

VILLAGE of KINDERHOOK
HISTORIC PRESERVATION COMMISSION
PRESERVATION HANDBOOK
Note: additions to the Guidelines appear at the end of this file

Part 1 OVERVIEW

The Village
The Historic District
The Historic Preservation Commission
Functions of the Commission
Certificate of Appropriateness

LOCAL LAW

NO. 1

2004

A LOCAL LAW TO AMEND THE VILLAGE CODE
OF THE VILLAGE OF KINDERHOOK
TO REPEAL CHAPTER 130 -22 OF THE CODE AND ADD
A NEW CHAPTER 75 TO BE ENTITLED
“LANDMARKS AND HISTORIC DISTRICTS
IN THE VILLAGE OF KINDERHOOK”

Be it enacted by the Board of Trustees of the Village of Kinderhook as follows:

1. That Chapter 130 -22 of the Village of Kinderhook Code be repealed and a new Chapter 75 be substituted as follows:

“LANDMARKS AND HISTORIC DISTRICTS
IN THE VILLAGE OF KINDERHOOK”

PURPOSE

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of landmarks and historic districts is necessary to promote the economic, cultural, educational, and general welfare of the public. Inasmuch as the identity of a people is founded on its past, and inasmuch as the Village of Kinderhook has many significant historic, architectural, and cultural resources which constitute its heritage, this act is intended to:

- A. protect and preserve the long term preservation of the landmarks and historic districts which represent distinctive elements of Kinderhook’s historic, architectural, and cultural heritage;
- B. foster civic pride in the accomplishments of the past;
- C. protect and enhance Kinderhook’s attractiveness to residents, businesses, and visitors, and thereby support and stimulate the economy; and
- D. insure the harmonious, orderly, and efficient growth and development of the Village.

II. DEFINITIONS

Except where specifically defined herein, all words used in this chapter shall carry their customary meanings.

Alter shall mean the act or process of changing one or more of the exterior features of a building, structure, or object in either form, material, or texture, and shall include the words “add,” “construct,” “rebuild,” “reconstruct,” “restore,” “remove,” “demolish,” and “move.”

Building shall mean a construction of materials affixed to the land that is intended for the shelter of persons, animals, or chattel (such as a house, garage, barn, or shed) or for the conduct of business, commerce, education, and/or religious activities.

Design Guidelines shall mean a document adopted by the Historic Preservation Commission which will assist the commission and property owners in defining appropriate exterior architectural features for assessing the appropriateness of plans to alter, construct, demolish, and/or move landmarks, and/or buildings and/or structures in the historic district.

Feature shall mean any portion of the exterior of a building, structure or object including but not limited to the kind and texture of exterior materials; the architectural details and their general arrangement; and the type and style of windows, doors, lights, signs, and other exterior fixtures.

Historic shall mean fifty (50) years or older.

Historic district shall mean that area of contiguous lots with their buildings, structures, and objects that is designated by the Village Board of Trustees and identified as such on the Zoning

Map of the Village of Kinderhook in Chapter 130 or such districts as may be designated in the future.

Landmark shall mean any individual property located outside of the historic district and designated by the Village Trustees as having historic, cultural, or archeological significance to the Village of Kinderhook.

Lot shall mean a defined parcel of land described in a deed or survey document which is considered as a unit, developed to a specific use, or occupied by buildings, structures, or objects united by a common interest, use or ownership, and the open spaces belonging to the same.

Object shall mean a material, historic thing of functional, aesthetic, cultural or historic value moveable yet related to the specific setting or environment such as a garden sculpture or commemorative marker.

Ordinary Repair and Maintenance shall mean the act or process of preserving the features of a building, a structure or an object by consolidation or by replacement (in part or in whole) in like kind, which does not change the form, material, or texture of the features.

Property shall mean a lot and all buildings, structures, and objects thereon.

Site shall mean the location of a significant event, a prehistoric or historic occupation or activity, or a building, structure, or object whether standing, ruined, or vanished where the location itself maintains historical or archeological significance regardless of the value of the existing building, structure or object.

Structure shall mean a construction of materials requiring location on the land, intended for purposes other than the shelter of persons, animals or chattel such as, but not limited to, a swimming pool, fence, wall, central air conditioning unit, sign, steps, and free standing light fixture.

III. HISTORIC PRESERVATION COMMISSION

There is hereby created a commission to be known as the Village of Kinderhook Historic Preservation Commission.

