

CREDITS

Original editing and historical text: Robert M. Downie

Concepts & text:

Historic District Commission, Procedures and Standards Guidebook
by Richard C. Youngken; Spring, 1989
pages: 21 (Landscape), 24 (Demolition)

This publication was originally partially financed by a Certified Local Government grant administered by the Rhode Island Historical Preservation Commission. The Certified Local Government program receives federal funds from the U.S. Department of the Interior, National Park Service, administered by the Rhode Island Historical Preservation Commission.

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Revised: November 15, 2010

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INTRODUCTION

This booklet sets forth the guidelines used by the New Shoreham Historic District Commission in evaluating applications for new construction, restoration, and rehabilitation within the areas on the Island subject to Historic District Zoning. It explains the Commission's objectives and procedures, provides an overview of the Island's historic architecture, and reviews the important building elements reviewed by the Commission, a range of design solutions acceptable to the Commission, and building alterations prohibited or discouraged by the Commission. The guidelines should be consulted by any individuals planning to build or alter existing buildings within the Historic District zone.

During the 19th century, when many of Block Island's residences were built, most architectural styles first developed either in the prosperous mercantile cities of this country or in Europe. As styles took hold in larger cities such as Newport, local property owners and carpenters began incorporating characteristic features into the design of their buildings.

Most of the Block Island houses of this period were simple, 1 ½ story Cape Cod style houses and 1 ¾ story farmhouses.

In the second half of the century borrowing became more eclectic, with several historical styles in vogue at once: Italian villas inspired the Italianate-Bracketed style; French Second Empire buildings, the Mansard style; and Gothic – Revival cottages, the Queen Anne style. Toward the end of the century the Shingle style showed the beginnings of a more modern architecture. The majority of Block Island's historic buildings are from the period of 1870-1900, when a great building boom occurred as a result of the Island's popularity as a resort. Most homes were built in the ubiquitous 1 ¾ story form but with far greater variety of gables, ells, and decorative details than used in the by-then abandoned Cape Cod style.

What follows is a graphic description of architectural styles which are prevalent on Block Island. No particular house is drawn. Rather, these drawings are abstractions which illustrate characteristic details of each particular style. Since architectural styles evolved gradually, it is not unusual to find buildings which exhibit details from several different styles. These local or 'vernacular' interpretations of style are every bit as charming and worthy of note as the pure prototypes from which they were derived.

The Historic and Architectural Resources of Block Island, Rhode Island (Commonly referred to as the Green Book) inventories and references the majority of contributing structures of the Historic District, the Island and "Preserving the Architectural Heritage of Block Island Program 2007; Structures & Sites dating from 1680 – 1948".

The purpose of the Rhode Island Historical Preservation Commission's surveys is to identify and record structures, sites, and areas of apparent historical, architectural, and visual significance within Rhode Island.

State Enabling Legislation 45-24.1-4(4)(a)(b)(c)

In reviewing plans, the Commission shall give consideration to:

- (a) The historic and architectural significance of the structure and its appurtenances;

- (b) The way in which the structure and its appurtenances contribute to the historical and architectural significance of the district; and
- (c) The appropriateness of the general design, arrangement, texture, materials, and siting proposed in the plans.

The Commission shall pass only on exterior features of a structure and its appurtenances and shall not consider interior arrangements.

I. OBJECTIVE OF THE COMMISSION

On November 1, 1982, the Historic District Zoning Ordinance of the Town of New Shoreham was adopted with the following declaration of purpose:

The preservation of structures and areas of historic and architectural value is hereby declared to be a public purpose and the Town Council of New Shoreham shall have the power by ordinance to regulate the construction, alteration, repair, moving and demolition of such structures within the limits of the Town.

The regulations have been set forth in Chapter 7, Historic District Zoning, amended to November 23, 1989, have been established to:

1. Safeguard the heritage of the Town by preserving districts and other designated structures of historic or architectural value in the Town which reflect elements of New Shoreham's cultural, social, economic political, and architectural history;
2. Stabilize and improve values in such districts of designated structures;
3. Maintain and foster civic beauty;
4. Strengthen the local economy;
5. Promote the use of historic districts and other designated structures for the education, pleasure and welfare of the citizens of the town [see Appendix C Sec. 7-2]

This legal process is administered by a Historic District Commission of qualified citizens appointed by the Town Council.

Given the goals outlined above, the Commission encourages meetings and contact with all persons whose potential plans will require review under the provisions of the Historic District Zoning Ordinance.

II. APPLICATION PROCEDURES

CERTIFICATE OF APPROPRIATENESS

No exterior portion of any building or other structure including walls, fences, light fixtures, steps and pavement or other appurtenant features, nor above ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished within the Historic District until after an application for a Certificate of Appropriateness has been submitted to and approved by the Historic District Commission.

Signs must be approved by the Historic District Commission. Owners of buildings with multiple uses shall have a *sign plan* for the entire building site. Individuals must be in conformance with the owner's *sign plan*.

The impact of a new building, addition, remodeling or demolition of an existing building, signs or any other structures, is a question of design. Does the proposed work possess the common identity and spirit of existing Block Island architecture? Are the unique characteristics of the site enhanced or diminished by the proposed construction or demolition?

The intent of the Historic District Zoning is not to limit construction to any style or period, nor is the concern of the Commission with interior arrangements. In reviewing the plans the Commission will look for:

1. The historic and architectural significance of the structure and its appurtenances;
2. The way in which the structure and its appurtenances contribute to the historical and architectural significance of the district;
3. The appropriateness of the general design, arrangement, texture, materials and siting proposed in the plans.

APPLICATION SEQUENCE

[see Appendix Sec. 7-5]

Meeting Schedule: The Historic District Commission meets monthly; additional meetings will be held when appropriate.

Preliminary Review: Any person contemplating work within the Historic District is encouraged to meet with the Commission on an informal basis to discuss plans and concepts before a formal application is made.

Furthermore, all new construction projects will require Preliminary Review prior to Final Review and the Certificate of Appropriateness.

All applications must be submitted with the required copies, signatures, and enclosures at least fourteen (14) calendar days prior to the regularly scheduled Historic District Commission meeting.

Required submittal materials for Preliminary Review:

- 10 copies of the Application and Supporting Information, which shall include:
 - Sketch Site plan showing the proposed building footprint and the footprints of the adjacent property structures at a minimum scale of 1"=20'-0".
 - Sketch Floor Plans at a minimum scale of 1/8"= 1'-0".
 - At least one prominent Sketch Elevation at a minimum scale of 1/8"=1'-0"
 - A Sketch Site Section through the Applicant's property and extending at least 150' on either side to show the present grade contour and neighboring building profiles at a minimum scale of 1"=20'-0"
 - Photographs of the existing site and adjacent neighboring properties.

Final Review:

All applications must be submitted with the required copies, signatures, and enclosures at least fourteen (14) calendar days prior to the regularly scheduled Historic District Commission meeting.

