

Franklin Heritage Commission Regulations

I. Purpose

The purpose of these regulations is to establish a framework for the review and consideration of applications to the Franklin Heritage Commission [hereinafter "Commission"] for the activities outlined in Chapter 78 of the Franklin City Code, and in Section IV of these regulations.

II. Authority

The authority for the adoption of these regulations is granted through Chapter 78, Section 10-C of the Franklin City Code, RSA 674:44-b.III and RSA 674:46-a.II.

III. Definitions

The following words, as used in these regulations, shall be defined in the following manner. All other words shall be read using their common and accepted usage.

1. Alteration/Addition: to change the façade, windows, trim, or other exterior portions of a building, or to add a new portion to an existing building.
2. Emergency Stabilization: the work necessary to protect the structural integrity of the building, including associated utilities, or the inhabitants of the building, from impacts resulting from weather or accidental damage to the building. For example, covering a hole resulting from tree damage or lightning, or temporary shoring up of portions of the building damaged by landslides, vehicular damage, etc.
3. Maintenance: the work of keeping a building in proper condition; upkeep.
4. New Construction: the creation of any new, free-standing structure.
5. Preservation: the maintenance and repair of existing historic materials and retention of a property's form as it has evolved over time.
6. Reconstruction: re-creates vanished or non-surviving portions of a property.
7. Rehabilitation: acknowledges the need to alter or add to an historic property to meet continuing or changing uses while retaining the property's historic character.
8. Restoration: the act of altering a building so that the façade and other exterior features are consistent with what the building looked like at an earlier point in time.

IV. Activities Requiring Review; Exemptions; Thresholds

1. Any of the following activities which will take place in Franklin Historic Districts, or in any other historic district so designated by the Franklin City Council, requires review by the Commission:
 - a. The alteration, addition, erection, painting, roofing, relocation or demolition of buildings, signs, facades, and any visible exterior features of any building within the district.
 - b. The construction of any new free-standing buildings.
2. The provisions of Section 1 above notwithstanding, the following activities are exempt from, and shall not trigger, the application and review process outlined in these regulations and the Commission's Rules of Procedure:
 - a. The repair or replacement of any existing roof with new architectural roof shingles.
 - b. Single family homes are not required to obtain approval for the painting of body and trim surfaces.
 - c. All painting that is done which matches the existing paint colors, is allowed without appearing before the Commission.
 - d. Paint colors that do not match the existing paint are allowed without appearing before the Commission, if the colors appear on the approved paint sample sheets. Paint sample sheets will be available for viewing in the Planning Office, Franklin City Hall.

3. Other Thresholds:
 - a. No painting of stone, brick or masonry is permitted unless the specific project is approved by the Commission, or the conditions of 2.c above are met.
 - b. Except as outlined above, all other painting needs approval from the Commission.

V. **Review Criteria and Guidelines for Regulated Activities**

Below are the criteria and guidelines that will be used by the Commission in the review and consideration of applications for the regulated activities referenced in Section IV.1 above. For ease of use, similar regulated activities have been grouped together, with common criteria and guidelines outlined for each grouping.

1. **Demolition; Relocation or Moving a Building:** The demolition or the moving of a building should be contemplated with great caution, since it irreversibly alters a building and the space within which it sits; less drastic alternatives may be available. Demolishing an addition to an existing building that is neither original nor appropriate to the historic district may be a positive step. To support the application, the applicant shall provide photographic documentation on the current condition of the building. The application for a demolition permit or the moving of a building shall be approved if the Commission makes the following findings [as appropriate]:
 - a. The structure in question, or a portion thereof, has no recognized historical or architectural merit of its own; and,
 - b. The demolition of a building or a portion thereof, or the moving of a building, will have minimal effect on the overall nature and look of the historic district; or,
 - c. The overall condition of the building warrants the demolition or moving of the building and/or the costs associated with the rehabilitation of the building exceed the value of the building or similar buildings in the district; or
 - d. The demolition of a portion of a building is critical to the economic preservation or vitality of the primary area of the building.

If the permit for the demolition or moving of the building is approved, then the Board reserves the right to apply conditions including, but not limited to, documentation of the structure removed; complete removal of all debris from the subject property; the loaming and seeding of the subject lot with an appropriate seed mixture; and, the maintenance [mowing, regular clean-ups, etc] of the lot.

