



# DEMOLITION REVIEW

## Article 32, Concord Town Meeting 2016 Concord Historical Commission

**Q: What is the Demolition Review Bylaw?**

A: The Demolition Review Bylaw establishes a uniform process for reviewing and protecting structures in Concord which reflect the architectural, cultural, political, or social history of the Town. It encourages owners to seek out alternatives to demolition that will preserve, rehabilitate, relocate, or restore structures rather than demolish them. Article 32 replaces the existing Demolition Delay Bylaw with a new Demolition Review Bylaw. The Concord Historical Commission administers the ordinance.

**Q: What are the main differences between the current Demolition Delay Bylaw and the new Demolition Review Bylaw?**

A: <u>Current Delay Bylaw:</u>	<u>Article 32 Review Bylaw:</u>
Applies to 58 properties	Applies to properties built before 1941
Up to 6 mos. to work on alternatives	Up to 12 mos. to work on alternatives

**Q: Which properties are subject to demolition review by the Historical Commission?**

A: The new ordinance applies to any structure built before 1941, not already included in a Local Historic District.

**Q: What constitutes demolition?**

A: Demolition is defined as the total razing, destruction or removal of a building or structure.

**Q: Is a delay automatic for all structures built before 1941?**

A: No. Each property is reviewed individually to determine whether it is preferably preserved. A majority of pre-1941 buildings do not meet the ordinance criteria for invoking a delay.

**Q: I have no current plans to demolish my house, but would like to know if it's likely to have a demolition delay imposed. Can I find that out?**

A: If you submit a demolition permit application to the Building Department with a Request for Demolition Review, the Historical Commission will inform you if the building is considered to be "possibly preferably preserved" and therefore possibly subject to the delay.

**Q: What is the timeline once the paperwork is filled out?**

A: The Historical Commission has 15 days from the date a Request for Demolition Review is submitted to determine if the building is possibly "preferably preserved".

**Q: How does the Commission determine if a building is preferably preserved?**

- The Commission, assisted by the Planning Department, will review the building's history and architectural characteristics.
- If a building is considered "possibly preferably preserved," the evidence will be reviewed at a public hearing of the full Commission within 6 weeks of the original demolition application. A final decision will be made to delay demolition at the end of that hearing.
- If the Commission finds the building to be preferably preserved, a demolition delay is invoked. \*

**Q: Can the demolition review ordinance prevent demolition altogether?**

A: No. the ordinance can only delay demolition for a maximum period of 12 months.

Q: **I applied for a demolition permit and the Historical Commission imposed a 12-month delay. Is there any way I can get this order lifted and proceed with demolition sooner?**

A: The 12-month delay may be lifted if

(1) the applicant has made a reasonable effort to locate a purchaser for the structure who is willing to preserve or relocate it and;

(2) the structure has been photographically documented to create a historic record of the structure.

Q: **What happens if a building is demolished without a permit?**

A: If a preferably preserved building is demolished without complying with the provisions of the ordinance, the owner is subject to a fine of up to \$300 a day.

No building permit will be issued for a property where a structure was demolished in violation of this ordinance, for a period of two years.

\* Review criteria may be found in the form "Assessment for Preferably Preserved Status", posted on the Concord Historical Commission website.

CHC

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