Executive Summary

Recommendations from the Architectural Subcommittee

The 2005 Essex Plan of conservation and Development requires:

- An evaluation of architectural resources to further conserve and enhance our architectural heritage.
- A review of Historic Districts/village districts for the three villages.
- An evaluation of the establishment of an Architectural design Review Board for the entire town.

Based on the studies and focus groups, the Subcommittee does not believe that the public is ready to accept Historic Districts or a comprehensive Design Review for both residential and commercial. Instead, the Subcommittee has selected six broad areas to address as beginning measures of planning protection.

There are six recommendations for the Planning Commission to consider. These do not address all comments of residents' concerns. They do capture broad areas that are important for preserving the Town's architectural heritage and are, therefore, consistent with our mission. The recommendations are based on feedback from four resident focus groups, a commercial property owners focus group, and follow up conversations with professionals to clarify comments from the focus groups.

1. Implement a Commercial Design Review Process for new buildings and substantial renovation.

2. Apply for a National Register of Historic Places listing for a section of Ivoryton as an honorary designation. This initiative was recommended by the consultant who identified 100 key structures that represent our architectural heritage. This application would require the support of Planning, Zoning, and the Selectmen for a grant to prepare the application and a town-wide vote for approval for the application to be submitted.

3. Change the current height cap of 30' to 35' above the mean grade level for a commercial structures to encourage more attractive facades and streetscapes in keeping with its neighborhood. Maintain 30' for residential with the opportunity for variance for a greater building height when the design is appropriate for its surroundings and neighborhood and serves to enhance our architectural heritage.

4. Revise coverage ratios for residential and commercial or replace with volume caps for parcel size and district. Current coverage ratios do not achieve what they intended—to limit the size of a structure on a parcel. If control of the absolute size of structures is the objective, total volume is more accurate. If certain types of buildings are not desired, regulations can prohibit them.

5. Reconsider the Gateway Conservation District and Heritage Gateway District as to how they might fit into our Zoning regulations and, as part of the process, designate areas for the new Gateway District guidelines.

6. The Delay of Demolition Ordinance, as written, is not an effective tool to prevent loss of important architectural structures. To preserve our architectural heritage there should be an explanation for the requested demolition, a proposal for the replacement structure before a permit is granted, and a stiffer fine for violations.

Recommendations from the Architectural Subcommittee
10/13/2011

The 2005 Essex Plan of Conservation and Development suggested that Historic Districts for the three villages be established and an Architectural Design Review Board for the entire town be created, if significant loss of our architectural heritage has occurred.

While there is general agreement by the committee and the public that there has been significant loss, we do not believe that the public will accept local Historic Districts, village districts, or a comprehensive Design Review for both residential and commercial. Instead, the subcommittee has selected six broad areas to address as beginning measures of planning protection.

There are six recommendations for the Planning Commission to consider. These do not address all comments or residents' concern. They do capture broad areas that are important for preserving the Town's architectural heritage and are, therefore, consistent with our mission.

The recommendations are based on feedback from four resident focus groups, one commercial property owners focus group, and follow up conversations with professionals to clarify comments from the focus groups.

1. Implement a Commercial Design Review Process for new buildings and substantial renovation.

   Rationale: The public perceives the need and was surprised that no such process was already in place. Commercial property owners do not wish to have additional regulations that add costs to compliance or that would increase a project timeline. What commercial builders do want is specificity for design parameters. There are no design guidelines in the current zoning regulations. Lack of specificity in the current zoning regulations results in multiple visits to zoning trying to "guess" what commission members want to see in the building design. Then, after an unsatisfactory zoning permit, the builder appeals to the ZBA for variance on elements that they believe hamper cost effective building.

   Suggested Process: Develop a Handbook of Design Examples for a range of commercial buildings—groceries, banks, restaurants, offices, retail stores, medical facilities, etc. The examples can be from any place and to start would include photographs of good and bad design. Many towns have included in their commercial design review: 1) new construction of multi-family residential structure of three or more units; 2) a special residential development; 3) new construction of a non-residential structure; 4) any significant exterior building change or other site improvement which would require a site plan; 5) signs. The handbook might also offer examples of what is not desired, including Essex buildings that were constructed under the 30' height constraint. Next, have a "gatekeeper" who will talk with developers/architects before they present to zoning. This gatekeeper can be a Town Planner, a voluntary Advisory Review Board, or a remote resource such as the Main Street Project. The design review process would be advisory, not mandatory, and report to the Zoning Commission. This approach has been tried in several towns, and the result is a more attractive building and a less costly, faster process for the builder.

2. Apply for a National Register of Historic Places listing for a section of Ivoryton as an honorary designation. This initiative was recommended by the consultant who identified 100 key structures that represent our architectural heritage. This application would require the support of Planning, Zoning, and the Selectmen for a grant to prepare the application and a town-wide vote for approval for the application to be submitted.

   Rationale: The public has made clear that they are not ready to accept regulatory action in residential areas to preserve our architectural heritage. A listing on The National Register of Historic Places is only honorary. There are no restrictions on an individual's property although there are some benefits. Some property owners are eligible for generous tax credits for rehabilitation. It has the potential to increase property values by being in an historic area.

   Essex Village was granted a state historic district designation in 1978 but voted down the opportunity to be listed on the National Register. The state historic district designation has no restrictions and some benefits, such as being able to rebuild a damaged area to its original state rather than meeting current compliance (e.g., ADA if a commercial structure). As a second step, the Town may wish to revisit the listing of Essex Village on the National Register after the success of an Ivoryton designation.

