

**FEE SCHEDULE
LEBANON HERITAGE COMMISSION
(Revised 1/23/17, postage increase)**

HERITAGE COMMISSION		
		TOTALS
ADVERTISING FEE	\$35.00	\$35.00
NOTIFICATION FEE (SEE NOTE)	\$3.81 per certified notice x _____ notices	

NOTE - THE NOTIFICATION FEE IN ALL SECTIONS ABOVE INCLUDES THE FOLLOWING: ALL ABUTTERS; THE APPLICANT; PROPERTY OWNER; HOLDER OF CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTION(S); AND EVERY ENGINEER, ARCHITECT, LAND SURVEYOR, OR SOIL SCIENTIST WHOSE PROFESSIONAL SEAL APPEARS ON ANY PLAT SUBMITTED TO THE BOARD.

PUBLIC HEARING NOTIFICATION LIST

IN ACCORDANCE WITH RSA 676:4, THE CITY SHALL NOTIFY THE FOLLOWING PERSONS, BY CERTIFIED MAIL, OF PUBLIC HEARINGS BEFORE THE PLANNING BOARD: ALL ABUTTERS; THE APPLICANT; PROPERTY OWNER; HOLDERS OF CONSERVATION, PRESERVATION, OR AGRICULTURAL PRESERVATION RESTRICTIONS (AS DEFINED UNDER RSA 477:45) ON THE SUBJECT PROPERTY; HOLDERS OF EASEMENTS, RIGHTS-OF-WAY, AND OTHER RESTRICTIONS ON THE SUBJECT PROPERTY; AND EVERY ENGINEER, ARCHITECT, LAND SURVEYOR, SOIL SCIENTIST, OR WETLANDS SCIENTIST WHOSE PROFESSIONAL SEAL APPEARS ON ANY PLAT SUBMITTED TO THE BOARD.

THE APPLICANT SHALL PROVIDE NAMES & MAILING ADDRESSES FOR ALL PERSONS LISTED ABOVE.

MAP & LOT NUMBER: _____	MAP & LOT NUMBER: _____
PROPERTY OWNER:	APPLICANT:
MAP & LOT NUMBER: _____	MAP & LOT NUMBER: _____
ABUTTER/OTHER:	ABUTTER/OTHER:
MAP & LOT NUMBER: _____	MAP & LOT NUMBER: _____
ABUTTER/OTHER:	ABUTTER/OTHER:
MAP & LOT NUMBER: _____	MAP & LOT NUMBER: _____
ABUTTER/OTHER:	ABUTTER/OTHER:
MAP & LOT NUMBER: _____	MAP & LOT NUMBER: _____
ABUTTER/OTHER:	ABUTTER/OTHER:
MAP & LOT NUMBER: _____	MAP & LOT NUMBER: _____
ABUTTER/OTHER:	ABUTTER/OTHER:

SECTION 408

HISTORIC DISTRICT.

408.1 Authority.

This section is enacted pursuant to RSA 674:46. The City of Lebanon Heritage Commission shall have the authority granted to it by RSA 674:44-a through d, et. seq., and this Ordinance.

408.2 Purposes.

The purpose of this Ordinance is to preserve the heritage and cultural resources of the City of Lebanon and, particularly, the City's structures and places of historic, architectural and community value in order to:

- A. Establish and preserve districts in the City which reflect elements of its cultural, social, economic, political, community, and architectural history;
- B. Conserve property values in such districts;
- C. Foster civic beauty;
- D. Strengthen the local economy; and,
- E. Promote the use of historic districts for the education, pleasure, and welfare of the citizens of the City.

408.3 Delineation of Historic Districts.

The areas and boundaries of the Historic Districts are shown on maps which are hereby designated as the Historic District Map of the City of Lebanon and made a part of this Ordinance and the Official Zoning Map of the City of Lebanon, together with all future amendments. The official map shall remain on file in the Office of the Zoning Administrator and with the City Clerk.

408.4 Certificate of Approval Required.

A Certificate of Approval shall be obtained from the Heritage Commission in the manner set forth herein prior to the commencement of any of the following activities within any Historic District:

- A. The construction of any new building;
- B. The addition to, alteration, or repair of any existing building which would require the issuance of a building permit pursuant to the provisions of the Lebanon Building Code, unless such addition, alteration, or repair does not, in any way, alter the exterior of such building;
- C. The following activities, whether or not a building permit is required for such activities:
 - 1. Roofing or re-roofing if the roof plane is changed;
 - 2. Siding, including new and re-siding, if it involves a change of design or materials;

3. Replacement of doors and windows if it involves changes in the size, location, or number of openings in the exterior or facade of a building.
4. Replacement or enclosure of porches, decks, and patios if it involves a change in size, location, design, and/or materials;
5. Replacement of exterior stairs, landings, and overhangs if it involves a change in size, location, design, and/or materials;
6. Demolition or moving of a building or accessory building.

No building permit (when applicable) shall be issued prior to the receipt of a Certificate of Approval for the above-described activities.

408.5 Activities Not Requiring Certificates of Approval.

The following activities are exempt from review by the Heritage Commission, and no Certificate of Approval shall be required:

- A. Any repairs, alterations, or improvements that do not require a building permit pursuant to the Lebanon Building Code with the exception of the activities described in Section 408.4 herein;
- B. Any repairs, alteration, or improvements to the interior of the building;
- C. The re-roofing of a building, provided that the roof plane remains the same;
- D. Painting or re-painting of the interior or exterior of any building; and,
- E. Landscaping or fencing.