Required submittal materials for Final Review:

- 10 copies of the Application and Supporting Information, which shall include:
 - Current photographs of the property showing its present condition which accurately represent the existing materials, color, textures, and landscaping. In addition, provide photographs of adjacent sites, buildings, and other improvements clearly showing the style and character of the area.
 - If applicable (new construction or major addition), a site plan of the property identical to the site plan required by the Planning and/or Zoning Board showing all existing and proposed improvements, roads, driveways, parking, landscaping, topography, etc.
 - Floor plans of all levels, including the roof, and all exterior elevations drawn at a minimum of 1/4"=1'-0" scale. Details shall be shown at 1-1/2"=1'-0" scale. All exterior doors and windows shall be identified by manufacturer, make, model number, and size, and shall specify glass and pane configuration (if any) as well as glazing composition. All materials and finishes shall be noted by size, profile, and color. Graphic notation of all exterior mounted electrical, mechanical, and plumbing equipment and specialties shall be noted on the plans and /or elevations. Site features, such as paving, walks, post lights, fences, walls, trash enclosures, and other appurtenances shall be shown on the floor plans and/or elevations.
 - Actual samples of major building materials (brick, stone, siding, roofing, etc.) shall be brought to the Final Review Commission Meeting for examination by the Commissioners.
 - When requested by the Commission, especially for large-scale, visually-impacting projects, the Applicant shall provide a colored perspective hand-drawn or computer-generated rendering and/or a small-scale "mass study" model of the proposed project. The perspective shall show the form, style and scale of the project, all rooftop equipment and screening proposed, signs, landscaping, and other architectural features. Such rendering shall be accurate as to both scale and color representation. The model shall be at a minimum of 1/16 "= 1'-0" scale, and shall show adjacent buildings and terrain contours within 100' of the structure's perimeter. The model can be built of off-white "chipboard" or cardboard.

MEETING PROCEDURES

All meetings of the Commission shall be open to the public and any person or his duly constituted representative shall be entitled to appear and be heard on any matter before the Commission reaches its decision.

All decisions of the Commission shall be in writing. The Commission shall articulate and explain the reasons and basis of each decision on a record, and in the case of a decision not to issue a Certificate of Appropriateness, the Commission shall include the basis for its conclusion that the proposed activity would be incongruous with those aspects of the structure, appurtenances, or the district which the Commission has determined to be historically or architecturally significant. The Commission shall send a copy of the decision to the applicant and to the Building Official. *[see Appendix C Sec. 7-5(8)]*

The failure of the Commission to act within forty-five (45) days from the date the completed application is filed with it, unless an extension is agreed upon mutually by the applicant and the Commission shall be deemed to constitute approval. In the event, however, that the Commission shall make a finding of fact that the circumstances of a particular application requires further time for additional study and information than can be obtained within the foresaid period of forty-five (45) days, then the Commission shall have a period of up to ninety (90) days within which to act upon such application. *[see Appendix C Sec. 7-5(11)]*

Minor Changes to the Exterior:

The Historic District Commission will review and consider minor changes during construction without requiring attendance at a full Commission hearing. The Applicant shall submit a letter to the Administrative Assistant of the Commission with supporting documentation requesting the change. This will be reviewed by at least one Commission Member. No change will be allowed until an Approval Notice is sent to the Applicant.

APPEALS

A person or persons jointly or severally aggrieved by a decision of the Commission shall have the right to appeal the decision to the Zoning Board of Review *[see Appendix "C" Sec. 7-5(10)]*.

Building Guidelines
A. FORM & MASSING OF STRUCTURE

MASSING

The traditional form of Island building, i.e. one or more simple volume with sloped roofs, should be maintained. The massing should be regular in plan with slight variations allowed for site conditions. Suggested primary roof shapes are the gable (photo 1), gambrel (photo 2), hip (photo 3) and mansard roof (photo 4). In certain architectural styles, a flat roof is concealed behind a rooftop balustrade (photo 5). Shed or lean-tos should be considered secondary ie: Rear wings or porches.

Cantilevered masses are generally not island appropriate. Notches, cuts and insets in the simple volumes are discouraged, but may be considered if restraint is evidenced. In general, large free standing roofs are discouraged, for they are neither traditional nor visually balanced. It is better to integrate shed roofs into a balanced overall composition with the primary roofs. Round, angular or polygonal masses are generally not appropriate in the Historic District except for special structures, such as lighthouses, windmills, or appropriate period details.

MASSING ORDER

As a building's massing becomes more complex and varying masses are joined together, order must be established to prevent a disturbing chaos of shapes. When a single building is composed of two or more attached volumes having equal size and emphasis, a visual conflict may appear as a result of an ambiguous duality. A useful technique in ordering a complex building is to create a specific focus to the whole group of shapes by making one mass dominant by being larger or central, or breaking the structure into several masses (photos 6 & 7).

COMPACTNESS

Tight building composition is an historic trait on the Island and adhering to this idea in new buildings will often help the balance and order of design. For instance, it is generally better if major masses of a building are joined by appropriately scaled connections (photo 8).

BALANCES

Building volumes without any surface articulation will balance visually around the center of their surface areas. Thus, a building will be balanced if the design of the wall composition, and especially the major features in it, establishes a visual axis of the wall surface (photo 5). A conflict of visual axes in a design is disturbing and should be avoided.

B BUILDING MATERIALS

All surfacing shall, whenever possible, be of natural materials indigenous to the local area. Such materials include:

- Brick of natural clays, no glaze
- Stone: uncoursed rubble or coursed ashlar
- Wood siding and/or wood shingles, natural, stained, or painted
- Wood trim, painted or stained
- Wood roofing shingles. Where a composition shingle is proposed, it should be of a color, texture and blend in keeping with the historical character that will provide a subdued natural appearance.

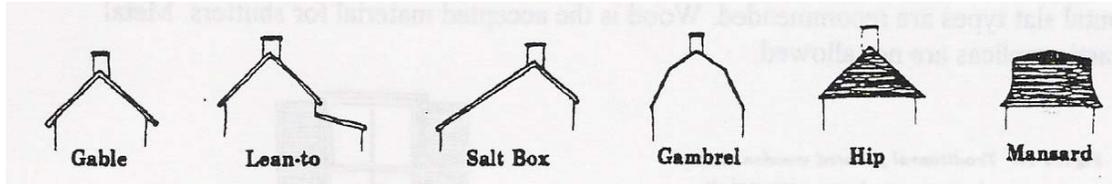
Temporary or artificial materials shall not be allowed. Examples include the following:

- Asphalt and Asbestos siding
- Artificial brick or stone of a plastic or rubber composition
- Glazed porcelain, enamel, or terra cotta
- Corrugated metal
- Curtain wall systems and components thereof
- Aluminum, vinyl, or fiberglass siding
- Aluminum or vinyl garage or shed doors

NOTE: With the changing technology, architectural features made of synthetic materials may be presented for consideration on an individual basis.

C ROOFS

ROOF DESIGN



The sloped roof is a major component of any Island building and is visible at a distance either in harmonious rhythm with adjacent roofs or isolated in the open landscape. The sloped plane is an expressive form that, with the chimney, symbolizes shelter and warmth. The main roof types recommend are the traditional gable, gambrel, hip and mansard. The saltbox is a variation of the lean-to and special attention should be given to the pitch.

