

Town of New Paltz Historic Preservation Commission Meeting Wednesday January 21st 2015 7:30PM - 9:30PM at the Community Center

Commissioners attending: John Orfitelli (Chair), Helen Christie (Vice-Chair), Caryn Sobel , and Dave Gilmour, along with Town Board Liaison Dan Torres.

Also attending: George Thompson, Time-Traveller Guided Tours of Old New York

Agenda

1. Public Comment
2. Neal Toman: Project Review
3. HPC Landmark Incentives
4. Recruitment for Commission Seat
5. Annual Report
6. Financial Disclosure
7. Review/Approve August and December Minutes
8. SHPO Audit*
9. CRREO Press Release*
10. Historic Preservation Plan*
11. South Putt Burial Ground*

* Added to agenda prior to start of meeting

Minutes

Meeting was called to order at 7:35pm by John Orfitelli.

1. **Public Comment:** No public comments were received.
2. **Neal Toman Project Review:** Due to illness, Neal could not attend our meeting and is scheduled to present plans for a new barn at our next meeting in March. The Commission reiterated the overall goal of designating the Brook Farm structures and landscape as a Local Historic Landmark. John Orfitelli agreed to contact Neal to request plan materials for the Commission to review prior to our next meeting.
3. **HPC Landmark Incentives:** As outlined in the meeting minutes from November, several options are available for providing incentives to homeowners who agree to designate their properties as historic landmarks. The process for developing these options into a set of well-articulated recommendations to the Town Board will clearly take a great deal of time and effort by the Commission. Follow-up on work items from December are ongoing:
 - Caryn Sobel to provide impact data from the National Trust
 - Dave Gilmour to contact Daniel McKay from the Preservation League on New York
 - Helen Christie to discuss Conservation Easements with the Town Assessor
 - Dave Gilmour to pursue access to the new on-line Cultural and Historic Resource System developed by SHPO.

John Orfitelli posted the following open request on CLG ListServe:

The Town of New Paltz, located about 90 miles north of New York City, has a remarkable collection of stone houses built by the founding families in the 18th century that remain today as a unique cultural landmark that distinguishes New Paltz from other towns. Our Commission recently met with many of the stone house owners to discuss the importance of landmark

designation, the nomination process, and how the certificate of appropriateness would preserve their property.

Despite our best efforts to assure them that the designation would not impact them adversely, we were met with a great deal of reluctance to participate in the process. Reasons included distrust of government, impact on property value, higher cost for changes, and restrictions.

Based on this response, our Commission decided to explore various incentives to encourage participation in the designation process. We would like to know if other CLG's have created or know of any property tax relief programs such as tax abatements or easements granted to a Conservancy (as used for land conservation).

Thank You, John Orfitelli, Chair, Town of New Paltz Historic Preservation Commission

John Orfitelli reported that only two responses were received so far.. no actionable information has been provided.

Among the materials provided by Lorraine Weiss just prior to our meeting this month is the following Ithaca Bill Legislation which appears to be a viable candidate for implementation by the Town:

HISTORY AND INTENT OF ITHACA BILL LEGISLATION

The Ithaca Bill is enabling legislation allowing New York State municipalities to enact local tax incentive programs for rehabilitating historic properties. Like other states with historic property tax exemption laws, New York passed the Ithaca Bill to stimulate investment in and restoration of historic buildings; to offset the often higher cost of repair and rehabilitation work done to historic structures; to encourage the redevelopment of blighted areas; and to improve property values.

The Ithaca Bill emerged out of local efforts in Ithaca, New York to create a tax abatement program for Ithaca's large stock of historic properties. In 1992 Historic Ithaca, not-for-profit preservation group, asked the Ithaca City Council to enact local tax incentives before realizing that the council required state legislation to exercise its taxing ;c authority. Historic Ithaca then allied with the Preservation League of New York State to lobby the State Legislature for the necessary enabling legislation. As part of its lobbying efforts, Historic Ithaca published a comprehensive report of successful tax abatement programs in other states. Despite stiff opposition from the State Council of Mayors, then Governor George Pataki signed the enabling legislation into effect in July 1997. The bill amended the New York State Real Property Tax Law and granted municipalities the authority to adopt a local law exempting historic properties from real property taxation.

