

Table 3.19
HISTORIC CENTRAL BENNINGTON DESIGN REVIEW DISTRICT

(A) **Purpose:** The purpose of this District is to protect historic resources within a defined area of downtown Bennington, and to encourage new construction which will reinforce the best qualities of the existing character within Bennington's core through both traditional and innovative design approaches. A detailed report entitled Time and Place in Bennington, A Handbook for the Central Bennington Historic District, 1990 (hereinafter "Time and Place") recommended the establishment of this District, and provides detailed guidelines for development within the District.

(B) **Allowed Uses:** As in the underlying Districts. All such uses require Development Review Board approval in accordance with the following standards and procedures.

(C) **Development Review Board Approval:**

- (1) Within this overlay district, a "design plan" shall be reviewed and approved by the Development Review Board, before:
 - a. Construction of a building.
 - b. Addition to or alteration of the exterior of a building which increases or decreases the square footage of the building, whether enclosed or not.
 - c. Alteration of the exterior wall of a building by tearing down or removing any portion thereof, or, by filling in, sealing, boarding up, closing or enclosing any portion of an existing window, door space, porch, or breezeway thereon.
 - d. Alteration of the appearance of a building, including alteration of the roof line or chimney, and including construction or alteration of exterior signs.
 - e. Addition, removal, or change of materials to or from the exterior walls, including windows, or roof of a building where the materials so added or exposed are of a kind or type different from those existing. Color changes to an exterior wall or roof will be subject to review only if the color is distinctly different from the range of historical colors illustrated in reference books on file at the Zoning Administrator's office, and adopted by the Development Review Board.
- (2) Within this overlay district, review and approval of a design plan by the Development Review Board is not required for:
 - a. Any interior alterations or changes that do not affect, change, or add to the exterior of the structure.
 - b. A change in use or type of occupancy except as otherwise provided.
 - c. Routine maintenance or repair of any structure, as long as the maintenance or repair does not result in any change of design, type of material, or appearance of the structure or its appurtenances.
 - d. Color changes to an exterior wall or roof, which new color is included in the range of historical colors illustrated in reference books on file in the Zoning Administrator's Office, and adopted by the Development Review Board.
 - e. Minor changes. Review may be waived by the Zoning Administrator, for any changes which do not affect the historic character of the property, following consultation with the Application Review Panel, or if there is no Application Review Panel, the Chair of the Development Review Board. The Zoning Administrator shall make a written finding that the proposal does not affect the historic character of the property, and shall post a notice of the decision in the same manner as a zoning permit. In such cases, Section 3.19 (D) and (E) shall not apply.
- (3) Any proposed demolition of a building or structure within this overlay district shall be reviewed and approved under Section 4.2.

(D) **Application Requirements:**

- (1) Applicants for design review, as provided in subsection (C), shall submit to the Administrative Officer an application and supporting documentation which includes the following information:
 - a. the name and address of the applicant;
 - b. a map or drawing showing the location of the project;

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- c. a site development plan containing the information described in Table 6.1 if the project involves changes to the site as well as to the building(s) or if the proposed use or development is subject to Development Review Board approval under subsection 6.1 (A).
 - d. photos and/or elevations of the existing building;
 - e. proposed building elevations showing door and window types, shutters, and other exterior details;
 - f. description of materials to be used on the exterior of any structure, including colors;
 - g. photographs and/or drawings of existing buildings on adjacent or nearby properties to illustrate the existing streetscape; and
 - h. narrative description of the project.
- (2) For a minor change to the exterior of a structure, the Administrative Officer may waive one or more of the application requirements listed above, and the Development Review Board may approve such minor changes to the exterior of a structure without submission of full design plans, provided that the Administrative Officer and the Development Review Board are satisfied that the application materials submitted are clear and complete relative to such minor change.
- (3) Applicants for Design Review shall submit their application to the Historic Preservation Commission for review and comment at least ten (10) days prior to the Board's hearing regarding the application. The Board shall consider comments submitted by the Historic Preservation Commission.