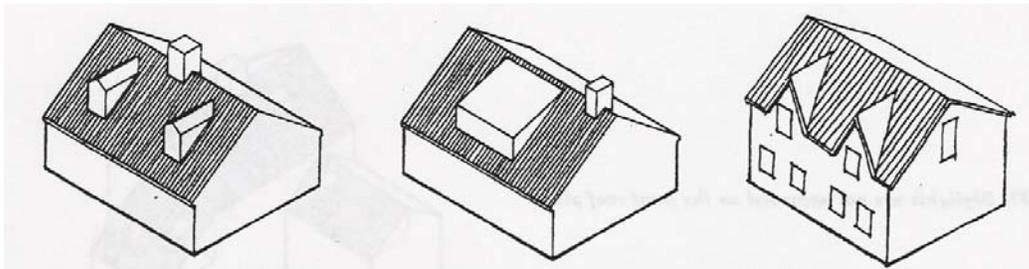
ROOF PITCH

The pitch of a gable roof should not be lower than 7 inches vertical in 12 inches horizontal or more than 12 in 12 inches. Exceptions are the Island's "Gothic Revival" structures such as the "Gothic Inn" (photo 9) and the "Surf Hotel". A pitch of between 8 and 10 in 12 is most common among Island structures (photo 10). Small additive "lean-to" sheds may have as low as a 4 inch pitch. Gambrel roof pitches may vary, but they should follow the pitches and proportions found on historic gambrel roofs.

DORMERS

Gable and shed dormers are recommended dormer types. All dormers should be carefully designed and positioned to be in scale with house and roof, and in balance with other features of that elevation of the house. A dormer should not obliterate the roof plane in which it is placed, but complement its slope. The dormer pitch and overhang and other detailing should be compatible with the main roof. Shed dormers should have at least a four in twelve pitch.

Where a building has a distinct front façade, it is suggested that dormers not be placed in the front of the structure. If dormers must be placed on the front roof, the gable type is most historically appropriate (photo 4). Dormers should be of modest design and harmonious with the façade, achieved by using similar window types, casings, alignments, etc. (photo 11)



In general, the dormer face should be placed in the center of the roof, away from its edges and pulled back at least four (4) feet from either gable end of the roof and at least one (1) foot, preferably, from the bottom edge of the roof plane; Engaged wall plane dormers in pairs are well suited to expand upper floor rooms, became popular in the mid to late 19th century, and wall plane dormers are typically flush with the lower wall surface. Larger shed dormers that extend the entire length of the roof are especially discouraged because they are too dominant on the roof plane.

SKYLIGHTS

Skylights have a strong visual impact on the sloped roof plane and are visible at a distance, and will be subject to HDC review. The form of a skylight should be unobtrusive and inconspicuous. In order to reduce its visibility, it should be flat, parallel with and as close as possible to the roof surface. Bubble and other protruding skylights are not acceptable. Skylights should not be placed on the primary façade of the structure.

D SIDING / WALLS

CORNER TREATMENT

It is the small, often hand-crafted, simple detailing that chiefly distinguishes older homes and contributes so highly to their visual appeal. As with window and door features, it is always advisable when remodeling to retain corner, eave, and rake, and sill details boards. If these are in need of replacement, replace them with new wood members identical in size, dimension, and detail. Take care when installing siding to retain the full width of the corner and sill boards. Never sacrifice these details by covering them over completely.

WALL SURFACES

Small overlapping cedar shingles served the need for a tight weather seal for all surfaces, and were an easily imported material. Wood weather-boarding came into use in the 19th Century on some of the Island's commercial buildings. Over the years many of the Island's weather-boarded walls have been replaced with shingles.

On an historic building, the wall surface should be appropriate to the period and style of the building (photo 14). Resurfacing frame buildings with new synthetic materials is not allowed. Such material does not have the distinctive visual quality of their wooden prototype.

It is not advisable to mix different types of siding (ie. shingles, vertical boards and horizontal weatherboards) on a building. The juxtaposition of materials is common on Queen Anne and Shingle style homes, but even on these, unless the mixture of siding materials is original, you should not consider adding it.

E ENTRANCES /DOORS

Entryways have a ceremonial importance and on older structures they are often the focal point of the façade. The size of the entryway is directly related to the mass of the building. Removing or modifying entryway features often destroys the symmetry and balance of the original building. The entryway is an integral part of the building's overall design; it is always best to retain as many of the original features as possible. Richly decorated entryways are very individualistic; there is a great deal of variety in the design of details such as hoods, porches, stairs, railings, columns, sidelights and of the doors themselves. Introduction of new details should be simple and similar to the existing feature in proportion, dimension and character (photos 1, 5, 8, 11, 15).

DOORS

When possible, always retain the original door and restore its appearance by refinishing. If it is necessary to replace the original, buy a new or used door, in the same material, style and size. Heavy wooden doors are preferred. Avoid metal doors, except where required by code or heavy duty commercial use. Metal and fiberglass should always be painted. Contemporary door styles are not appropriate.

F WINDOWS

WINDOW MATERIALS

Windows vary with each style and they establish the historic building's character. The elements surrounding the glass, i.e. the sill, jamb, lintel, and cap are expressive features, which should always be retained. You will be ruining the basic character of your building if you remove or cover these details.

Similarly, it is always best to retain the original wood sash, i.e. the thin frame into which the glass panes are set, and the surrounding details. If replacing wood windows, the same dimensions and details must be used, i.e. trim pieces, sash, and muntins must match the original window. A replacement window must resemble the original window. Snap in or fake muntins are not acceptable. Windows must have true or simulated divided light muntins with spacers.

In structures originally designed with wood windows, wooden mullions/muntins with true divided lights will be highly recommended for any revisions, improvements or replacements. Vinyl and/or aluminum clad windows with applied muntins (not snap in) shall be considered for the following structures:

- New structures.
- If there are already non-historic vinyl, vinyl clad, or aluminum windows in the structure.
- If there are no remaining original wood windows in the structure.
- If a structure has another structure built close to it on either side so that the side elevation is not easily visible, then clad windows might be allowed on the obscured elevations (buildings must be 6 feet or less apart.) Historically appropriate sash would still be required on the front and any other visible elevation.

Vinyl and aluminum clad wood windows must comply with the following guidelines:

- Putty bevel detail. This occurs where the glass meets the sash stiles and rails, and at the muntins. The best replacement and new construction windows will have an artificial putty bevel around the glass so that the trapezoidal muntin will intersect convincingly with the stiles and rails. Many windows have square edges where these components meet the glass, and therefore do not resemble a historic window.
- Trapezoidal Muntin. The muntins must be trapezoidal in shape to resemble a puttied true-divided light muntin. The depth of the muntin should be ½" or greater to cast a shadow line. The muntins must be permanently applied to the outside and inside; snap in muntins are not allowed. There should be a spacer bar between insulated panes of glass to make the muntin appear to be a true-divided light.
- Width of stiles and rails. Vinyl windows and clad windows tend to have wider profiles than historic wood sash. These dimensions must match as closely as possible dimensions of the historic sash. As a general rule of thumb, the increased dimensions of the stiles should not reduce the width of the glass by more than 5%.

- Gaskets. Gaskets around the glass and between the panes of glass (also called spacer bars) should match the color of the sash. Black gaskets, spacers or shiny aluminum spacers are dead giveaways that a window is a replacement sash.

If a building has always had double-hung windows, but the current windows are double-hung though not original, then the new windows should also be double-hung. If existing non-historic sash are inappropriate to the historic building (awning or jalousie windows), the proposed replacements should be more historically appropriate to the building than those that they are replacing

Windows have a proportional relationship to the structure as a whole, and blocking them down or filling them in destroys the rhythm and balance of the building's original design. Original windows can be restored or, if necessary made to order. Make every effort to keep the new ceiling above the tops of the window openings; if that is impossible, the new ceiling should be sloped up at the outside walls to meet the top of the window opening. When installing an air conditioner, it is always advisable to place the unit in a side window rather than on the public side of the building. In every case it is advisable to keep the full size of the original window opening.

