

APPENDICES

APPENDIX 1: Checklist for Applications to the Historic District Commission

The Historic District Commission meets in Town Hall at 4:00 p.m. on the first Wednesday of every month. Applications and supporting documents must be submitted to the Town office no later than 4:00 p.m. on the deadline date. Deadlines for specific types of projects are:

- applications for new construction or demolition permits must be received no later than 25 days prior to the regularly scheduled hearing;
- all other applications, excepting those for signs and resurfacing of roofs, must be received no later than one week before the scheduled hearing;
- applications for signs and roof resurfacing must be received at least 48 hours prior to the meeting.

Applications for changes to existing buildings, new construction or additions must include:

- Completed application form with full description of the project
- Current photograph
- Samples of materials and/or manufacturer's literature

Applications for new construction and additions must also include:

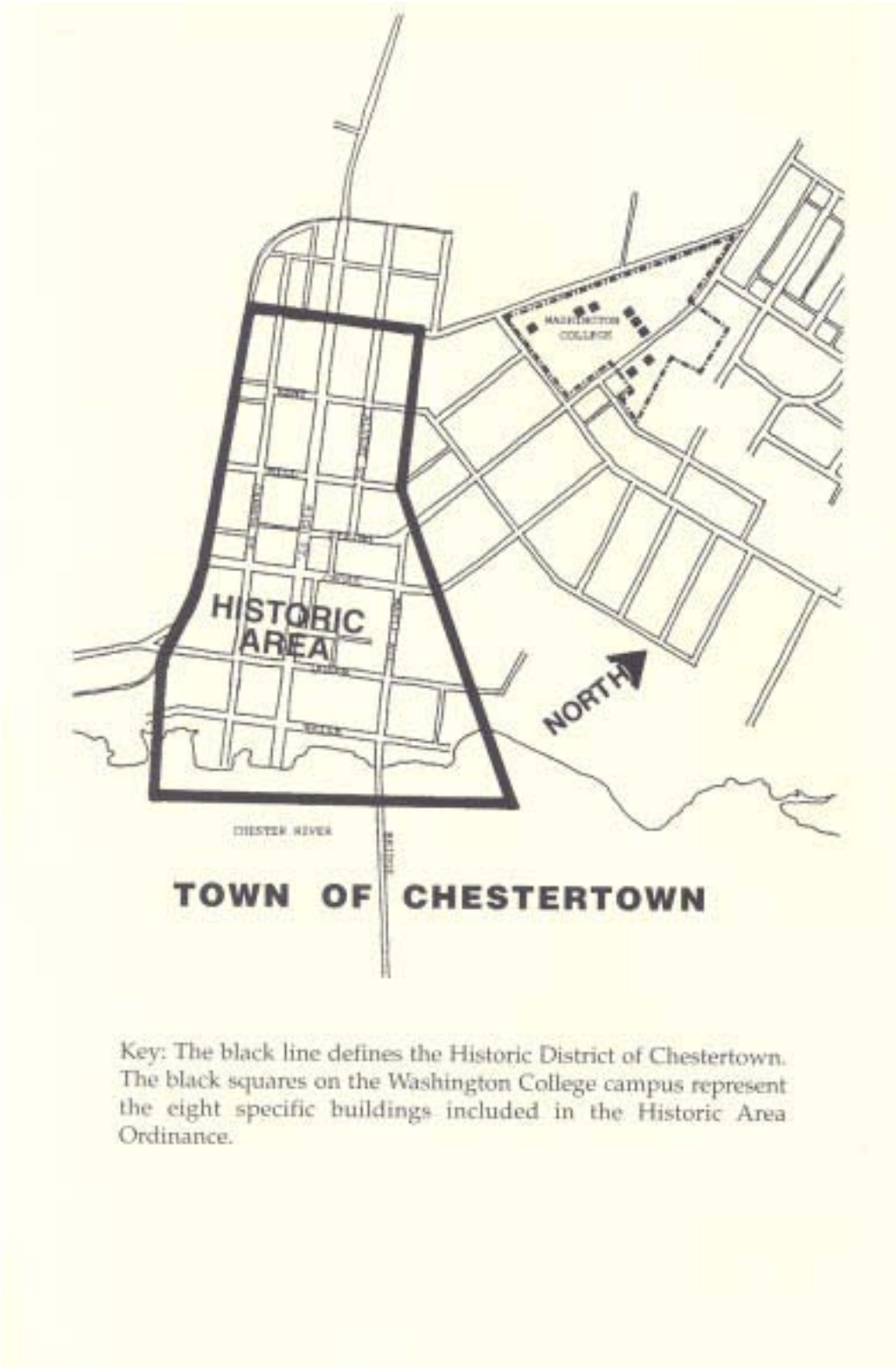
- A written scope of work
- Photographs of the project site and neighboring areas
- Scale plans and elevations

Applications for new business signs must include:

- Information on the sign's size, color, lettering, materials, method of illumination (if any), method of attachment and location
- A color rendering of the sign

Demolition permits require additional information (see the Design Guidelines).