The Ithaca Bill paved the way for owners of private, historic homes in New York State to receive tax relief. Prior to the 1997 bill, available tax credits applied only to owners of income-producing properties through the Federal Investment Tax Credit Program. Under this program, owners of historic commercial, office, industrial, or residential rental properties, can receive an income tax credit of 20 percent of the rehabilitation cost. However, in municipalities where the Ithaca Bill has been adopted, owners of both income producing and non-income producing properties may qualify for a tax benefit. The Ithaca Bill allows historic homeowners, who often bear higher costs

for home improvements, to be rewarded for making an investment in the historic integrity of their property.

II HOW DOES THE LEGISLATION WORK

The Ithaca Bill allows local governments to adopt tax abatement programs that incrementally phase in the increased assessed value that results from rehabilitation work on historic buildings over a ten-year period. In the first five years following the rehabilitation work, the property value assessment remains frozen at its pre-rehabilitation level. In the subsequent five years the assessed value of the property rises in increments of 20% per year so that in the tenth and final year, the owner pays taxes on the entire value of the property.

YEAR OF EXEMPTION	PERCENT OF EXEMPTION
1	100
2	100
3	100
4	100
5	100
6	80
7	60
8	40
9	20
10	0

In order to enact the property tax abatement, municipalities must write and pass local legislation creating a tax abatement program. To date, approximately 30 municipalities have adopted a local law. Ithaca's Common Council adopted the bill in December 1997 making Ithaca the first New York State municipality to offer the tax incentive. The local law in Ithaca (and in most other municipalities) uses the wording of the enabling legislation nearly verbatim.

The goals of Ithaca's ordinance (as listed in the local law), are:

- .To increase incentives for property owners in historic districts to invest in the upkeep and rehabilitation of properties;
- .To provide an incentive for the restoration and rehabilitation of commercial structures which qualify as landmarks in order to provide financial advantages, not available elsewhere in the country at this time, which may help to attract and retain businesses in the city of Ithaca;
- .To assist homeowners who are interested in restoring their own properties, but may not be able to afford to do so when faced with potential increases in taxation as the result of alterations which would qualify for this exemption;
- .To provide financial incentives for investment in low income residential neighborhoods which may contain landmark buildings or districts designated within the area;
- .And to provide a concrete benefit for restoring or improving historically or architecturally significant properties which are subject to the regulations of the city's Local Landmarks Ordinance.

III WHO IS ELIGIBLE AND HOW DOES ONE APPLY?

Anyone who owns a locally designated landmark and pays property taxes is eligible for the tax abatement. The legislation also outlines several qualifications for eligible properties:

- .The property must be a locally designated landmark or part of a historic district;
- .The alterations or rehabilitation must be made for means of historic preservation;

- .The alterations and rehabilitation must comply with guidelines and review standards in the local preservation law;
- .The alterations and rehabilitation must be approved by the local preservation commission prior to commencement of work;
- .The alterations and rehabilitation must be commenced subsequent to the effective date of the local law or resolution adopted pursuant to the Ithaca Bill.

All applicants for the tax abatement fill out a standard application form (See Attachment) that authorizes exemption from the real property tax for alteration to or rehabilitation of a historic property. The local preservation agency reviews the application to ensure that the work is in compliance with the local ordinance. The applicant then files the application with the assessor's office for exemption from city, town or village taxes, or county or school district taxes depending on where the program was adopted.

The assessor's office plays a critical role in carrying out the exemption. The assessor is responsible for determining the new tax level after the rehabilitation work and then adjusting the taxes over the ten-year period. When a property is sold the exemption is transferred to the new owner. That record is also kept in the assessor's office.

4. **Recruitment for Commission Seat:** John Orfitelli invited George Thompson to our meeting to meet the Commission and consider applying for the open seat. George has access to a number of databases at NYU on American History and Architecture and is currently a volunteer researcher at Historic Huguenot Street.

Others who have indicated interest or are being contacted include Susan Stegen and Jo Mano.

5. **Annual Report:** John Orfitelli submitted the Annual Report to SHPO as required and well ahead of the January 30th deadline.
6. **Financial Disclosure:** All of the Commissioners have provided updated financial disclosures to the Town Clerk.
7. **Review/Approve August and December Minutes:** Dave Gilmour requested that approval of the minutes from August be moved to our next meeting in March. A motion to approve December minutes was made by David Gilmour and seconded by Helen Christie. Motion carried.
8. **SHPO Audit:** The following letter from Julian Adams, SHPO CLG Coordinator, and accompanying audit summary by Stacey Matson-Zuvic, Historic Site Restoration Coordinator at SHPO, dated December 30, 2014 was sent to Town Supervisor Susan Zimet and John Orfitelli.

