

MINUTES of the ECONOMIC DEVELOPMENT COMMITTEE
November 29, 2023 @ 5:00 p.m.

Committee Members present: Councilor Donald Austin, Chairman
Councilor Richard R. Michaud
Councilor Matt Gerding

Absent Members: Councilor Robert Gibson, Vice Chair

Staff Members present: City Manager, Bob Belmore
Director of Planning & Community Development,
Michelle Mears
City Clerk, Kristen LaPanne

Others in Attendance: Councilor David A. Witham
Laura Barry, Chair of Historic District Commission
Tim Metivier, Member of Historic District Commission
Richard Brooks, Member of Historic District Commission
George Poulin, Member of Historic District Commission
Paul Goodwin, Somersworth Resident

The meeting was called to order by Chairman Austin at 5:03 p.m.

APPROVE PAST MEETING MINUTES OF SEPTEMBER 19, 2023

Councilor Gerding made a motion to accept the September 19, 2023 minutes as submitted. The motion was seconded by Councilor Michaud and passed 3-0.

WORKSHOP SESSION WITH HISTORIC DISTRICT COMMISSION MEMBERS REGARDING ORDINANCE 4-24

Councilor Austin began the workshop by laying out the format of the discussion. He invited the members in attendance to have an open discussion and he explained that after the discussion, the Committee will decide what recommendation to bring to the full Council regarding Ordinance 4-24, To Amend Chapter 19, Zoning, Section 19.3.D District Boundaries and Section 19.14.C.3 District Boundaries.

Councilor Austin requested that Councilor Witham attend the workshop because he was the Councilor that introduced the Ordinance. Councilor Austin asked that Councilor Witham begin the workshop discussion by sharing his reason for introducing the Ordinance to Council.

Councilor Witham stated that his recommendation to reduce the size of the City's Historic District came after a number of discussions due to the decisions pertaining to the 85 Elm Street development project regarding the project's design. He stated that he has heard various opinions from the public including to reduce or increase the District's size, or to eliminate the District entirely. Councilor Witham stated that the amendments he suggested within Ordinance 4-24 are based on his own personal observations of the Historic District boundaries. He noted that in his opinion there are more obvious sections of the City that belong within the District including the Hilltop, but he feels that beyond that the current Historic District is fragmented. Councilor Witham listed a number of areas where structures have been modified or have seen an infill of newer development.

City Manager Belmore provided the Committee and members of the Historic District Commission with a detailed packet, per the request of Ms. Barry, that included any buildings that would be removed from the Historic District based on the proposed amendments presented in Ordinance 4-24.

Councilor Michaud thanked Councilor Witham for his proposal to reduce the size of the Historic District, and he noted that he agrees with most of the amendments especially the section south of Washington Street. He stated that he would like to see more development in that area.

Councilor Gerding stated that he is not in favor of the proposed amendments to the Historic District. He believes that the amendments came as a response to the 85 Elm Street development discussions and he feels that this approach is severe. Councilor Gerding stated that he would rather see that the City work towards addressing how to handle new development within the District.

Councilor Austin stated that he currently feels “stuck”. He has taken time to review the list of buildings that would be affected by the amendments proposed in Ordinance 4-24 and when any modifications or alterations were made to the structures. He believes that some of the buildings still hold historical value but since being altered, some of that value is lost. Councilor Austin commented that his initial thought on the District amendments is that he is in favor of the Ordinance but is open to the workshop discussion.

Ms. Barry agreed that she feels the proposal to reduce the size of the Historic District is a “knee-jerk” response to a decision based on one specific developer, she also noted that the decision was made by multiple boards and not the Historic District Commission alone. Ms. Barry stated that she does not believe that the issue is with the District itself, but rather the way that the City defines *infill* within the District. She commented that Historic Districts have alterations made to structures which is normal for upkeep and preservation of the buildings. Ms. Barry mentioned that if buildings within the District are in poor condition, it is usually a result of the property owner neglecting to care for their building appropriately and perhaps that is a Code Enforcement issue. She commented that the Historic District Commission has been working to fix things that were done prior to the Board being established, and she worries that two of the sections proposed to be eliminated are gateways into the City.

Mr. Brooks shared a map that detailed building ratings as it pertains to the Historic District. He explained that the ratings are based on excellent, good, fair, poor, and nonconforming conditions. Mr. Brooks recalled the City Council requesting that the Historic District Commission review the District’s size approximately 4-5 years ago. He noted that after several meeting of the Commission they determined it best to leave the District’s size as is, he added that that the Commission discussed increasing its size but never brought that forward to the Council although he wishes now that they had. Mr. Brooks went on to review the proposed sections to be eliminated from the District by sharing the ratings of each of the buildings according to the map he provided.

Councilor Austin asked the Historic District Commission members for their input on when the Commission may hinder new commercial development within the District. Ms. Barry responded that the Commission would start by reviewing the zoning of the property and requesting a plan from the developer. She stated that the Commission does not generally approve empty parcels, however, recently they approved the demolition of a structure due to it being determined unsafe. Mr. Goodwin shared his perspective from his experience as a real estate developer for Chinburg Properties, he stated that developers who are looking to develop within a Historic District usually have an understanding of the requirements to build. Mr. Goodwin commented that the City needs to decide what it is that they want and attract developers that fall within those City values and he suggested providing clarity within the Commission’s guidelines. He commented that the District is fragmented because the Commission was established after alterations had been made to a number of structures throughout the Historic District. Mr. Goodwin feels that the proposal to reduce the District’s size is reactionary and if approved, will be at the expense

of the City's integrity and history. He stated that buildings that look "tired" or "ugly" are the backbone of the City and represent the working-class housing from the past to current. Mr. Goodwin agreed with working with Code Enforcement to continue to improve failing buildings and he spoke to the Federal Funds and incentives available to those that renovate or develop within the Historic District referencing Chapter 31 Community Revitalization Tax Relief Incentive.