APPENDIX 2: Map of the Chestertown Historic District



Appendix 3: Demolition & Moving Buildings

3.1 INTRODUCTION

The request to relocate or demolish historic properties sometimes arises, often as a last resort for an economically unfeasible rehabilitation or to make way for a higher use for the property. The majority of the buildings in Chestertown's Historic District, however, contribute in some fashion to the District's significance. The loss of any contributing historic building diminishes the District, and it can never be replaced. Since the purpose of Chestertown's Historic Area Zoning is to protect historic structures, the demolition or relocation of buildings that contribute to the Historic District's significance is generally inappropriate and should be avoided. It will be permitted only when all possible alternatives have been exhausted, and only after the structure has been thoroughly researched and documented.



House on Mill Street being prepared for moving

Relocating or moving historic buildings is also a serious matter. Moving a building can threaten its structural integrity, changes the character of the property and surrounding area, and removes the building from its historical and archaeological context. Relocation therefore will be permitted only after all other efforts have been exhausted and as an effort to prevent the structure's demolition.

Unusual circumstances may require the consideration of demolition or relocation, and the process outlined below will apply to all such applications.

3.2 DEMOLITION APPLICATION PROCESS

3.2.1 The Process

Most requests for demolition of a building will require two hearings, and the Historic District Commission will not take action on any redevelopment plans until after formal action has been taken on the proposed demolition.

In the first hearing, the significance of the structure (i.e., whether it is contributing or non-contributing to the Historic District) will be determined by the HDC. If the structure does not contribute to the significance of the Historic District, the HDC may take action on the proposed demolition and begin review of the subsequent replacement plan in one hearing.

If the structure is found to be a contributing resource, an additional hearing will be required. At the second hearing, the HDC will take formal action to approve or disapprove the request for demolition. If the demolition proposal is approved, the Commission will then consider the proposal for replacement or new construction on the site. Depending upon the complexity of the proposed replacement, this portion of the process may require an additional hearing before notice to proceed is given.

No demolition permit will be issued until proposals for replacement have been approved, unless the structure poses an imminent threat to the public health or welfare.

3.2.2 Hearing I

At the first hearing, the HDC will discuss with the applicant the reasons for the proposed demolition and replacement plans, if any. The next step in the process is to determine whether or not the structure is a contributing or non-contributing resource, and this is the primary focus of the first hearing. “Contributing” and “non-contributing” refer to the extent to which the structure contributes to the significance of the Historic District.

Criteria for Determining Significance

The criteria listed below are used by the HDC to determine a building’s significance. In order to be considered a contributing resource, it must:

- have character, interest or value and contribute to the Town’s heritage; or
- be associated with the life of an outstanding historical person or persons; or
- be the site of an historic event with a significant effect upon the cultural, political, economic, social, or historic heritage of the Town of Chestertown; or
- represent one or more periods or styles of architecture, landscape architecture, building or construction with significant character, interest, or value as part of the development, heritage, or culture of Chestertown; or
- reflect outstanding attention to architectural design, detail, materials, or craftsmanship; or
- demonstrate characteristics that make it a recognizable entity, the preservation of which is essential to the integrity of the Historic District; or
- represent an established and familiar feature of the Historic District due to its unique location or singular physical characteristics; or
- provide historic or scenic value that is significant to the area; or
- contribute information of historical, cultural, or social importance relating to the heritage of the community; or
- have yielded, or may be likely to yield, archaeological information important in history or prehistory.

If a building or resource meets one or more of these criteria, it is deemed a contributing structure, one that contributes to the significance of the Historic District as a whole. If the structure fails to meet any of these criteria, it is deemed to be a non-contributing structure, one that does not hold special significance for the District.

After the building's significance has been determined, the Commission may take one of two actions. If the Commission determines that the structure does not meet any of the above standards, and therefore does not contribute to the District's significance, the HDC will approve the demolition. The Commission may also begin the review of replacement plans, although this application for new construction will require an additional hearing to finalize. All plans for new construction must meet the guidelines and application requirements outlined above in Section V and elsewhere for new construction.

If the Commission determines that the structure contributes to the District's significance, a second hearing will be required. During the first hearing, the Commission may review and discuss replacement plans, but no formal action will be taken on either the demolition of the contributing structure or the replacement plans until the second hearing.

Application Requirements

In order for a proposal to be considered at the first hearing, it is important that the Commission have all of the information needed to make a sound and informed decision. Applications for demolition must be received at least 25 days prior to the scheduled hearing. In addition to all of the usual information required for a proposal, applicants must provide the following information before an application can be considered complete:

- the precise location of the building in the District;
- a history of the building and date of construction, consulting appropriate historical sources, deeds, maps, etc.;
- a description of the building's architectural style and setting;
- photographs showing all of the building's exterior facades, exterior details, landscape features, the relationship of the structure to adjacent buildings, and the streetscape;
- any available architectural drawings of the building;
- any other information that may aid in assessing the building's character and significance.

