

About Chapter 701, Article IX and X:

The Historic Building Alterations and Demolitions Ordinance (Ch. 701, Art. IX) is commonly referred to as the demolition delay ordinance. The Planning Board reviews the proposed Demolition or Substantial Modification of structures located within the Demolition Delay Overlay Zone that are 75 years and older. The Board receives a recommendation from the HPC, and then will make a determination of whether the Structure is Not a Building of Value or is a Building of Value and for the latter apply a delay period for the proposed Demolition or Substantial Modification. Article IX also identifies Structures that are prohibited from Demolition including Structures listed on the National Register of Historic Places, designated as a Local Historic Landmark, or designated as a Contributing Structure within a Historic District. This is a regulatory review process handled by the Planning Board.

The Historic Preservation Advisory Ordinance (Ch. 701, Art. X) governs:

- All exterior modifications on all sides of existing Local Historic Landmarks,
- All exterior modifications readily visible from a public right-of-way to existing Structures and Sites within Yarmouth Historic Districts,
- Preservation of Historic Objects,
- New construction within the Historic Districts or on Local Historic Landmark and Historic Objects Sites.

In historic districts, the ordinance requires review of changes that are readily visible from a public street or open space. This is an advisory review process handled by the Historic Preservation Committee. Although the review process is required, the outcome of the review is advisory only.

It is important to understand:

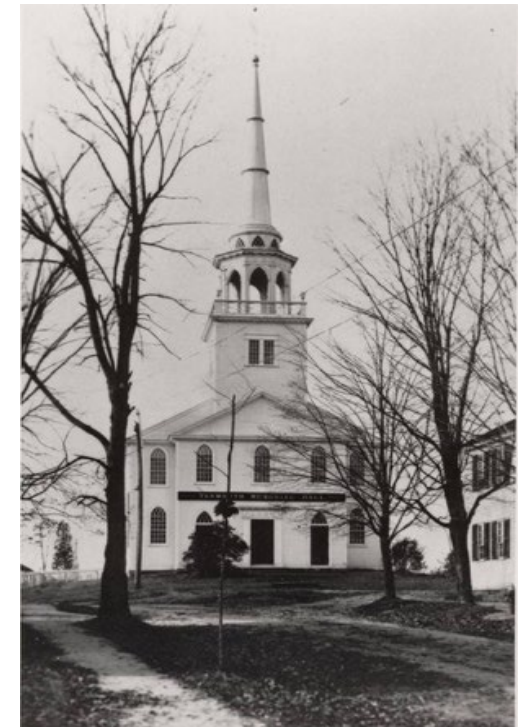
- **History and Significance of the building:** Before beginning a project, take some time to understand the history and significance of your property. You may wish to consult with the Yarmouth History Center about the history and features of your property.
- **Consider its architectural features** and why the property is deemed historically significant, and the unique value it contributes to Yarmouth's community. Consider how your planned project may affect the character defining features of the property and its Streetscape.
- **Project goals:** Consider your goals for the project, whether it is greater energy efficiency, additional living space, upgrades for contemporary lifestyles, or making improvements to existing features. Try to plan from "inside out" rather than "top down" that is, seek to preserve as many existing features as possible while accommodating changes. A clear understanding of the project goals will aid the Planning & Development Department and the HPC in their ability to collaborate with you to ensure a design proposal that both reflects the evolving use of the property while protecting its unique historic elements. The HPC is eager to engage with applicants early on in the process, in an informal manner, which can result in savings of time and money, and a better end result.

Resources are available on the Town's website:

yarmouth.me.us/hpc and yarmouth.me.us/historicproperties. Please contact the Planning & Development Department to help you determine whether your proposed project is subject to review. The Department can be reached at 207-846-2401.

Yarmouth Historic Preservation Committee

Guide to Review and Permitting



August 2023

No HPC Review Required

An owner of a Noncontributing Property in a Historic District does not need to appear before the HPC for a small-scale and easily reversible change to a building, site feature or exterior utility which will neither result in significant change to any historic feature nor obscure such feature (a Minor Change). In no event shall any change be deemed minor when, in the opinion of the Planning Authority, such change would alter the historic character of the building or site.

Activities Not Subject to HPC review:

- Temporary alterations, construction, or improvements intended to be in place for 30 days or less.
- Ordinary Maintenance that does not involve change in the design, materials or outer appearance or removal of Architectural Features or details;
- Certain Impermanent or Reversible Alterations such as storm windows or doors, or window air conditioners.
- Paint colors, except initial painting of masonry.
- Lawn and garden objects, plantings, sculptures, and walls 2 feet or less in height.

A note about capitalized terms: Capitalized terms (other than headings) have the meanings given to them in the Ordinances. This is not a comprehensive outline of all matters addressed by the Ordinances, and prior consultation with the Planning Staff is always advisable.

HPC Review Required

An addition or Alteration to a Structure or Site, or a large-scale change Visible from the Street or Public Open Space that affects the character of the Structure or the related Viewscape. (A viewscape is the immediate visible neighborhood of or from the Street or Public Open Space associated with such a Structure, including such things as fences, sidewalks and lights. Not synonymous with scenic views.)

Activities Requiring HPC review:

- Replacement of non-historic windows or doors, or any change to the size or location of existing openings.
- Replacement of, or any changes to siding, or alteration to the appearance, material, trim, masonry, or other exterior features.
- An addition or Substantial Modification to the rear or any side of the structure which is visible from the Street or Public Open Space.
- Any Alteration of a roof or exterior wall visible from the Street or Public Open Space.
- Changes to site features, such as fences, sidewalks, patios, walkways, and landscape walls over 2 feet in height.
- Installation of solar panels, heat pumps, or other external energy efficiency features or utilities.
- A change to or a new installation of exterior utility box or utility element.
- Changes to masonry features, including proposed painting of masonry features that were not previously painted.
- Substantial reconstruction, Alterations, or additions to any Structure within a Historic District.
- New construction in any Historic District.

HPC and Planning Board Review Required

Any alteration to a building 75 years or older, situated within the Demolition Delay Overlay District, deemed to be a Building of Value involving:

1. Removal or alteration of fifty (50%) percent or more of any exterior walls and/or the roof area, or
2. Any portion of an exterior wall or roof area enfronting or facing and prominently visible from a Street or Public Open Space.

Activities Requiring both HPC and Planning Board Review:

- Alteration of a façade facing or readily visible from a street or public open space.
- Alteration of any façade of a Local Landmark.
- Demolition and/or reconstruction of a Local Landmark, Contributing Structure, or Building of Value.
- Demolition and reconstruction of any Non-Contributing or Undesignated Structure if 75 years or older, located with the Demolition Delay Overlay Zone, and deemed to be a Building of Value.
- Relocation of a Local Landmark or a Contributing Structure.

A note about masonry chimneys: The removal or Alteration of masonry chimneys that are visible from a street or public open space will always require a concept review by the HPC before determining whether the project is a Major Change or Substantial Modification. Consult the Design Manual section on chimneys for additional guidance.