Introductory Letter from Julian Adams

According to National Park Service requirements, each State Historic Preservation Office (SHPO) must audit all municipalities participating in the Certified Local Government (CLG) program at least once every four years. The audit is important in assessing the municipality's performance as a CLG participant, and allows for tracking preservation activities in local communities. In addition, it affords the SHPO with an opportunity to provide technical advice and assistance directly to the municipality.

As the New York SHPO, The Division for Historic Preservation of the New York State Office of Parks, Recreation and Historic Preservation conducted an audit of your municipality's CLG activities this year. The audit consisted of an

examination of materials required to be kept on file with the SHPO and a site visit to examine local records and meet with CLG representatives and/or members of the local historic preservation review board/commission.

Attached is a summary of the audit findings, which records performance strengths and weaknesses during the last four program years. Any noted deficiencies must be adequately addressed and written documentation of the CLG's efforts toward this end must be provided to the SHPO within 120 days from receipt of this letter. Failure to take and/or propose appropriate corrective action will result in the SHPO recommending to the National Park Service that CLG certification should be revoked.

The SHPO appreciates your community's involvement in the CLG program and looks forward to our continued partnership regarding historic preservation. If you have any questions regarding the audit please do not hesitate to contact me at 518-237-8643, ext. 3271 or julian.adams@parks.ny.gov.

CLG Audit Summary

Name of CLG	<u>Town of New Paltz</u>
Date of certification	<u>9/25/2002</u>
Audit period	<u>10/1/2009 – 9/30/2013</u>

	Meets Standards	Below Standards
Legislation	X	<input type="checkbox"/>
Commission/Board	X	<input type="checkbox"/>
Reports & Records	X	<input type="checkbox"/>
General Activities (NR, Survey, Grants, etc.)	X	<input type="checkbox"/>
Public Participation	X	<input type="checkbox"/>
Overall Assessment	X	<input type="checkbox"/>

General Comments:

Overall the CLG continues to satisfactorily carry out historic preservation CLG program duties. Files are well organized and up to date. Public meetings are held regularly and are in conformance with the ordinance. Commission members meet the required Professional Qualification Standards. The CLG has been very successful in the CLG subgrant program, obtaining 4 grants in the 4 year audit period. The CLG has also actively carried out further duties including informational/educational meetings such as for the Historic Stone Houses. The CLG Historic Preservation Commission web page is an excellent example.

Deficiencies noted:

CLG needs to provide SHPO with updated resumes of any new commission members who came on during the audit period.

CLG needs to provide SHPO with a copy of any amendments to the ordinance that were executed during the audit period

Suggestions:

Provide noted materials to SHPO within 120 days of receipt of this audit summary.

Reviewer: Stacey Matson-Zuvic, Historic Site Restoration Coordinator

Auditor Stacey Matson-Zuvic provided the following additional comments:

'The HPC is doing an excellent job. Their web page is one of the best we've seen for review commissions with its engaging interactive historic maps and timelines, as well as informative materials.

On behalf of the New York State Historic Preservation Office (SHPO) we wish to thank you for your continued support of preservation in the historic Town of New Paltz. '

In response to the deficiencies cited in the audit, John Orfitelli agreed to supply resumes and Dave Gilmour agreed to provide a copy of the section in our local law that reflects the update for requiring posting of signage when a property is under public review for designation as a local historic landmark.

9. **CRREO Press Release:** Upon learning of the excellent audit results and glowing comments from SHPO, Gerald Benjamin, Associate Vice President for Regional Engagement at SUNY New Paltz and head of the Center for Research, Regional Education and Outreach (CRREO), requested permission to create a press release focusing on the work between the Commission and CRREO and in particular our web site which was described as *'...one of the best we've seen for review commissions with its engaging interactive historic maps and timelines, as well as informative materials.'*

A motion to approve a press release by CRREO was made by Dave Gilmour and seconded by Caryn Sobel. Motion carried with all in favor. John Orfitelli notified Josh Simons to proceed with the press release and supplied the following quote for inclusion:

John Orfitelli, Town of New Paltz Historic Preservation Commission Chair: CRREO and the students at SUNY New Paltz represent an exceptional resource to our Commission. Our historic map site is a great example of the expertise and support they provide.