(E) Development Review Board Procedure:

- (1) Upon receipt of a complete application, the Administrative Officer shall note the date of filing thereon and transmit the application within fifteen (15) working days to the Board. The Board shall review the application for conformance with the standards set forth in subsection (F), and shall act to approve, approve with conditions, or disapprove the application within 60 days of the date on which the application is received, and shall issue a written decision, to include findings, any conditions, and provisions for appeal. Failure of the Board to act within 60 days of receipt of the completed application shall be deemed approval. In approving a project with conditions, the Board may require specific modifications to the project design to ensure conformance with the District.
- (2) Applications requiring Development Review Board approval under Article 6 of these regulations shall be reviewed in accordance with the review procedures set forth in Section 6.2. The Board shall review the Design Plan submitted under subsection (D) concurrently with the application submitted under Section 6.2, although the Board may issue separate written decisions addressing the Board's findings and conditions under the separate review processes.
- (3) The Development Review Board's decision and a copy of any approved design plan, signed by the Chair of the Board (or Vice-chair if the Chair is not available), shall be maintained in the Town records. No significant changes from the approved plans shall be made during construction without an amendment to those plans applied for and approved in accordance with the above procedures.

(F) Design Standards: Before granting Design Plan approval, approval of a demolition under Section 4.2, or approval of a site development plan under Article 6 within the Historic Central Bennington Design Review District, the Development Review Board shall give consideration to the following:

- (1) Streetscape and Character of the Area:
- a. The compatibility of the proposed exterior design, arrangement, orientation, texture and materials in relation to surrounding existing buildings or structures.
 - b. The scale and general size of the proposed building or structure in relation to existing surroundings, including consideration of such factors as the building's overall height, width, street frontage, number of stories, roof type, facade openings, and architectural details.
 - c. The appropriate portion(s) of the section on "Character and Streetscape" described in *Time and Place in Bennington: A Handbook for the Central Bennington Historic District* (1990), pages 8 through 38, shall be used as a guideline in this evaluation.

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- (2) **Architectural Features:** Where existing buildings within the District are to be altered or expanded, the architectural features of the Design Plan shall be considered in relation to the Secretary of the Interior's Standards for Rehabilitation, and the appropriate portion(s) of the Preservation Guidelines in *Time and Place*, pages 40 - 69. It is not intended that the details of existing buildings be duplicated precisely, but those features should be regarded as suggestive of the extent, nature, and scale of details that would be appropriate on new building or alterations.
- (3) **New Buildings:** Where new buildings are proposed within the District, the Design Plan shall be considered in relation to the section, "Preservation Guidelines: New Buildings" in *Time and Place*, pages 70 - 71. A new building should relate to the design, materials and ornamental detail of its historic surroundings.
- (4) **Site Development Plans:** Where Development Review Board approval is required under Article 6 of these regulations, the design plan shall be reviewed for the effect on the historical character of the streetscape as identified in *Time and Place*, by proposed modifications to:
 - a. site organization including the relationship of buildings, structures and other site features, to each other and to bordering properties;
 - b. parking areas, driveways, walkways, yards, fencing and landscaping; and
 - c. storage and service areas, outside equipment or machinery, utility lines, telephone poles, and similar features.

The Development Review Board may permit the reduction of the minimum front yard requirement within the District where such reduction is required to allow new construction to maintain a similar setback to adjoining existing historic buildings.

- (5) **Streetscape Amenities.** In addition to the standards set forth in subsection (4), projects requiring Development Review Board approval under Article 6 of these regulations should also incorporate streetscape amenities into the overall site design. Such amenities include, but are not limited to:
 - a. public open space (e.g., courtyards, pocket parks, plazas);
 - b. connections to public sidewalks (including mid-block connections);
 - c. appropriate pedestrian scale lighting;
 - d. street furniture.
- (6) **Diversity of Design:** These regulations recognize the value of the diversity of design solutions based on a wide variety of architectural styles and design philosophies, without imposing a particular aesthetic value or prohibiting the introduction of new forms into the built environment, provided these are consistent with the intent of this overlay district. To the extent that any proposal for construction or alteration within the District does not conform to the specifics of the guidelines in *Time and Place*, the applicant shall demonstrate to the satisfaction of the Development Review Board that the proposal does not result in undue, adverse impacts on the historic, diverse, and pedestrian-scaled character of the district.