

ROXBURY HISTORIC PRESERVATION COMMISSION

A special meeting of the Roxbury Historic Preservation Commission was held December 20, 2014 at 11:02 a.m. at the Roxbury Town Hall. Present Lewis Wendell, Chairman, Commission Members Michael Mathis, Nicole Haroldson, Margaret Ellsworth. Also present Thomas Hynes, Town Supervisor, Kevin Young Town of Roxbury Attorney, and Carolynn Faraci, Commission Clerk.

On motion of Michael Mathis, seconded by Lewis Wendell November's minutes were approved as presented.

Ayes-3 Michael Mathis, Lewis Wendell Nicole Haroldson

NAYS-0

Abstention-1 Margaret Ellsworth

Kevin Young clarified Section 2(F) (G) of the Historic Preservation Law that was adopted February 14, 2011. Documentation from the Department of state on open meetings and quorum that was present prior to the meeting was discussed. This documentation is available at the Community Resource Room.

On motion by Michael Mathis, second by Lewis Wendell to move the meeting time from the third Monday at 7:00 p.m. to the third Saturday at 10:00 a.m.

AYES-4 Michael Mathis, Lewis Wendell, Nicole Haroldson, Margaret Ellsworth

NAYS-0

On motion by Margaret Ellsworth seconded by Michael Mathis the following Resolution was adopted

**At a Special Meeting of**

**the Roxbury Historic Preservation Commission**

**held on December 20, 2014**

**at 11:00 A.M. at the Town Offices**

**RESOLUTION OF THE**

**ROXBURY HISTORIC PRESERVATION COMMISSION**

**OUTLINING THE APPLICATION PROCESSING PROCEDURE FOR**

**ISSUANCE OF A CERTIFICATE OF COMPATIBILITY**

**WHEREAS**, the Roxbury Historic Preservation Commission (the "Commission") adopted the Historic Preservation Law identified as Local Law No. 2 of 2008 that was subsequently amended by Local Law No. 1 of 2009 for the purpose of establishing landmarks or historic districts in the Town of Roxbury. The Commission later adopted an amendment to that law as Local Law No. 1 of 2011 for the purposes of identifying Commission Members' term limits; and

**WHEREAS**, pursuant to Section 2.D.(x), the Commission is responsible for the approval or disapproval of Applications for Certificates of Compatibility: and

**WHEREAS**, the process for such approval or disapproval is described in Sections 6.B, 6.D and 6.E of the Historic Preservation Law; and

**WHEREAS**, the Commission has determined that it is desirable to pass a resolution that specifically outlines the required procedures to be followed upon receipt of an Application for a Certificate of Compatibility.

**NOW, THEREFORE BE IT RESOLVED**, that Appendix A attached hereto and made a part of this Resolution represents the complete list of procedures that will be followed by the Roxbury Historic Preservation Commission upon receipt of an Application for a Certificate of Compatibility.

**WHEREUPON**, the Resolution was put to a vote and recorded as follows:

4 Yeas

0 Nays

0 Abstentions



Clerk of the Commission

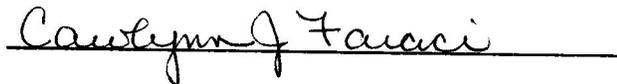
Date Adopted: December 20, 2014

STATE OF NEW YORK        }  
COUNTY OF DELAWARE        }  
TOWN OF ROXBURY        }

I have compared the preceding copy with the original Resolution on file in this office adopted by the Roxbury Historic Preservation Committee at a special meeting held December 20, 2014, and I DO HEREBY CERTIFY the same to be a correct transcript therefrom and of the whole of the original. I further certify the vote thereon was as follows:

MEMBERS PRESENT	MEMBERS ABSENT	VOTE
Lewis Wendell		Yea
Michael Mathis		Yea
Margaret Ellsworth		Yea
Nicole Haroldson		Yea

Witness my hand and the seal of the Roxbury Historic Preservation Committee, this 20<sup>th</sup> day of December, 2014.



Carolynn J Faraci - CLERK

ROXBURY HISTORIC PRESERVATION DISTRICT

## APPENDIX A

1. Section 6.B of the Historic Preservation Law requires that within 10 days receipt of an application, the Commission shall send the Applicant notice whether the Application is complete and, if not, the Commission shall provide a listing of the information necessary to make the Application complete.

By this Resolution, upon receipt of an Application for a Certificate of Compatibility, the Commission Clerk is hereby authorized to make the determination of completeness of an Application and to issue the required notice to the Applicant.

Upon receipt of an Application, the Commission Clerk shall:

(1) Immediately distribute the Application to all Commission Members by email together with a draft completeness determination.

(a) Commission Members have 10 days from receipt of the Application to respond to the Commission Clerk's draft completeness determination.

(2) On the tenth (10<sup>th</sup>) day following receipt of an Application, the Commission Clerk shall either:

(a) submit to the Applicant a **completeness determination** that takes all comments provided by the Commission into consideration, or

(b) submit to the Applicant a determination that the Application is **incomplete** and that identifies the information necessary to make application complete.

(i) If Applicant submits additional information in response to the determination of an incomplete application, the process beginning with No. (1) above is repeated.

**APPLICANTS MAY SUBMIT THEIR RESPONSES TO THE DETERMINATION OF INCOMPLETENESS IN INCREMENTS, HOWEVER, THE COMMISSION CLERK'S TIME PERIOD TO MAKE A COMPLETENESS DETERMINATION DOES NOT START UNTIL THE FINAL REQUIRED DOCUMENTATION IS SUBMITTED TO THE COMMISSION CLERK BY THE APPLICANT.**

2. Section 6.D. provides that within 10 days of receipt of a complete application, the Commission shall send the applicant written notice by mail of a complete application with notice that a determination will be made within 30 days from submission of the complete application.

The notice shall specify the next scheduled meeting of the Commission and invite the applicant to attend to discuss the application. Applicant may ask for a postponement to a later scheduled meeting if applicant has a scheduling conflict.

3. The Commission shall approve, deny or approve the permit with modifications within 30 days receipt of the complete application **OR** from the scheduled or agreed upon meeting date, whichever is later.
4. Pursuant to Section 6.E, if the Commission fails to reach a decision within the period set forth, then a Certificate of Compatibility will be issued immediately thereby insuring that the process has been carried out in the timely manner required by the Historic Preservation Law.
5. A copy of the complete application shall be provided to the existing Code Enforcement Officer.

On Motion Lewis Wendell, Seconded by Michael Mathis that Margaret Ellsworth to proceed with talking with Jenny Rosenzweig about becoming a Commission Member.

AYES-4 Lewis Wendell, Michael Mathis, Nicole Haroldson, Margaret Ellsworth

NAY-0

On motion by Michael Mathis, second by Lewis Wendell meeting adjourned at 12:00 p.m..

AYES-4 Michael Mathis, Lewis Wendell, Nicole Haroldson, Margaret Ellsworth

NAYS-0