The use of some window types is discouraged because of awkward proportions and other characteristics that are inadvisable due to island weather conditions. Applications for awning or hopper windows sliding glass doors, curve bow, picture and bay windows, shall be considered on an individual basis.

SHAPE, PROPORTION, AND PANE SIZE

Non-rectangular or irregularly shaped windows such as trapezoids and triangles are generally not approved. Round windows and other symmetrical but non-rectangular windows may be used for accent or special emphasis. Windows should have visually restful proportions. The use of several separate square shapes, which create competing focuses, or long rectangles, which are strongly directional and assertive, should be avoided because they detract from the repose of the wall composition. Intermediate shapes used in the past are recommended, e.g., length to width, 2.5:1, or less. Window proportions alone contribute greatly to the appropriateness of a building on Block Island (photos 4, 5, 6, 7, 10, 15, 16).

The fenestration of a building should be designed as a careful response to its interior functions and organization and feature of its site. The window design will differ depending on orientation to a view, to the sun, or to the space adjacent to the building, but in each case it is important that a new structure have the balanced and harmonious fenestration exhibited in the old Island buildings, regardless of the wide range of window styles available today (photos 8, 11). For divided light windows, it is highly recommended that the individual glass "panes" (the glass between the wood muntins) be oriented vertically, or square at the very least.

The Window "pane" configuration is also important, especially in historic structures and new construction in the District. Colonial and "Federal" styles through the mid 19th century, used multi-paned double or single hung windows in a "6 over 6", "8 over 8", "9 over 9" or even "12 over 12" configuration. As glass technology advanced in the late 19th century, pane size increased. Windows became "4 over 4", and "2 over 2". In some instances, "1 over 1" were used, but only in paired compositions, or in narrow locations, such as at the corners of a bay window. Casement

windows, primarily introduced in the 20th century, typically were 2 panes wide by 2, 3, or 4 panes high.

AMOUNT OF GLASS

The amount of glass on a building façade is largely a result of functional considerations such as views and solar orientations. However, extensive areas of glass are not practical or desirable. Moveable glass elements such as doors present problems of a tight seal against wind driven rain. Careful, limited placement of them can focus on and emphasize views. A judicious window choice, rather than maximized window area, can create a more varied interior by contrasting solid wall and opening, enclosure and exposure.

WINDOW SCALE

The dimensions of a window are major contributors to the scale of a façade. A window's outer dimensions are its primary measurements, and the glass pane sizes or distance between muntins are secondary. Windows and doors made of large sheets of glass have a greater scale than was used on Block Island in the past. Such large, undivided blank areas in the building elevation contrast abruptly with the scale of the wall surface texture and other dimensions of the façade. This is true especially of sliding glass doors. For example, a 6' wide by 6'-8" high (or larger) sliding glass door exceeds the scale of human figure and establishes a 40 square foot area as a single dimension unit. Furthermore, large glass areas, dark during the day and light at night, stand out visually at a greater distance and demand attention. As a practical concern, large sheets of glass may be shattered or blown out by high storm winds unless they are sheltered.

It's recommended that windows not be joined to create entire wall areas of glass with a predominately structural expression. The wall plane should contain the windows rather than the window serve as the wall plane, thus maintaining a balance between wall surface (solid) and window (void)

SHUTTERS

Before the development of storm windows, shutters were used as insulators and protection. They functioned by closing over the surface of the window they framed. To be the appropriate proportion, the shutter should measure the full height of a window frame (excluding sill and trim) and half its frame width (photo 5).

While many types of shutters are commercially available, the traditional board or angled louver types are recommended. Wood is the accepted material for shutters. Metal replicas are not allowed.

STORM WINDOWS

Retaining an historic window is important, but often wind, rain and thermal infiltration (heat loss) will occur. The Historic District Commission will consider Storm Windows if they are professionally fitted to the frame and do not change the window openings proportion, are painted the same color as the trim and/or window, and the intermediate "meeting rail" aligns with the

historic windows rail.

G EXTERIOR FEATURES

REHABILITATION

By preserving the original design of a building and avoiding incompatible changes, the value of an older home will be enhanced. The following is suggested:

- Any change or addition should be compatible with the original design of the building.
- Whenever possible, retain original details and materials. If it becomes necessary to introduce new elements, or to mix old and new parts, they should harmonize with what already exists.
- Never try to make a building look older than it really is by using details from earlier periods. The result will always look somewhat artificial.

The gradual removal of a building's details is one of the greatest threats to the character of the island's historic buildings. Attention to the preservation of such detail is of the utmost importance.

DETAILS

Details of a structure's exterior must be included in plans for review by the Commission.

Visual richness of a building is often enhanced by the wealth of interesting detail that may be an integral or applied element of the structure. These may include, but are not limited to:

- Mouldings, string courses, cornices, fascia, pilasters, pediments, eaves, brackets and gables;
- Windows, made of wood or approved materials that ~~are~~ have true or simulated divided light, ie. no snap-in muntins
- Window trim including window boxes and shutters which are sized to the windows and function as originally intended;
- Doors and frame details, including garage, barn and shed doors;
- Canopies, awnings, balconies, decks and projecting eaves;
- Handrails, metalwork, gates, fences and ornamental ironwork
- Gutters, leaders and downspouts;
- Foundations (stone, brick, and painted concrete);
- Flashing detail shall be of copper, lead coated copper, or lead;
- Signage must be applied for separately (see the Town of New Shoreham Zoning Ordinance Section 504)

CHIMNEYS

Brick or masonry chimneys are required, not only because they are traditional but also because they have good characteristics of scale and texture and withstand the salt and wind exposure. The brick should be of uniform dark color, preferably red. Traditional interior chimneys are recommended over exterior chimneys. Please note that the majority of Old Harbor's chimneys were relatively narrow, though tall, and typically had intermediate and top bandings of brick, and often a flat stone rain / wind cap (Photos 1, 9, 12, 13, 17).

MECHANICALS

Mechanical appurtenances shall be controlled visually. Special attention must be given to the following.

- All mechanical and utility units, i.e. exhaust fans, hoods, vents, transformers, electric meters, propane and oil tanks, walk-in coolers, air conditioners, and alternative energy devices, shall be screened in a manner to conform to the overall character of the building.
- Through wall or window air conditioning equipment which project from the structure are discouraged.

All mechanical ducting will be on interior walls where possible;

- Antennae satellite and other telecommunication apparatus shall be located as to be inconspicuous;
- Fuel tanks shall be screened;
- Vending machines shall be screened;
- Above ground utility stations (electrical and pump stations) shall be located as to be inconspicuous.
- Plumbing and furnace vent stacks that penetrate through the roof shall be placed on the least visible side (where practical) and shall be painted the roof color.
- Wall mounted dryer and bathroom vents shall be placed on the least visible side (where practical) and shall be painted or stained the wall color.

H PORCHES & DECKS

PORCHES

Porches, verandas, and decks were a development of the late 1800s when new lifestyles and spatial concepts emerged as part of picturesque Victorian architecture. The “Shingle Style” of the late 1800s carried the idea to the fullest with entire verandas and porches integrated into the massing of a building. As the Island became a more popular summer resort, porches were built onto new buildings or added onto old ones. These are important places for relaxing, entertaining, or enjoying the view or the air.