Mr. Brooks commented on the form-based codes that the City recently enacted which look at the appearance of a structure including its shape and height. He suggested that the form-based codes be looked at more thoroughly and incorporated with the Historic Districts guidelines.

Mr. Poulin recalled the proposed Ordinance changes that were discussed by the Historic District Commission approximately 5-10 years ago and he feels that downsizing the District is not the best option. He believes that some realtors do not disclose to buyers that they are purchasing property within the Historic District, and therefore, property owners may not always be aware of the application process and guidelines required by the City. Mr. Poulin stated that there is a misconception that the District does not allow certain material such as vinyl siding, when in fact they do. He continued to list off other misconceptions that have followed through the years and he suggested sending notices to property owners throughout the Historic District that provides information about living within the District. Mr. Poulin agreed that code compliance has been and continues to be an issue with property owners and he hopes that the Council will allow the Commission to continue to work and make the necessary changes.

Councilor Gerding agreed that form-based codes are important to consider with the resizing of the District and he feels that the proposed Ordinance is missing language specific to the form-based codes and other standards set by the City. He is concerned that moving too quickly with the proposed amendments will create a snowball effect if all aspects are not considered. Councilor Gerding also agreed that the guidelines regarding new construction infill is not clear and that the form-based codes could provide some guidance to the Historic District Commission.

Councilor Witham commented that since he has been a member of the Council, the Historic District has been a topic of conversation. He noted that there is a perception that doing things within the District is difficult or expensive and although that may not be true, he believes that it can scare away developers. He added that some of the properties that have been rated in poor condition, can be perceived to be too difficult to improve. Councilor Witham stated that the 85 Elm Street project decision brought the Historic District to the forefront and he mentioned that he does feel that the Commission worked well with the developers. He stated that the perception of the District is what seems to be broken, and perhaps the biggest being the infill of new construction. Councilor Witham commented that if the proposed Ordinance is not adopted, he hopes that guideline changes are supported in an effort to provide clarification.

Mr. Metivier has spent 11 years as member of the Historic District Commission and opposes the proposed amendments that would reduce the size of the District. He stated that there are a number of advantages to builders within the District and he feels that all developers need to conform to the guidelines set forth. He worries that shrinking the District could cause a repeat of urban renewal if the District is not preserved. Mr. Metivier noted that there is no height limit with regards to development within the Business District and that the Historic District Commission is there to impose those restrictions within the Historic District. He restated the comments regarding the misconception of what materials are allowed within the District, as well as the renovations or development that took place prior to the Commission being established. Mr. Metivier noted that the City is considered Certified Local Government and he warned that there could be ramifications if sections of the District are removed which could affect grant opportunities.

Ms. Barry commented on the discussion around the perception of the Historic District and its regulations. She stated that other Historic Districts have different regulations and guidelines that they follow, whereas one Community may require certain paint colors another may not. Mr. Barry stated that the Commission does their best to uphold the guidelines they have and to remain consistent with all applicants. Ms. Barry added that other cities and towns are now trying to build their downtown areas to match what the City of Somersworth already has and she stated that we just have to work on maintaining that.

Mr. Goodwin also commented on the discussion of perception. He asked what things the City could do to educate the residents that live within the Historic District. He stated that some of the properties that are in poor conditions could be a result of absentee landlords or lack of resources available to them.

Councilor Michaud asked that if the Historic District remains as is, what can be done to merge form-based codes. Suggestions such as continuing the discussion through Committees or workshops as well as having an internal and public process to gather necessary input.

There was additional discussion regarding ways that the Commission has taken steps in the past to educate the public pertaining to the Historic District do's and don'ts and what can be done going forward. Ms. Barry stated that she would like to see someone hired to resurvey the District.

Councilor Gerding agreed that in order to make the best-informed decisions regarding the size of the Historic District, more up-to-date information is needed because what is currently available within the packet provided by City staff, is from approximately 10-15 years ago. He would like to see the City moving in a direction that provides support and resources to the Historic District Commission to have surveys completed before making decisions to decrease or increase the size of the District.

Mr. Brooks clarified that there was a survey done in the 1980's that reviewed the Historic District as a whole and another survey done 10-15 years ago that surveyed each individual building within the District. He also spoke about the difficulty for small businesses to survive due to corporations taking over, and he feels that the Historic District allows for small business owners to run a business on the first floor while having their domicile above. Mr. Brooks concluded his comments with mentioning that there are a number of buildings within the Historic District that are listed on the National Register.

Councilor Austin thanked all of the members in attendance for participating in the workshop and he feels that the discussions have been valuable to the Committee and he personally learned a lot from them. Mr. Brooks also expressed thanks to the Committee for allowing the Historic District Commission members to participate in the discussion.

Councilor Gerding made a motion to recommend that the full Council not adopt Ordinance 4-24. The motion was seconded by Councilor Michaud and passed 3-0.

Councilor Michaud expressed that he wants to make sure that this topic is not forgotten and that it continues to move forward with further discussion. It was suggested that the Historic District Commission could form a sub-committee with their sole task being to work on language pertaining to new construction infill and form-based codes. Ms. Barry agreed and she also suggested including members from the Zoning Board and City Council. Councilor Gerding added that he has been thinking of Mayoral Committees of interest that he would like to establish in the coming year and this is at the forefront of his mind.

MISCELLANEOUS

There were no miscellaneous items discussed.

ADJOURN

Councilor Michaud made a motion to adjourn. The motion was seconded by Councilor Gerding and passed 3-0. The meeting adjourned at 6:28 p.m.

Respectfully submitted,

Kristen LaPanne, City Clerk