



**TOWN OF BRUNSWICK**  
**PLANNING BOARD**  
BRUNSWICK STATION  
16 STATION AVENUE, BRUNSWICK, ME  
04011  
ROOM 217

**PLANNING BOARD**  
**AGENDA**

**Tuesday, April 9, 2013 - 7:00 P.M.**

1. **WORKSHOP** – The Planning Board and the Village Review Board will hold a joint workshop session to discuss potential amendments to the Town Zoning Ordinance, Chapter 2, Section 216, Village Overlay Zone. This workshop will focus on demolition criteria and standards.

It is the practice of the Planning Board to allow public comment on development review applications and all are invited to attend and participate.

Please call the Brunswick Department of Planning and Development (725-6660) with questions or comments. Individuals needing auxiliary aids for effective communications please call 725-6659 or TDD 725-5521. This meeting will be televised.



# TOWN OF BRUNSWICK, MAINE

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT  
28 FEDERAL STREET  
BRUNSWICK, ME 04011

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April 5, 2013

**Memo to:** Brunswick Planning Board  
Brunswick Village Review Board  
Pat Scully, Esq.  
**From:** Anna Breinich, AICP  
Pat Scully, Esq.  
**Subject:** Joint Planning Board and Village Review Board Workshop on draft demolition standards and general review concepts for Section 216 Village Review Overlay Zone

Please find attached:

- Draft demolition standards based on demolition concepts discussed last month. The standards are not formatted to “fit” into our ordinance at this time but are for discussion purposes.
- A “skeleton” outline for possible general review standards and process for renovations and new construction. I also included minor and major project distinctions for discussion purposes. As with the first set of concepts, these are for discussion only and are not meant to be fully developed ordinance text at this point in time. After hearing your discussion and feedback, we will then continue drafting of actual ordinance text.

I look forward to our discussion next Tuesday.

## Section 216 Village Review Zone (VRZ)

### 216.10 Certificate of Appropriateness for Demolition or Relocation

- A. Applicability.
  - 1. Demolition of historic and/or contributing buildings within a historic district is usually not an appropriate option for a project and should be avoided whenever possible.
  - 2. No permit for demolition or relocation of a structure or a portion of a structure in the Village Review Zone shall be issued without a Certificate of Appropriateness approved by the Village Review Board.
- B. Classifications of structures within Village Review Zone.
  - 1. Most significant structures:
    - i. National Register of Historic Places Listing.
    - ii. Eligible for National Register of Historic Places Listing.
    - iii. Contributing structure within a National Register Historic District.
    - iv. Locally designated landmarks on a voluntary basis?
  - 2. Other contributing structures over 50 years of age and having identifiable regional or local architectural significance (To be determined by professional consultant).
  - 3. Noncontributing structures (structures with no identifiable architectural, cultural, or historical significance; loss of historical or architectural integrity due to additions or substantial alterations)
- C. Criteria.
  - 1. Most significant structures.
    - i. General Requirements:
      - a. Applications must adhere to a 90-day delay period within which the applicant shall:
        - 1) Consult with Village Review Board and Maine Preservation or other preservation organization in seeking alternatives to demolition, including relocation of structure.
        - 2) Document “good faith” efforts in seeking an alternative that will result in the preservation of the structure. Such efforts may include but are not limited to posting signs on the property, publishing notices in local newspapers, and listing the property with a real estate broker, with the intention of finding a purchaser interested in acquiring or relocating the structure.
      - b. Provide post-demolition plans, including a site plan for the property specifying any redevelopment proposed and a timetable for completion for review and approval by the Village Review Board and, if appropriate, Planning Board.

- c. Thoroughly photo document the structure and provide photo and written documentation to the Town and Pejeboscot Historical Society. Any significant architectural features shall be salvaged and reused and/or preserved as appropriate.
    - ii. Standards. Demolition or partial demolition of a building, including accessory buildings and structures located on the property, shall be prohibited unless the application satisfies at least one of the following criteria:
      - a. The structure poses an imminent threat to public health or safety. An application must be accompanied by a report from a structural engineer for review by the Town Code Enforcement Officer and photographs depicting the current condition of the building.
      - b. The structure cannot be adapted for any other permitted use, whether by the current owner or by a purchaser, which would result in a reasonable return, regardless of whether that return represents the most profitable return possible. Financial statements shall be required to demonstrate such hardship and at a minimum include a comparison between the cost of rehabilitating the current historic structure for an alternative reuse and the cost of demolition and subsequent redevelopment of the site.
      - c. Proposed replacement structure or use of property is deemed more appropriate and compatible with the historic character of the district than the structure proposed for demolition.
  - 2. Other contributing structures constructed at least 50 years ago and having identifiable regional or local architectural significance.
    - i. General Requirements:
      - a. The applicant shall:
        - 1) Consult with the Village Review Board to discuss alternatives to demolition or relocation.
        - 2) Document “good faith” efforts in seeking an alternative that will result in the preservation of the structure. Such efforts may include but are not limited to posting signs on the property, publishing notices in local newspapers, and listing the property with a real estate broker, with the intention of finding a purchaser interested in acquiring or relocating the structure.
      - b. Provide post-demolition plans, including a site plan for the property specifying any redevelopment proposed and a timetable for completion for review and approval by the Village Review Board and, if appropriate, Planning Board.
      - c. Thoroughly photo document the structure and provide photo and written documentation to the Town and Pejeboscot Historical Society. Any significant architectural features shall be salvaged and reused and/or preserved as appropriate.