In general, porch design is more appropriate to the Island if kept simple and straightforward. If a porch is designed as a simple additive mass, a sloped roof will relate it to the main structure (photo 4, 5, 6, 9, 18).

On an historic building, a porch should not be of a size or placement that will detract from the historical integrity of the building. As with any addition, the detailing should be compatible with the period and style of the main structure.

DECKS

Decks should be well integrated into the design of the building in scale, placement and detailing. They should be considered as a visual complement to the main building, just as other exterior elements were to historic buildings (photo 19). The massing of a building should be used to visually anchor an elevated deck, e.g., set into a corner of the massing with walls on two sides. A porch roof over part of the deck or even an open structure such as an arbor or pergola (photo 20), could give it more substance and a feeling of enclosure. Attention should be paid to the size and detailing of the deck supports so that they appear sturdy and attractive. Lattice, or other “screening” treatments, used to enclose the area beneath a raised deck or porch, visually connects the building's mass back to the ground (photo 18). If poured concrete or concrete blocks are used as the foundation for deck and porch supports, the exposed portion should be finished and not left “raw”. Suggested treatments might include brick or stone, or paint/stain coating. Manufactured metal column anchors or brackets should not be visible. The placement of a deck should be carefully related to the building massing. An elevated deck that is extended from one wall plane of a building and isolated in mid-air on excessively thin spindly supports will not be acceptable.

Composite materials for the lattice, posts, and decking rails may be considered on an individual basis

STAIRS AND STEPS

Stairs and steps should relate to the massing of the building, porch or deck. Stairs and steps should be integrated into the massing to avoid an awkward protruding element.

RAILINGS

The detailing of the railing should be used to coordinate the decks and stairs visually with the house. It is important that the railing on the deck exhibit an open character and simple refinement of

traditional exterior elements such as door stoops and roof walks. Open railings, rather than solid walls, reduce the effective size of the deck and contrast with adjacent solid-wall surfaces. Decks and exterior stairs should have refined detail individually invested in other exterior architectural elements of the structure.

If pressure treated lumber is concealed, it may be left unpainted. All visible pressure treated lumber must be suitably finished with paint or stain. It is not advisable to use pressure treated lumber for exterior finish work such as railings, trim, posts, brackets, and gingerbread.

LATTICE

Lattice work should be framed in wood to create “panels” and eliminate a monotonous surface (photo 4, 5, 18). Lattice will be approved on an individual basis. Lattice strips should be a minimum of 1½” wide, and the “open” space should not exceed 1½” x 1½”. Prefabricated lattice should be framed and banded.

I COLORS

It is not the intention of the Historic District Commission to review specific color schemes, however it is recommended to avoid using garish colors that are not appropriate to the building and neighborhood.

INTEGRAL COLORS

Many natural materials possess appropriate integral colors. These include subtle red clay brick, stone, tile, copper, and some natural wood. Normally, these materials are not painted. However, there are occasions when exceptions to this rule result in greater visual interest.

PAINTED OR APPLIED COLORS

Previously unpainted materials, such as brick, stone and weathered wood shingles, should not be painted. No painting should be done over surfaces which are in need of replacement or repair. Color treatments should be selected for the simplicity and ease of maintenance. In general, the colors should be subdued or pale. The subdued colors should be used for large areas and surfaces. Stronger and bright colors should be reserved for small areas such as fascias, doors, windows and trim. Black, white and green (typical boat colors) can be used most effectively for trim.

J SITING, HARDSCAPE, AND VISTAS

SITE DETAILS

Site Details must be indicated in the plans for review by the Historic District Commission. These include, but are not limited to:

- Exterior wall, recessed, and post lights and lanterns,
- Signs, sign brackets, and posts (signs must be submitted in a separate Application per Article 5 – Section 504) (photo 21),
- Walkways, paving (photo 22), retaining walls, and curbs,
- Flagpoles, fences, and benches,
- Mechanical equipment, ventilators, appliances, and utility screening,
- Recyclable and Trash containers.
- Plantings.

PARKING

It is appropriate to design new onsite parking, loading docks, or ramps as required by the new use so they are as unobtrusive as possible and ensure the preservation of character defining historic features of the site. Using approved permeable surface materials are preferred over asphalt and concrete or other impervious materials. Landscaping and/or fencing shall be used to buffer parking areas from adjacent property. Traditional street furniture of the Island, such as early twentieth century lamp posts, sidewalks, or granite curbs should be preserved.

FENCES

Fences have traditionally added variety to the streetscape and landscape while marking property lines and outdoor spaces. A fence should be chosen to harmonize with the building and/or the nature of the landscape. Fences should be made of wood or stone and their design should be appropriate to the character of adjacent buildings. Fence layout should be in character with the setting. Reviewing historic photos of Old Harbor will often provide inspirational and appropriate designs.

Concrete walls and chain-link fences are discouraged. When used, they must be screened with dense landscaping.

WALKWAYS

Walkways are extremely important when in keeping with the existing character of the town. Every project should provide marked dedicated walkways with surfacing appropriate to the character of the neighborhood. Where possible, walkways should be provided for public access and linked to other existing or planned walkways.

In parking areas walkways should be separately designated and raised above the parking pavement surface. Parking bumpers or landscaping should be used to keep cars from over-riding the pedestrian thoroughfares.

Barriers to pedestrian patterns should not be created. Where a building, fence, wall, or parking area is built across an area where pedestrians now cross, or will cross in the future, walkways should be maintained and not obscured. A narrow winding walkway between buildings often provides an important pedestrian access not otherwise available. In densely developed historic districts, such walkways should be encouraged if they are appropriate links in a pedestrian traffic pattern.

VISTAS AND VIEW CORRIDORS

There are many important visual resources within the historic district. It is important that views to these sites be maintained or enhanced. Among important visual resources are water bodies, parks and other open spaces, landmarks, monuments, and historically and architecturally important buildings, structures, appurtenances and historic landscape features. New development and additions to historic buildings should respect and preserve existing views of these features. In some cases views may even be enhanced. Where possible, the formerly blocked views of these features may be opened through demolition of non-contributing, non-historic buildings and appurtenances.

It is a policy of the Town to maintain important view corridors of landmark features which define the Historic District.

K DEMOLITION / SELECTIVE REMOVAL

When reviewing proposals for total or selective demolition of Historic District buildings, structures and appurtenances, the Historic District Commission will refer to “Chapter 7: Historic District Zoning”, which provides for a review of alternative actions.

The following considerations will be given to a demolition proposal in addition to the criteria of review in the Ordinance:

- The economic value or usefulness of the building, structure, appurtenance or historic landscape feature as it now exists, in comparison with the value of usefulness of any proposed buildings, structures, appurtenances landscape features proposed as replacements, shall not be a primary consideration of the Historic District Commission decision.
- The architectural and historic merit of the building, structure or appurtenance and its setting.
- The effect of the demolition on surrounding buildings, and the district as a whole.
- The effect of any new proposed construction on the remaining character defining features of the property, the building site, appurtenances, and the historic landscaping features, the surrounding buildings, structures and appurtenances and the district as a whole including view sheds. The Commission will not approve a demolition request until it has a conceptual view of the replacement structure(s) and have approved in concept such replacement.
- It is not appropriate to remove a historic structure, a building feature, or a site feature which is important in defining the historic character of the area.
- It is appropriate to remove insignificant, noncontributing structures, additions, or site features which detract from the historic character of the area.