2. **Construction of a new building(s) or an addition(s); Alterations:** The construction of a new building changes the look of the subject site in relationship to the overall district. The construction of an addition [one or more stories, dormers, porches, stairways, etc.] or proposed alterations [the installation of new windows, changes to the façade or trim, alteration to the entrance ways into the building, or any other change] changes both the look of the existing building and the manner in which it fits into the overall district. The hope of the Commission is that property owners take this type of construction or alteration seriously and with respect for the historic nature of the district. To support the application, the applicant shall provide drawings, architectural renderings, information on the exterior materials to be used, or any other information that will assist the Commission in its review and consideration. The application for a certificate of approval for a new building or an addition will be approved if the Commission makes the following findings.
 - a. The design of the building or the addition is historically sensitive to the nature of the district.
 - b. The materials used for the siding are either natural materials [for example, brick or wood] or are man-made materials [vinyl, composite wood type product, etc.] that, to the greatest extent possible [with acknowledgement of the financial constraints of the project budget], have a look and appearance that fit into the overall nature of the district. In considering this

- criterion, the Commission shall also take into account the architectural style of the building and the relationship of the subject building to the neighboring buildings.
- c. The roofing materials are appropriate for the district. For new buildings, architectural-type shingles shall be used whenever possible. For additions, the proposed shingles shall match the existing shingles in design and color.
 - d. The proposed openings (doors, windows, etc.) are appropriate to the building's architectural style and/or fit into the overall nature of the district. In the case of additions, the proposed windows shall match up with the windows in the existing building if the existing windows are acceptable. The Commission will take into consideration the need to provide for energy efficiency, while recognizing that historically appropriate designs, colors, and models are available that provide desired efficiency levels.
3. **Signs:** The installation of business signage can act to add diversity and character to the historic district. The Commission agrees with the statements by the Planning Board in the 2005 Franklin Master Plan that the Board "supports maintaining individuality and differences in downtown signage, but at the same time the Board feels that signage should be designed and installed in such a manner that reflects and complements the historical components of the downtown area". Well designed signage can enhance the historic district and work to attract interest in the businesses located within the district, especially as new businesses move into this area. The following performance standards shall apply to all signage in the historic district.
- a. All signage shall conform to the requirements of the Franklin Zoning Ordinance relative to size.
 - b. Signs that reflect the nature and character of the district are encouraged. And where feasible, the graphics on a proposed signage could reflect the nature of the business [for example, a carved or painted tooth for a dentist office].
 - c. No neon, electronic, or internally illuminated signs are allowed.

VI. **Emergency Stabilization**

1. In the event of unexpected damage to a building within the historic district, emergency stabilization measures, as defined in Section III, may be undertaken. As outlined in this definition, the damage may be as a result of wind and related storm events, vehicular accidents, or other accidental events. The emergency stabilization work may be undertaken without any approvals from the Commission
2. The emergency stabilization work is not intended to act as the final remedial work to repair the structure.
3. If the final remedial plan involves repairing the damage with the same materials, size and design as the damaged areas, then no approval is required from the Commission. If the final remedial plan involves alterations to the structure, then the provisions of Section V.2 shall apply.

VII. **Application Process; Informal Discussions** [Amended 08-10-2009 by vote of the Heritage Commission]

1. The submission and processing of all applications scheduled for a public meeting before the Commission shall be conducted per the Commission's Rules of Procedures, as amended.
2. Property owners or property managers may contact the Commission to arrange a meeting to informally discuss construction options or to obtain guidance from the Commission on the application or implementation of the criteria of these regulations. An informal meeting may be helpful for the owner in the preparation of final plans and drawings for a specific proposal. Statements or opinions given by the Board or individual members shall not be considered binding upon the Board.

VIII. **Applicability to Planning Board Permitting Procedures** [Amended 08-10-2009 by vote of the Heritage Commission]

The submission and hearing process outlined above and in the Commission's Rule of Procedures notwithstanding, if the proposed work which would trigger Commission jurisdiction also triggers a Site Plan Review hearing and process through the Planning Board, then the review, comment, and permitting process conducted by the Commission may be conducted simultaneously with the Planning Board Site Plan process. A joint meeting may be held at the discretion of the chairs of the Commission and the Planning Board, but separate hearings may also be held with one common hearing notice published in the local newspaper.

IX. **Waivers**

The Commission reserves the right to waive any section of these regulations when a finding is made that the application of the specific section to the project before the Commission will not further the purpose of the enabling Ordinance as outlined in Chapter 78 of the Franklin City Code.

X. **Appeals**

Appeals procedures are outlined in Chapter 78 of the Franklin City Code.