10. **HPC Plan:** The Commission agreed in December that a Historic Preservation Plan could be developed by the Town and Village HPCs and eventually incorporated into a Master Plan. The plan would include:

- 5 – 10 Year Outlook and Plan
- 1 – 3 Year Action Items
- Supporting Analysis
- Impact Assessment
- Opinion Research
- Development Process with Various Groups

John Orfitelli contacted Neil Larsen and discussed how a consultant could facilitate building a plan and at what cost. Neil provided two documents for review by the Commission.

- Town of Randolph Scope of Work: A proposal which has been implemented.
- A Scope of Services by Larsen-Fisher Associates which provides a detailed outline for creating a Historic Preservation Plan in Three Phases. Cost: \$25,000

The Commission agreed that any planning initiative should be a joint effort with the Village HPC.

John Orfitelli contacted Lorraine Weiss who agreed that matching funds through a CLG grant is certainly viable, however, she also suggested considering other possible sources (Greenway?). The deadline for the 2015 grant cycle is 1/30/2015 and could be extended through March 2015.

Another option is to utilize Village Planner resources along with an HP consultant to incorporate Historic Preservation into a Master HP Plan.

The Commission agreed to review all of materials for discussion at our next meeting in March.

11. **South Putt Burial Ground:** John Orfitelli met with Rebecca Mackey, Director of Operations, and Historic Huguenot Street on January 21, 2015 to highlight the possible impact of construction and review the Letter of Intent provided by Jay Modhwadiya, owner of the Hampton Inn, which outlines a number of enhancements to the cemetery secured by the Town HPC as part of the Hampton Inn project.

The following was provided by John Orfitelli to Rebecca Mackey in an email after the meeting:

Rebecca, please refer to the attached letter of intent from Hampton Inn owner Jay Modhwadiya regarding the South Putt burial ground which has been designated as a Local Historic Landmark. Mr. Modhwadiya was highly proactive in working with the Commission throughout the planning process and has been an excellent partner in developing a design that will capture many aspects of the historic character of New Paltz.

Commissioner David Gilmour visited the construction site in December and provided the following observations:

I walked the northern property lines/stone walls on the morning of Saturday, December 6, 2014. There is land development currently occurring on the parcel immediately adjacent to the north - a hotel is being constructed along with associated site improvements. There were not any issues identified as caused by the demolition and grading activities underway to the north of the land-marked property. At this point, I have not had a chance to review the landmark designation, nor the Planning Board approved site plan, or any mitigation measures that the hotel project proponent may have pledged to the preservation commission and or HHS (who I recollect collaborated with the Commission at the point of the Landmark determination).

Eventually, as the adjacent development advances, it will be beneficial to obtain quality grading (topographic) match lines with landscaping between the hotel site and the adjacent cemetery. Also, the development proponent should be encouraged to place any fieldstones that may end up on their site back onto the stone walls.

As we discussed, the Commission suggests that HHS reach out to Mr Modhwadiya to review the progress of the project and offer support to restoration activities outlined in his letter.

The Commission greatly appreciates your efforts at HHS and looks forward to the completion of this wonderful addition to New Paltz.

Use this link to view the Letter of Intent from Jay Modhwadiya attached to the email:
<http://www.townofnewpaltz.org/sites/newpaltzny/files/file/file/hamptoninnletterofintent.pdf>

Other:

- Dave Gilmour agreed to provide a letter to the Town Board requesting Dan Torres continue as our Town Board Liaison.
- John Orfitelli agreed to publish the Stone House Nominations and Supporting Materials to our web site.
- John Orfitelli agreed to reach out to Tom Olsen, Chair of the Village HPC, regarding our efforts to examine ways for creating incentives to certain home owners to have their properties designated as historic landmarks.

Motion to adjourn was made by David Gilmour, seconded by Caryn Sobel. Motion carried. Meeting adjourned at 9:00pm.

There will be no meeting in February. Next Meeting is scheduled for Wednesday, March 18th at 7:30pm in the Community Center.