3.2.3 Hearing II

At the second demolition hearing, the Commission will take formal action to approve or disapprove the proposed demolition. The Commission shall weigh the impact that the loss of the structure will have on the integrity of the Historic District and determine whether or not disapproval would create "substantial detriment to the public welfare" or "substantial hardship to the applicant." Substantial hardship occurs when the property cannot be put to some reasonable beneficial use.

Economic Hardship

If the applicant believes that maintaining or rehabilitating the property would create substantial economic hardship, it is the applicant's responsibility to prove financial hardship. In such

cases, the Commission will determine whether the building can be put to reasonable beneficial use without the approval of demolition. In the case of income producing properties, the Commission will also consider whether the existing building will yield a reasonable economic return. In order to evaluate these conditions, the Commission must have a complete application before it no less than 25 days prior to the scheduled hearing (please refer to the section below on “Application Requirements”).

If the applicant satisfies the Commission that he will suffer substantial hardship if a demolition permit is not approved and that the demolition of the structure is without substantial detriment to the public welfare, the demolition shall be approved. If the applicant fails to demonstrate substantial hardship, the Commission will deny the application.

Application Requirements

A complete application for the demolition of a contributing structure must be received at least 25 days before the next scheduled hearing in order to be placed on the agenda for that meeting. In order to be considered complete, an application for demolition of a contributing structure must include the following:

- Documentation of the structure, including photographs showing the front, sides and rear of the property, and the building in relation to the surrounding streetscape.
- Form of ownership of the property.
- A list of alternative uses or approaches to rehabilitation of the building that were considered, along with the costs involved, the names of contractors and any bids submitted. The reasons for rejecting those alternatives rejected must also be submitted.
- Cost of the proposed demolition and documentation of those costs.
- The fair market value of the property as determined by an appraisal from a qualified professional.
- Price asked and offers received, if any, for the property within the previous two years and efforts to find another owner. Most recent assessed value of the property and real estate taxes.
- A report from an engineer licensed in the State of Maryland as to the structural soundness of the structure and its adaptability for rehabilitation; any dangerous conditions should be included.
- An assessment of the archeological impacts of demolition or moving on the site.

If the applicant wishes to move the structure, the following information also must be submitted in the application:

- A report from an engineer licensed in the State of Maryland as to the structural soundness of the structure and its ability to withstand the stress of moving.
- Cost of relocating the building to another site and documentation of those costs.
- A site plan for the new location, if it is to be moved within the Historic District, including information on driveways, landscaping, utilities, and other relevant aspects outlined elsewhere in these Guidelines.
- An assessment of archeological impacts on the new building site.

If the applicant wishes to plead economic hardship, the following information also must be submitted in the application:

- An itemized breakdown from a professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure.
- Amount paid for the property, the date of purchase, and the party from whom it was purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any items of financing between the seller and the buyer (include Settlement Sheet). Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two years.
- If the property is income-producing, the annual gross income from the property for the previous two years; itemized operating and maintenance expenses for the past two years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period.

The Commission may request additional information from the applicant that is relevant to its determination and may seek professional comments regarding the applicant's submittal. The Commission reserves the right to present any of the above information to consultants, as needed.

3.2.4 Replacement or New Construction

If the proposal for demolition is approved and the applicant proposes new or replacement construction on the property, the Commission will review the proposed replacement project. Action may be taken on the proposed new or replacement construction during this hearing or it may be deferred until the following meeting, at the discretion of the Commission. Applicants often wish to obtain demolition approval before incurring the costs associated with the design of new construction, so plans may not be available at the second hearing.

All proposals for new construction must meet the guidelines outlined in Section V and elsewhere above in these Guidelines.

3.2.5 Partial Demolitions

When considering a proposal for the partial demolition of a building, the Commission will apply the same steps and standards outlined above in Sections VI.2.1-4. If, for example, demolition of a wing on a larger structure is proposed, the first step will be to determine the significance of the wing to the primary structure and the Historic District. If it is determined to be insignificant and no replacement or new construction is proposed, only one hearing may be required. If the wing is determined to be significant, then an additional hearing will be required to consider the demolition request. A third hearing may be required to review any proposed replacement or new construction.

3.3 WHAT'S NEXT?

Once a proposal for demolition is approved and a permit is issued, work must begin within six months or a new application must be filed and reviewed by the HDC. New or replacement construction also must commence within six months of the permit issuance.

The Commission may, at its discretion, require financial proof of the ability of an applicant to complete the replacement project.



Chestertown Train Station ca. 1895