Please see Appendix “C” Sec. 7-7 Demolition

Appendix A: Photographic Examples



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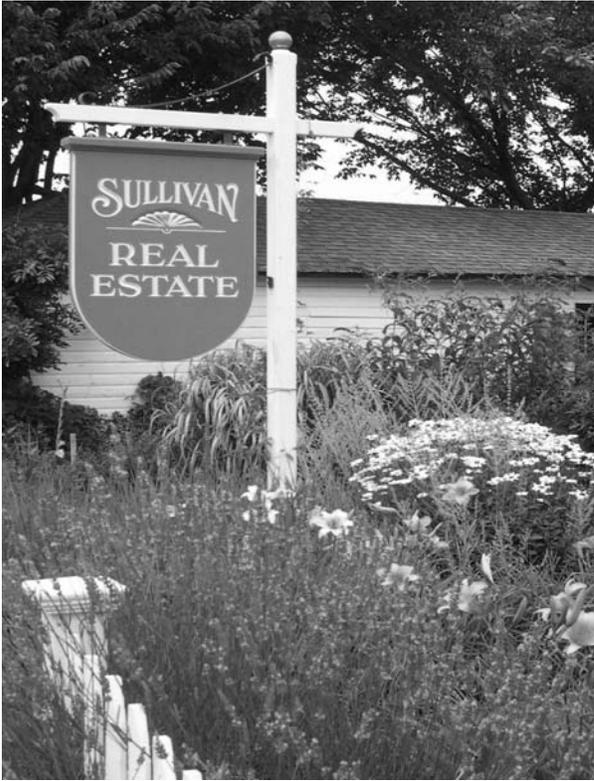
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Appendix B: Definitions

Glossary

Alteration – An action that changes one or more of the exterior architectural features of a structure or its appurtenances, including but not limited to the erection, construction, reconstruction, or removal of any structure or appurtenance.

Aluminum – Silver-white metallic element that is used in forming many hard, light alloy, often anodized for better corrosion resistance, color and surface hardness.

Appurtenances – Features other than primary or secondary structures which contribute to the exterior historic appearance of a property, including but not limited to paving, doors, windows, signs, materials, decorative accessories, fences, stone walls, and historic landscape features.

Arbor – A shelter of vines or branches or of latticework cover with shrubs or climbing vines.

Ashlar – Hewn or squared stone; also masonry of such stones.

Asbestos/Asphalt – Brownish black mixture of bitumens obtained from native deposits or as a petroleum by product.

Awning – A roof like cover of canvas or other material extending in front of a doorway or window – usually temporary or short-term lifespan.

Bay window – A window or series of windows projecting outward from the main wall of a building and forming a bay or an alcove.

Brackets – A support projecting horizontally from a wall to bear the weight of a cantilever or to strengthen an angle, or the ornamental piece filling the angle between a riser and the overhanging edge of its tread.

Cantilever - A beam or other rigid structural member extending beyond a fulcrum and supported by a balancing member or a downward force behind the fulcrum.

Canopy – An ornamental roof like structure.

Cap – An overlaying or covering structure.

Casings – The finished, often decorative, framework around the door or window opening.

Certificate of Appropriateness – A certificate issued by the New Shoreham Historic District Commission indicating approval of plans for alteration, construction, repair, removal, or demolition of a structure appurtenances to a structure, including but not limited to buildings, extensions, outbuildings, fire escapes, and retaining walls.

Columns – A cylindrical or rectangular support.

Corner Board – A board against which siding is fitted at the corner of a frame structure.

Cornice – The uppermost member of a classical entablature.

Curtain wall systems – An exterior wall supported wholly by the structural frame of a building and carrying no loads other than its own weight and wind loads.

Demolition – An act or process that removes a structure, its appurtenances in part or in whole.

Dormer – Projecting window or door structure built out from a sloping roof.

Eaves – Overhanging lower edge of the roof.

Enamel – Any paint or varnish drying to a very dry smooth, hard usually glossy surface.

Façade – The front of a building or any of its sides facing a public way or space.

Fascia – Any broad, flat, horizontal surface as the out edge of a cornice or roof.

Fenestration – The design proportioning and deposition of windows and other exteriors opening of a building.

Fiberglass – Material consisting of extremely fine filaments of glass, woven into fabric, massed for use.

Flashing – Pieces of sheet metal or other thin, impervious material installed to prevent the passage of water into a structure from an angle or joint.

French doors – A door having rectangular glass panes extending through its length, often hung in pairs.

Gable dormer – A dormer having a gable roof.

Gable roof – A roof sloping downward into two parts from a central ridge, so as to form a gable at each end.

Gambrel roof – A ridged roof divided on each long side into a shallower slope above a steeper one.

Gingerbread – Heavily, gaudily, and superfluously ornamented, esp. in architecture.

Glazed porcelain – A smooth, glossy surface applied to porcelain.

Historic District – A specific division of the Town of New Shoreham as designated by the ordinance of the Town of New Shoreham pursuant to this Chapter. A Historic district may include one or more structures.

Historic Property- A district, Site, building, structure or object significant in American history, architecture, engineering archeology or culture at the National, State or local level.

Hip roof – A roof having sloping ends and sides meeting at an inclined projecting angle.

Hopper window – A window having one or more sashes swinging inward on hinges generally attached at the bottom.

Lath –Thin strips of wood, usually attached to an arbor or pergola or trellis.

Lattice – A structure of crossed strips arranged to form a regular pattern of solids and voids.

Lean-to – A shed roof with the higher end abutting a wall or larger building.

Lintel – A beam supporting the weight above a door or window opening.

Louvers – A door or window having louvered openings for passage or circulation of air.

Massing - A unified composition of two-dimensional shapes or three-dimensional volumes, esp. one that has or gives the impression of weight, density, and bulk.

Mansard roof - A roof having on each side a steeper lower part and shallower upper part.

Moulding – Any various long, narrow ornamental surfaces with uniform cross sections and a profile shaped to produce modulations of light, shade and shadow.

Mullions – A medium-sized vertical or horizontal member dividing the opening for a pair of double doors, wainscoting or individual window frames.

Muntin – A rabbeted member for holding the edges of windowpanes within the sash.

Pediment – A wide, low pitched gable surrounding a colonnade or a major projection division of a façade.

Pediment- A wide, low pitched gable surrounding a colonnade or a major projection of a façade.

Pergola – A structure of parallel colonnades supporting an open roof of beams and crossing rafters or trellis work, and sometimes over which climbing plants are trained to grow.

Picture window – A large, usually fixed single-pane window.

Pilasters – A shallow rectangular feature projecting from a wall. – ie. a “half-column”.

Porch –An exterior appendage to a building forming a covered approach or vestibule

Preservation - The act or process of applying measures necessary to sustain the existing form, integrity and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic

materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and Sensitive upgrading of mechanical, electrical and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

Pressure treated lumber – Wood impregnated with chemicals applied under pressure to reduce its resistance to decay.

Rabbet – A channel groove, or notch cut along or near one edge of a member so that something else can be fitted into it.

Railing – A barrier composed of one or more horizontal rails supported by spaced uprights or balusters.