408.6 Criteria For Review.

In determining whether or not to grant a Certificate of Approval, the Heritage Commission shall keep in mind the purpose set forth in Section 408.2 herein and shall consider, among other appropriate factors, the following:

- A. The historical or architectural value of a building and its setting;
- B. In connection with additions, repair or restoration of any existing building, the compatibility of the exterior design, arrangement, texture, and materials proposed to be used in relationship to this existing building, its setting, and the Historic District as a whole; and,
- C. The size, scale, and design of proposed construction in relationship to the existing surroundings, including consideration of such factors as a building's overall height, width, street frontage, number of stories, type of roofs, facade openings (windows and doors), and architectural details.

When the Heritage Commission determines that it is necessary or advisable in order to preserve or protect historically and/or architecturally significant buildings, the Commission may require preservation and/or accurate reproduction of exterior architectural features. Preservation and/or reproduction measures shall be completed pursuant to the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings."

Applications for Certificates of Approval may be denied if such denial is required to prevent construction or development which would conflict with the stated purposes of Section 408.2 herein.

408.7 Application Procedures.

The following procedures and any rules of procedure duly adopted by the Heritage Commission shall be followed in processing applications for Certificates of Approval:

- A. Written application for Certificates of Approval shall be made no later than 12:00 noon of the 15th calendar day prior to a regularly scheduled meeting of the Heritage Commission (to include the meeting date of the Commission) on forms provided by the Zoning Administrator, and the applicant shall pay an application fee as adopted by the City Council. The application may be filed simultaneously with any other application or request for City land use permits, and the issuance of a Certificate of Approval shall not be a precondition to the issuance of any other City land use permit with the exception of a building permit, when applicable.
- B. There shall be a public hearing on all applications for Certificates of Approval. The applicant and all abutters shall receive a notice of the public hearing by certified mail, and a public notice of the hearing shall be posted in at least two public places and shall be published in a newspaper of general circulation in the City of Lebanon. Said notice shall be given not less than five days, nor more than 30 days, before the date of the hearing.
- C. At its meeting, the Commission shall review the application for completeness as specified in Section 408.8 herein. If the application is determined to be complete, then the Commission shall vote to accept the application and commence with the public hearing. If the application is not complete, then consideration of the application shall be suspended until it is complete.
- D. The Commission shall review the application using the criteria set forth in Section 408.6 herein, and then shall act to approve, approve with conditions, or disapprove the application. In reviewing the application, the Commission may request reports and recommendations regarding the feasibility of the applicant's proposal from the Planning Board, Fire Chief, Building Inspector, Health Officer, and other administrative officials who may possess information concerning the impact of the proposal on the Historic District. The Commission may also seek advice from professional, educational, cultural, or other groups or persons as may be deemed necessary for the determination of a reasonable decision.
- E. Within 45 calendar days from the filing of the application, unless the applicant agrees, in writing, to a long review period, the Commission shall notify the applicant, in writing, of its action by means of the Certificate of Approval or Notice of Disapproval sent by certified mail. In case of disapproval, the Commission shall clearly set forth in a Notice of Disapproval the reasons for its action, with specific reference to standards contained in this Section.
- F. Simultaneously with notifying the applicant, the Commission shall file a copy of the Certificate of Approval with the Zoning Administrator and the Building Inspector. The Building Inspector shall not issue a building permit for any activity in an Historic District requiring a Certificate of Approval until receipt of said Certificate. In the case of a disapproval, the Notice of Disapproval shall be binding on the Building Inspector or other duly delegated authority and no permit shall be issued.

- G. Failure of the Commission to file said Certificate within the specified period of time shall constitute approval by the Commission.

408.8 Submittal Requirements.

All applications for a Certificate of Approval shall contain a written description of the work or activity for which approval is requested, together with plan and elevation drawings to scale and, where appropriate, photographs which, together, shall be sufficient to reasonably inform the Heritage Commission as to the type or nature of the activity applied for, the location of the activity, and the effect or impact on the exterior of the building(s) involved.

408.9 Removal or Demolition of Buildings.

No building shall be demolished or moved off its lot within any Historic District until at least one publication of notice of such demolition or removal has been published by the owner in a newspaper of general circulation in the area in which the building and lot are located, such notice to be published not less than 30 days prior to the date of such demolition or removal.

The purpose of this provision is to further the purposes of Section 408.2 and to afford a person or organization the opportunity to acquire, or to arrange for the preservation of, such building.

Notwithstanding the above, upon application to the City Building Inspector, any building substantially damaged as a result of fire or other disaster or constituting a public safety hazard shall be exempt from the provisions of this section.

408.10 Appeal.

Any person aggrieved by a decision of the Heritage Commission shall have the right to appeal said decision to the Zoning Board of Adjustment as provided by RSA 677:17. Such appeals shall be filed with the Zoning Board of Adjustment within 20 days of the filing of the Certificate of Approval or Notice of Disapproval with the Building Inspector.

408.11 Enforcement.

The provisions of this Section 408 shall be enforced as provided by State law and pursuant to Section 903 of this Ordinance.