   Suggested Process: With support from the Zoning and Planning Commissions and the Selectmen, the Town can apply for a grant. The Planning Commission and our Town Planner, with assistance from the State Historic Preservation Office, can apply for to the Survey and Planning Grant program for a grant to pay for the professional historian/architectural historian who will prepare an application for a Historic Register of Historic Places listing for a section of Ivoryton. During the application process several public information meetings will be held to get residents' questions answered. After the application has been prepared, it will be submitted to a vote for the entire town of Essex, including all three villages.

3. Change the current height cap of 30' to 35' above the mean grade level for a commercial structures to encourage more attractive facades and streetscapes in keeping with its neighborhood. Maintain 30' for residential with the opportunity for variance for a greater building height when the design is appropriate for its surroundings and neighborhood and serves to enhance our architectural heritage.

   Rationale: According to architects and commercial property owners, the current height restriction is counter productive to maintaining our architectural heritage. As an example, to build a new construction colonial style house for today's family would require a minimum of 36' to the roof ridge. If it were a larger home, the ridge could be higher. Today, no colonial replicas can be built in this town. The same is true for Victorian or Italianate homes with gracious ceiling heights. Commercial structures result in flat roof, squat-style structures with no chance for an appealing façade that would replicate prior century store fronts and extend above the 30' cap. On the interior, ceilings are very low to accommodate the utilities between floors under the current cap. Also, the Gateway Conservation District uses a 35'height cap off the existing natural grade.

Suggested Process: In conjunction with the Design Review Handbook for commercial, present to Zoning examples of streetscapes and facades that are compatible with our heritage that may require height greater than 30'. It may be instructive to present Essex buildings constructed under the current height cap. For residential designs that may require a variance over 30', Zoning will determine whether or not the proposed structure is compatible with surrounding neighborhoods and serves to maintain our architectural heritage. For such a determination, Zoning may need to add some design guidelines for residential structures. Such guidelines as period style, roof angles, exterior materials, landscaping are not in place today.

4. Revise coverage ratios for residential and commercial or replace with volume caps for parcel size and district. Current coverage ratios do not achieve what they intended—to limit the size of a structure on a parcel. If control of the absolute size of structures is the objective, total bulk is more accurate. If certain types of buildings are not desired, regulations can prohibit them.

   Rationale: Current 7.5%/10% for residential, 15%/ for commercial, and 25% for Essex Village do not seem to accomplish what they intended. For example, in Essex Village the coverage ratio is 25% but actual coverage in many cases is probably over 50% of the property. In established neighborhoods with smaller lots, 7.5% would mean that little or nothing could be added to a footprint to update a small house and creates hardship. (ZBA handles such cases and grants larger coverage.) On an average size commercial parcel 15% may result in a reasonably sized structure. On a five acre parcel, however, 15% is a large structure. Today, there is nothing in our zoning regulations that would prevent a very large transportation warehouse or a box store from being built on large undeveloped parcels. We believe the public is opposed to that type of development and desires restrictions preventing big box retail stores and large warehouses from being developed on the remaining large lots that are undeveloped or on lots that could be developed after teardowns of existing structures.

   Updated and more tailored regulations would reduce variances, protect virgin lands from out-sized buildings, and help maintain neighborhood character and improve streetscapes.

   Suggested Process: Determine what Planning and Zoning seek to accomplish in terms of size of residential and/or commercial buildings relative to the building parcel. Current coverage should be 1) reviewed and adjusted on a district by district basis; 2) be converted to volume to limit absolute size regardless of parcel size, especially for commercial; or 3) specific types of commercial buildings prohibited, such as box stores, or prohibition of buildings over a certain size in specified areas/districts.

5. Reconsider the Gateway Conservation District and Heritage Gateway District as to how they might fit into our Zoning regulations and, as part of the process, designate areas for the new Gateway District guidelines.

   Rationale: Essex is a member of the Gateway Commission but has not yet accepted the modified regulations of 2004. Modest houses and other structures have existed on the river since the earliest settlers, but now the visual impact of recent larger structures is inconsistent with our architectural heritage. The special standards from the Gateway Commission offer the Zoning Commission an opportunity to review how well a structure fits in the landscape where it is to be built. Included are criteria for the maintenance of views, the use of muted colors and materials and other standards to minimize development from "standing out" when seen from the river. Implementing the Gateway standards would be an important step in preserving our architectural heritage.

   Suggested Process: Continue the work underway in Planning and Zoning to reconsider the Gateway District requirements as to how they might fit into our Zoning regulations. Another part of the process would be to determine which areas in town are to be designated for the new Gateway District guidelines. Since we have been members of the Gateway Commission for several years, ideally the decision on Gateway would be completed relatively quickly, certainly within a year.

6. The Delay of Demolition Ordinance, as written, is not an effective tool to prevent loss of important architectural structures. To preserve our architectural heritage there should be an explanation for the requested demolition, a proposal for the replacement structure before a permit is granted, and a stiffer fine for violations.

   Rationale: The Town ordinance requires a 90-day delay and imposes a $100 fine for demolition violations and no requirement to present or review a replacement structure. A State Stature can extend the day period for up to 180 days, but a stronger ordinance can be developed without changing the current 90-day period. A stronger ordinance is needed to cause landowners to seriously consider the action.

   Suggested Process: Planning should encourage the Selectmen to develop a stronger ordinance for demolition. 1) The revised ordinance should require that all abutters to the permitted property be notified of the request for demolition or of a ZBA hearing on the replacement property. 2) The applicant should have a proposed replacement structure and present it at the time of application. The proposed replacement structure would be available in the Land Use office for the public to review. 3) The demolition application should be a public notification via a Zoning agenda item. 4) Finally, increase the fine for violation to at least $1000.