Reconstruction - The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

Rehabilitation – The act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural or architectural values.

Removal – A relocation of a structure on its site or to another site.

Repair – A change meant to remedy damage or deterioration of a structure or its appurtenances.

Restoration – The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

Roof plane (roof line) – the profile of a roof (as of a house).

Sash (window) – The fixed or movable framework of a window or door in which panes of glass are set.

Saltbox roof – This roof is generally two full stories high in the front and one story high in the back, with equal roof pitches.

Shed dormer – A dormer having a shed roof.

Shed roof – A roof having a single slope.

Shutter – Moveable cover or screen for a window or door.

Sidelights – A window at the side of a door or on another window.

Sill – The horizontal member beneath a door or window opening.

Simple volume- no definition

Site –The geographic location of a construction project.

Site plan – A plan showing the form, location, and orientation of a building or group of buildings on a site usually including the dimensions, contours, landscaping, and other significant features of the plot.

Sliding door – A door that operates or moves by sliding on a track.

String course – A horizontal course of brick also wood or stone flush with or projecting beyond the face of the building.

Structure – Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including but not limited to buildings, gazebos, billboards, outbuildings, decorative and retaining walls, and swimming pools.

Terra cotta – A hard, fired clay, reddish brown in color when unglazed.

Veranda – A large, open porch usually roofed and partially enclosed.

Vinyl – any of various tough, flexible plastics made from polyvinyl resin.

Weatherboard – A long, thin board with one edge thicker than the other, laid horizontally as bevel siding.

Appendix C:

Town of New Shoreham

CHAPTER 7 HISTORIC DISTRICT ZONING

Section 1: Authority

- A. In accordance with Title 45 Chapter 24.1-10 of the General Laws of Rhode Island - 1956 (1988 reenactment) as amended which
1. declares that the preservation of structures of historic and architectural value to be a public purpose; and
 2. authorizes historic district zoning and the creation of a Historic District Commission for that purpose in any city or town.

Section 2: Purposes

- A. The regulations set forth in this Chapter have been established to:
1. safeguard the heritage of the Town by preserving districts and other designated structures of historic or architectural value in the Town which reflect elements of New Shoreham's cultural, social economic, political, and architectural history;
 2. stabilize and improve property values in such districts or designated structures;
 3. maintain and foster civic beauty;
 4. strengthen the local economy;
 5. promote the use of historic districts and other designated structures for the education, pleasure and welfare of the citizens of the Town

Section 3: Designation of Historic Districts and Structures

- A. For the purposes of this Chapter, the Town Council shall have the authority to establish, change, lay out, and define districts which are deemed to be of historic or architectural value.
1. For the purpose of this section, all properties contained within the boundaries marked "Historic District Zone" on the official zoning map of the Town of New Shoreham shall comprise a Historic District.
 2. Additional Historic Districts may include structures outside the Historic District Zone and will be delineated on the Town of New Shoreham's official Zoning Maps.
- B. Nominations of Historic Districts:
1. Nominations for the Historic Districts shall be completed by the applicant on a Commission Property Nomination form and may be submitted by the Historic District Commission, a property owner of record, the Town Council or any other person or organization.
 2. The Historic District Commission shall schedule a public hearing on all districts whose nomination form is completed in proper form.
 3. The Historic District Commission shall, within 60 days after the public hearing, adopt by resolution a recommendation that the nominated structure or Historic

District does meet the criteria for designation in, Section 2.A, of this chapter. Nominated properties shall have a letter of consent from the owner or trustee on file with the Commission and the property must be a contributing structure designated by the Historic House Survey done in March of 2008. The resolution shall be accompanied by a report to the Town Council and the Planning Board containing the rationale for approving any nomination.

Section 4: Historic District Commission

- A. Establishment
There is hereby established a Historic District Commission to execute the declared purposes of this Chapter.
- B. Membership
1. Appointment of Members
 - a. The Historic District Commission shall consist of not less than three nor more than seven qualified members whose residence is located in the Town.
 - b. The members shall be appointed by the Town Council and shall be appointed for three-year terms.
 - c. Members of the Commission shall be eligible for reappointment, and upon the expiration of their term, shall continue to serve until replaced
 - d. In the event of a vacancy on the Commission, interim appointments of appointed members may be made by the Town Council to complete the unexpired term of such position.
 - e. The Town Council shall have the right to name two auxiliary members of said Commission appointed in addition to the regular members of the Commission, which an auxiliary member shall sit as an active member upon the request of the chairman when a regular member of the Commission is unable to serve at any meeting of the Commission.
 2. Membership Requirements
 - a. Members of the Commission shall have a demonstrated interest in historic preservation. The appointments may be drawn from but not be limited to the following professions and disciplines: American history, architectural history, architecture, archeology, preservation, law, real estate, planning or building contracting. Duly organized and existing preservation societies may present to the Town Council lists of qualified citizens to be considered for appointment.
 - b. The members of the Commission shall sit without compensation.
- C. The Commission shall, within twelve (12) months of the date this Chapter takes effect:
1. adopt and publish all rules and regulations necessary to carry out its functions under the provisions of this Chapter; and
 2. publish such standards as necessary to inform historic district residents, property owners, and the general public of those criteria by which the Commission shall determine whether to issue a Certificate of Appropriateness. The Commission may from time to time amend these standards as reasonably necessary, and it shall publish all such amendments.

D. Conduct of Business

1. The Chairman shall preside over all Commission meetings and shall have the right to vote.
2. The Vice-Chairman shall, in the case of absence or disability of the Chairman perform the duties of the Chairman.
3. All meetings of the Commission shall be open to the public and any person or his duly constituted representative shall be entitled to appear and be heard on any matter before the Commission reaches its decision
4. The secretary shall keep a record of all resolutions, proceedings, findings, decisions and actions and such record shall be open to the public
5. To conduct any business before the Commission, four (4) appointed members shall constitute a quorum. If quorum is not present at a regularly scheduled meeting a special meeting will be scheduled to conduct the business before the Commission.
6. The concurring vote of the majority (needs to be revised per Clerk's recent memo of 8/21/08) of Commission members present and voting shall be necessary for the approval or rejection of any application or for the conduct of any other business before the Commission.

Section 5: Application for Certification of Appropriateness

- A. Before a property owner may authorize or commence construction, alteration, repair, removal or demolition of any existing structure or its appurtenances within a historic district, the owner must first apply for and receive a Certificate of Appropriateness from the Commission.
- B. A Certificate of Appropriateness is necessary whether or not state law requires that a permit be obtained from the Inspector of Buildings.
- C. The Commission shall conduct such hearings as is necessary on the applications filed before it gives reasonable notice of such hearings.
- D. The Commission shall require the owner to submit information which is reasonably necessary to evaluate proposed construction, alteration, repair, removal or demolition including but not limited to:
 1. plans
 2. drawings
 3. photographs
 4. or other information.
- E. In reviewing the applications and the plans submitted therewith, the Commission shall give consideration to:
 1. the historic and architectural significance of the structure and its appurtenances;
 2. the way in which the structure and its appurtenances contribute to the historical and architectural significance of the district;
 3. the appropriateness of the general design, arrangement, texture, materials, and siting proposed in the plans.
- F. The Commission shall pass only on exterior features of a structure and its appurtenances and shall not consider interior arrangements.
- G. The Commission shall have the power to call in experts to aid in its deliberations at the owner's expense.
- H. All decisions of the Commission shall be in writing. Commission shall articulate and explain the reasons and basis of each decision on a record, and in the case a decision not to issue a Certificate of Appropriateness, the Commission shall include the basis for its conclusion that

the proposed activity would be incongruous with those aspects of the structure, appurtenances, or the district which the Commission has determined to be historically or architecturally significant. The Commission shall send a copy of the decision to the applicant and to the Inspector of Buildings

