

A. Action on an application for a building permit, as additionally provided for in other codes of the town, including any permit for the demolition of a building shall be deferred by the building inspector, except as provided in Section [15.44.340](#), until the application is accompanied by a certificate of approval from the historic preservation commission for the proposed work when the proposed work involves any of the following:

1. Alteration or reconstruction of or addition to the exterior of any improvement which constitutes all or part of a historic site or landmark;
2. Demolition or relocation of any improvement or object which constitutes all or part of a historic site or landmark;
3. Construction or installation of or addition to any improvement upon any land included on a historic site or landmark.

B. In order to obtain a certificate of approval, the applicant shall submit to the commission through the building inspector, the application for a building permit including sketches, plans and other requirements as determined by the commission, for review. All such applications shall be reviewed by the commission to determine compliance with this chapter as prescribed in the following sections.

#### **15.44.310 - Approval of proposed work**

A. If upon receipt of an application for a building permit pursuant to Section [15.44.290](#), or upon receipt of an application pursuant to Section [15.44.300](#), the historic preservation commission finds that the proposed work is of a nature that will not erode the authenticity or destroy any distinctive exterior feature of the improvements and is compatible with the distinctive characteristics of the historic site, landmark or district and is within the spirit and purpose of this chapter, the commission shall advise the applicant in writing by issuing a certificate of approval and shall affix its seal to the plans and specifications for the approved work. In the case of an application for a building permit, upon receipt of the commission's report of acceptability, the building inspector shall proceed with the review of the application for a building permit. No change that would defeat the purpose of this chapter shall be made in an application for a building permit or the plans and specifications for the proposed work approved by the commission without resubmittal to the commission and approval of such changes in the same manner as the original application.

B. In determining the decision to be made concerning the issuance of a certificate of approval, the historic preservation commission shall consider the following criteria:

1. The effect of the proposed work upon the general historical and/or architectural character of the historic site, landmark or district;
2. The architectural style, arrangement, texture and materials of existing and proposed structures, and their relation to the structures in the district;
3. The effects of the proposed work on the exterior architectural features of the structure upon which such work is to be done;
4. The effect of the proposed work upon the protection, enhancement, perpetuation and use of the historic site, landmark or district;
5. The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings in Section [15.44.400](#); and
6. Such additional criteria, as established by the historic preservation commission, which it deems to be in the best interests of the town.

**Comment:** Because the municipal code sections were approved when the Town employed a building inspector on staff, the requirement for this person to review these sections of the code are irrelevant and also an unnecessary cost to a potential small business owner. The current

building inspector is employed on a contract basis and does building inspections only and does not examine plans which do not involve the relevant building codes.

**Comment:** Regarding B – 5 above for **alterations and additions for a new use**, the information below is exacted from The Secretary of the Interior's Standard for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. Some exterior and interior alterations to a historic building are generally needed to assure its continued use, but it is most important that **such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes**. Alterations may include providing additional parking space on an existing historic building site; cutting new entrances or windows on secondary elevations; inserting an additional floor; installing an entirely new mechanical system; or creating an atrium or light well. Alteration may also include the selective removal of buildings or other features of the environment or building site that are intrusive and therefore detract from the overall historic character. The construction of an exterior addition to a historic building may seem to be essential for the new use, but it is emphasized in the **Rehabilitation** guidelines that such new additions should be avoided, if possible, and considered only after it is determined that those needs cannot be met by altering secondary, i.e., non character-defining interior spaces. If, after a thorough evaluation of interior solutions, an exterior addition is still judged to be the only viable alternative, it should be designed and constructed to be clearly differentiated from the historic building and so that the character-defining features are not radically changed, obscured, damaged, or destroyed. Additions and alterations to historic buildings are referenced within specific sections of the Rehabilitation guidelines such as Site, Roofs, Structural Systems, etc., but are addressed in detail in New Additions to Historic Buildings.

### **II Staff Report Contents:**

- 1) Certificate of Approval

### **III Staff Recommendation:**

The staff recommends approval of the request to re-paint the Black Dog Saloon with the following condition:

- A. In the event Town staff observes substantial deviation from the approved color palette, the Applicant and/or owner may be summoned before the Historical Preservation Commission in a public meeting to show cause why the HPC Certificate should not be revoked, suspended, or additional conditions imposed. Such show-cause meeting shall be open to the public and the Applicant or owner may present testimony or offer other evidence on its behalf.
- B. All representations of the Applicant made verbally or in written submittals to the Town in conjunction with the application and before the Historical Preservation Commission shall be considered part of the application and binding on the applicant.