- ii. Standards. Demolition or partial demolition of a building, including accessory buildings and structures located on the property, shall be prohibited unless the application satisfies at least one of the following criteria:
  - a. The structure poses an imminent threat to public health or safety. An application must be accompanied by a report from a structural engineer for review by the Town Code Enforcement Officer and photographs depicting the current condition of the building.
  - b. The structure cannot be adapted for any other permitted use, whether by the current owner or by a purchaser, which would result in a reasonable return, regardless of whether that return represents the most profitable return possible. Financial statements shall be required to demonstrate such hardship and at a minimum include a comparison between the cost of rehabilitating the current historic structure for an alternative reuse and the cost of demolition and subsequent redevelopment of the site.
  - c. Proposed replacement structure or use of property is deemed more appropriate and compatible with the historic character of the district than the structure proposed for demolition

3. Noncontributing structures.

i. General Requirements:

- a. No Certificate of Appropriateness is required if the proposed demolition is not visible from the public right-of-way.
- b. A site plan for the property must be submitted with the application for a Certificate of Appropriateness for Demolition of a non-contributing building or structure. No structure will be approved for demolition without having a plan for proposed redevelopment and a timetable for completion.

ii. Standards.

- a. A Certificate of Appropriateness shall be approved if it is determined that the demolition is consistent with the intent and objectives of this Section and that the structure proposed to be demolished has no historic or architectural significance.

D. Demolition for a Replacement Project of Special Public Merit.

- 1. Demolition or relocation of a contributing or noncontributing building or structure in the Village Review Zone which would have a substantial adverse effect on the aesthetic, historic, architectural, or archaeological significance of the historic district may be allowed if a replacement project is of special public merit. For a replacement project to be of special public merit, it must meet the following criteria:
  - i. It must have significant benefits to the Town of Brunswick or the community by virtue of social or other benefits having a high priority for the community; and
  - ii. It must clearly serve the public interest to a greater extent than the retention of the present building(s).

**Review Standards Concepts (4/5/13 skeleton outline for discussion only)**

**1. Review Standards and Procedural Options (Note: these are optional standards for discussion purposes and may not all be desired.)**

**a. Distinguish between minor and major projects.**

**1) Minor (review and COA approval by Planning Department Staff)**

**a) Types of projects could include:**

- i. Any change not visible from a public street;**
- ii. Replacement of existing exterior siding/materials that does not alter character;**
- iii. Replacement of existing windows and doors that does not alter character;**
- iv. Placement of rear yard sheds, fences, other outbuildings and dumpsters.**
- v. Roof-top appurtenances?**
- vi. Removal of non-historic elements concealing original character-defining features.**

**b) Would be handled as in-house reviews without abutter notifications.**

**c) Include application review and approval process**

**2) Major (review and COA approval by VRB)**

**a) Types of projects would include:**

- i. Any additions and new construction**
- ii. Renovation, rehabilitation or alteration**
- iii. Repair, replacement or re-pointing of exterior masonry walls**
- iv. Any exterior modifications visible from the street and not considered to be minor in nature.**
- v. Any changes in driveway placement.**

**b) Would be handled as Board approval with abutter notifications.**

**c) Include application review and approval process.**

**b. Standards for Evaluation:**

**1) Renovation, rehabilitation or alteration**

- a) Preserve and enhance existing historic character and visually compatible with streetscape. Prohibit concealing of distinctive historic or architectural features. Replace with same, accurate duplication of significant architectural features.**
- b) Keep intended use?**
- c) Recognize and respect given construction time periods. Contemporary design needs to be sensitive/compatible to existing character.**
- e) Maintain structural integrity of main building when adding on.**

**2) New Construction**

- a) Visually compatible**