- I. The Certificate of Appropriateness shall be binding upon the Inspector of Buildings or other duly delegated authority
- J. After a permit is granted as herein provided, the Inspector of Buildings or other duly delegated authority shall from time to time inspect the construction, alteration or repair and shall take such action as is necessary to ensure compliance with the Certificate of Appropriateness.
- K. The failure of the Commission to act within forty-five (45) days from the date the completed application is ~~filed with it~~ **heard by the Commission**, unless an extension is agreed upon mutually by the applicant and the Commission, shall be deemed to constitute approval. In the event, however, that the Commission shall make a finding of fact that the circumstances of a particular application require further time for additional study and information than can be obtained within the aforesaid period of forty-five (45) days, then and in said event the Commission ~~shall have~~ **has** a period of up to ninety (90) days ~~within which to act upon such application~~ **from when the application is filed.**
- L.

Section 6: Importance of Structures

- A. In the case of an application for construction, repair, or alteration, removal, or demolition affecting the exterior appearance of a structure or its appurtenances which the Commission deems so valuable to the Town of New Shoreham, State of Rhode Island, or the Nation, the Commission shall endeavor to work out with the owner an economically feasible plan for the preservation of such structure. Unless the Commission is satisfied that the retention of such structure constitutes a hazard to public safety which hazard cannot be eliminated by economic means available to the owner, including sale of the structure or unless the Commission votes to issue a Certificate of Appropriateness for such proposed construction, alteration, repair, removal or demolition, the Commission shall file with the Inspector of Buildings or duly delegated authority its rejection of such application. In the absence of a change in such structure arising from casualty, no new application for the same or similar work shall be **filed** within one (1) year after such rejection.
- B. In the case of any structure deemed to be valuable for the period of architecture it represents and importance to the neighborhood within which it exists, the Commission may file with the Inspector of Buildings or other duly delegated authority a Certificate of Appropriateness for such application if any of the circumstances under which a Certificate of Appropriateness might have been given under the preceding paragraph are in existence or if:
 - 1. preservation of such structure is a deterrent to a major improvement program which will be of substantial benefit to the community; **or**
 - 2. preservation of such structure would cause undue or unreasonable financial resources available to the owner including sale of the structure to any purchaser willing to preserve such structure; **or**
 - 3. the preservation of such structure would not be in interest of the majority of the community.

Section 7: Demolition

- A. When considering an application to demolish or remove a structure of historic or architectural value (Section 5) No. "1", the Commission shall assist the owner in identifying and evaluating alternatives to demolition, including sale of the structure on its present site. In addition to any other criteria, the Commission also shall consider whether there is reasonable likelihood that some person or group other than the current owner is willing to purchase, move and preserve such structure and whether the owner has made continuing bona fide and reasonable efforts to sell the structure to any such purchaser willing to move and preserve such structure.
- B. Avoiding demolition through owner neglect. The Town of New Shoreham may by ordinance empower the Town Council in consultation with the Historic District Commission to identify structures of historical or architectural value whose deteriorated physical condition endangers the preservation of such structure or its appurtenances. The Council shall publish standards for maintenance of properties within historic districts. Upon the petition of the Historic District Commission that a historic structure is so deteriorated that its preservation is endangered, the Council may establish a reasonable time not less than thirty (30) days within which the owner must begin repairs. If the owner has not begun repairs within the allowed time, the Council shall hold a hearing at which the owner may appear and state his reasons for not commencing repairs. If the owner does not appear at the hearing or does not comply with the Council's orders, the Council may cause the required repairs to be made at the expense of the Town and cause a lien to be placed against the property for repayment.

Section 8: Provide Advice to the Zoning Board of Review Setback Variances

Due to the peculiar conditions of design and construction in historic neighborhoods where structures were often built in dimensions which do not conform to zoning requirements, it is in the public interest to retain a neighborhood's historic appearance by granting variances to zoning requirements. Where it is deemed that such variance or exception will not adversely affect neighboring properties, the Commission may recommend to the Zoning Board of Review that such variance or exception to the standard yard requirements be made.

Section 9: Exceptions to Application of Chapter

Nothing in this Chapter shall be construed to prevent ordinary maintenance or repair of any structure within the historic district provided that such maintenance or repair does not result in any change of design, type of material, or appearance of the structure or its appurtenances.

Section 10: Appeals

A person or persons jointly or severally aggrieved by a decision of the Historic District Commission shall have the right to appeal the decision to the Zoning Board of Review. When hearing appeals from Commission decisions, the Zoning Board of Review shall not substitute its own judgment for of the Commission, but must consider the issue upon the findings and record of the Commission. The Zoning Board of Review shall not reverse a Commission decision except on a finding of prejudicial procedural error, clear error, or lack of support by the weight of the evidence in the records. Zoning Board of Review shall file a written decision in which it shall explain the basis of each decision for the record, and the Zoning Board of Review shall send a copy of the decision to the applicant and to the Historic District Commission. An appeal fee of Seventy-Five (\$75.00)

Dollars shall be paid upon taking an appeal to the Zoning Board of Review to cover the cost of advertising said appeal.

Section 11: Enforcement

Any duly authorized local building official may bring an action against any property owner who fails to comply with the requirements of the Chapter 50. Such actions shall be brought in the superior court or housing court having jurisdiction where the violation occurred or is likely to occur. Plaintiffs may seek restraining orders and injunctive relief to restrain and enjoin violations or threatened violations of this Chapter.

Section 12: Invalidity of Said Ordinance

This Ordinance shall take effect upon its passage. If any clause, provision or portion of this Ordinance shall be held to be involved or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of any clause, provision or portion of this Ordinance.

Section 13: Definitions

The following terms shall have the following respective meanings unless a different meaning clearly appears from the context

- A. Alteration: An action that changes one (1) or more of the exterior architectural features of a structure or its appurtenances, including but not limited to the erection construction, reconstruction, or removal of any structure or appurtenance.
- B. Appurtenances: Features other than primary or secondary structures which contribute to the exterior historic appearance of a property, including but not limited to paving, doors, windows, signs, materials, decorative accessories, fences, stone walls, and historic landscape features.
- C. Certificate of Appropriateness: A certificate issued by the New Shoreham Historic District Commission established by this Chapter indicating approval of plans for alteration, construction, repair, removal, or demolition of a structure, appurtenances to a structure, including but not limited to buildings, extensions, outbuildings, fire escapes, and retaining walls.
- D. Demolition: An act or process that destroys a structure, its appurtenances in part or in whole.
- E. Historic District: a specific division of the Town of New Shoreham as designated by ordinance of the Town of New Shoreham pursuant to this Chapter. A historic district may include one (1) or more structures.
- F. Removal: A relocation of a structure on its site or to another site
- G. Repair: A change meant to remedy damage or deterioration of a structure or its appurtenances
- H. Structure: Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including but not limited to buildings, gazebos, billboards, outbuildings, decorative and retaining walls, and swimming pools.