

EXHIBIT B

New Haven Historic Preservation Overlay District

Review Criteria and Guidelines for Construction, Additions and Exterior Renovations of Buildings and Structures in the Historic Preservation Overlay District

The purpose of the Historic Preservation Overlay District is to preserve historic buildings which contribute or will contribute to the heritage of the City or State, and to preserve existing neighborhood architecture by protecting the buildings and their surroundings from obviously incongruous development or uses of land.

As required by the Zoning Ordinance of the City of New Haven, every application for a building permit for construction of, additions to, or major exterior alterations of, any structure or permanent sign in the Historic Preservation Overlay District shall be submitted to the Administrative Officer and, if necessary, the Planning and Zoning Commission for review.

The purpose of these review criteria is to provide guidelines for the Administrative Officer and the Planning and Zoning Commission to follow in considering building permit applications in the Historic Preservation Overlay District, and to provide guidelines for property owners to follow in planning building construction or renovation.

Review process

An applicant for a building permit in the Historic Preservation Overlay District shall be required to submit sufficient plans, drawings, photographs and other information necessary for the Administrative Officer and / or the Planning and Zoning Commission to conduct its review. Information that may be required shall include the following: A site plan showing the location of the building or buildings, parking, exterior lighting, signage and landscaping; exterior elevations with a description of the type and finished color and exterior materials, windows and roofing to be used; detailed drawings of architectural features, signs and trim; historic and "as is" photographs of the subject building or site and adjacent structures.

The Administrative Officer may, at his/her discretion, waive the Planning and Zoning Commission review requirement if the project is determined to be in substantial compliance with the criteria and standards as set forth in this Article. The Administrative Officer's discretion does not apply to new construction and / or building additions, which shall be submitted to the Planning and Zoning Commission for their review and action.

If review before the Planning and Zoning Commission is required, the Commission shall review all applications within 45 days following the date of the original building permit application submittal. The Commission shall, following the review, approve or deny the project. A Certificate of Appropriateness shall be issued to applicants receiving approval from the Commission and / or the Administrative Officer. An applicant that is denied may appeal to the Board of Adjustment.

A Certificate of Appropriateness shall also be required for exterior color treatment of structures within the Historic Preservation Overlay Zoning District. Exterior color(s) shall conform to the exterior color preservation palette as adopted by the Commission.

There shall be no fee charged to the applicant for review of an application for a Certificate of Appropriateness, and shall be no fee charged for issuance of a Certificate of Appropriateness. However, the standard building permit fee shall apply for those submittals requiring the issuance of a building permit.

The following projects may be exempted, at the discretion of the Administrative Officer, from the Planning and Zoning Commission review requirement: Repair, replacement and maintenance projects, such as roofing, windows, doors and siding, when the materials to be used for repair, replacement and maintenance substantially match the style and character of the materials to be replaced; and exterior color treatments, such as painting, vinyl siding and awnings, etc.

The following projects are specifically exempt from the Planning and Zoning Commission review requirement: Landscaping, concrete curb and gutter, sidewalk and driveway construction, and any project confined wholly to the interior of a structure, including but not limited to electrical wiring, plumbing and HVAC.

For the sake of clarity, the provisions of the Historic Preservation Overlay District extend exclusively to exterior work only, and only to those projects which require issuance of a Certificate of Appropriateness from and after the effective date of the Ordinance establishing the historic preservation district. Nothing in these provisions shall be interpreted to give the Administrative Officer and / or the Planning and Zoning Commission authority to order existing construction and architecture be removed, repaired, replaced or otherwise altered. Nothing in these provisions shall be construed to prevent the ordinary maintenance or repair of any exterior architectural element of any building or structure.

Architectural review criteria

The Commission in conducting its review shall consider, but not be limited to, the following architectural criteria:

1. Height. The height of any proposed alteration or construction should be compatible with the heights within the historic district and its surrounding structures.
2. Relationship of building masses and spaces. The relationship of a structure within a historic district to the open space between it and adjoining structures should be compatible.
3. Proportions of windows and doors. The proportions and relationships between doors and windows should be compatible with the architectural style and character of the structure and with surrounding structures within a historic district.
4. Roof shape. The design of the roof should be compatible with the architectural style and character of the buildings and surrounding structures in a historic district.

5. Scale. The scale of the structure after alteration, construction or partial demolition should be compatible with the size and scale of other surrounding structures in the historic district.
6. Directional expression. Facades in historic districts should blend with other structures with regard to directional expression. Structures in a historic district should be compatible with the dominant horizontal or vertical expression of surrounding structures. The directional expression of a structure after alterations, construction or partial demolition should be compatible with its original architectural style and character.
7. Architectural details. Architectural details should be treated so as to make a structure compatible with its original character or significant architectural style and to preserve and enhance the structure or historic district.
8. Signage. The character of signs should be in keeping with the historic or architectural character of a structure or historic district. Character of a sign includes the number, size, area, scale, location, type (e.g., off-site advertising signs and on-site business signs), letter size or style and intensity and type of illumination.
9. Lighting. Lighting should be compatible with the architectural character and appearance of the structure and of surrounding structures, lighting and streetscapes in the historic district.
10. Style and character. The style and character of any alteration or construction shall be compatible with the style and character of the historic district and its surrounding structures.
11. Color. Exterior color treatment of any alteration, addition or new construction shall be in keeping with exterior colors of the historic district and its surrounding structures.

General Standards

In its review of proposals which are subject to these criteria, the Planning and Zoning Commission shall be guided by the following general standards in addition to any architectural design guidelines:

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure or site and its environment.
2. The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided whenever possible.
3. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historic basis shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building. These changes may have acquired significance in their own right and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.
6. Distinctive architectural features shall be repaired rather than replaced, wherever possible. Whenever possible, repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.
9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.