moved to approve the minutes of January 16, 202. Larson seconded, and the motion passed unanimously.

The Committee agreed to change their meeting time from 9AM to 5PM moving forward.

At 10:50AM Denise moved to adjourn. Jonathan seconded, and the motion passed unanimously.