- A. The Commission shall consist of the five members appointed by the Village Board.
- B. All members, to the extent available in the Village, shall have demonstrated a significant interest in historic preservation and architecture as evidenced by personal and/or professional involvement, or similar evidence of interest in local history or historic preservation organizations, employment in the field of historic preservation (such as architecture, building trades, or history), and/ or education and training in the field of architecture, history, archeology, historic preservation, or related fields. Members shall participate in education and training programs relevant to the responsibilities of the commission. When possible, at least three members shall be a resident and/or property owner in the historic district.
- C. Members shall serve for a term of five (5) years except that initially one member shall serve a one (1) year term, one member shall serve a two (2) year term, one member shall serve a three (3) year term, and one member shall serve a four (4) year term. Thereafter, terms shall be staggered.
- D. The Chairman and Vice Chairman of the Commission shall be elected by and from the members of the Commission.
- E. The Commission shall be authorized to:
 1. promulgate rules and regulations as necessary for the conduct of Commission business;
 2. adopt criteria consistent with local historic architecture and local laws and codes for the identification of significant historic, architectural, and cultural landmarks and for the delineation of historic districts.
 3. formulate design guidelines and consistent with current research on historic paint colors.
 4. conduct surveys of historic, architectural, and cultural landmarks and historic districts within the Village in order to establish an inventory of all

- properties and structures;
 - 5. employ staff and professional consultants as necessary to carry out the duties of the Commission;
 - 6. make recommendations to the Village Board for designation of structures or properties as landmarks and historic districts;
 - 7. develop and participate in public education programs to increase public awareness of the value of historic, cultural and architectural preservation;
 - 8. provide advice and guidance to property owners and Village boards and committees concerning historic preservation issues;
 - 9. coordinate project review with Village Planning Board, Zoning Board of Appeals, and agencies;
 - 10. make recommendations to the Village Board concerning the utilization of state, federal or private funds to promote the preservation of landmarks and historic districts within the Village;
 - 11. recommend acquisition of a landmark structure by the Village Board when its preservation is essential to the purposes of this act and when private preservation is not feasible;
 - 12. review projects in compliance with SEQR regulations; and
 - 13. approve, approve with conditions, or disapprove applications for Certificates of Appropriateness pursuant to this act.
- F. The Commission will normally meet monthly, but meetings may be held at any time upon the written request of any two of the Commission members or at the call of the Chairman or the Mayor. Public notice of all meetings shall be in accordance with Village Law and practice.
- G. A quorum for the transaction of business shall consist of three of the commission's members, but not less than a majority of the full authorized membership may grant or deny a Certificate of Appropriateness.
- H. When vacancies are such that there are fewer than three members, the Trustees shall designate one or more members from the Planning Board to serve on the historic review commission until the Trustees appoint new members of the commission.

IV. DESIGNATION OF LANDMARKS OR HISTORIC DISTRICTS

The Trustees of the Village of Kinderhook shall designate landmarks and create or modify historic districts.

- A. Upon recommendation of the Commission, the Village Board may designate an individual property as a landmark if it:
- 1. possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation; or
 - 2. is identified with historic personages; or
 - 3. embodies the distinguishing characteristics of an architectural style; or
 - 4. is the work of a designer whose work has significantly influenced an era; or
 - 5. because of a unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.
 - 6. embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
 - 7. has yielded or may be likely to yield, information important in prehistory or history.
- B. Upon the recommendation of the Commission the Village Board may designate

a group of properties as a historic district if:

1. it contains properties which meet one or more of the criteria for designation of a landmark; and
 2. by reason of possessing such qualities, it constitutes a distinct section of the Village.
- C. The boundaries of each historic district and/or landmark designated henceforth shall be described in writing and depicted on the official Village Map, and shall be filed in the Village Clerk's Office for public inspection.
- D. The Village Clerk shall send by registered mail notice of a proposed landmark designation to the owner of the property proposed for landmark designation, describing the property proposed and announcing a public hearing by the Village Board to consider the designation. The Village Clerk shall send by registered mail notice of a proposed historic district designation to all property owners within the proposed district announcing a public hearing by the Village Board to consider the district designation. Notice of the public hearing shall be published in accordance with Village Law and practice at least 15 days prior to the hearing date.
1. Once the Village Board has issued notice of a proposed designation, no building permit(s) for a proposed landmark or property in a proposed historic district shall be issued by the Code Enforcement Officer (CEO) until the Village Board has made its decision.
 2. A decision on the designation of a landmark or historic district shall be made within 42 days of the close of the public hearing.
- E. The Village Board shall hold a public hearing prior to designation of any landmark or historic district. The Commission, property owners, and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural, or cultural importance of the proposed landmark or historic district. The record may also contain staff reports, public comments, or other evidence provided the public shall have the opportunity to review and comment on such evidence at the public hearing.
- F. The Village Board shall forward notice of each property designated as a landmark and of the boundaries of each designated historic district to the office of the Columbia County Clerk for recording.

V. HISTORIC PRESERVATION DISTRICT AND MAP

The Historic Preservation District shall be the existing Historic Preservation Overlay District Boundary depicted on the Zoning Map in the Zoning Code of the Village of Kinderhook and any other districts or landmarks designated by the Trustees. District boundaries shall follow the lot lines of designated historic structures as surveyed and symbolically depicted on tax maps that form the perimeter of the district as shown on the Zoning Map.

The Historic Preservation Map shall show the location(s) and boundaries of landmarks and historic districts, and it shall be on file with the Village Clerk. Said map shall be adopted and declared a part of this chapter. The Historic Preservation District shall be considered henceforth separate from the zoning regulations and district map.

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts shown on the Historic Preservation Map, the following rules shall apply:

- A. Where district boundaries are indicated as approximately following the center lines or right-of-way lines of streets, highways, public utility easements or watercourses, said boundaries shall be deemed to be automatically moved if a center line or right-of-way line of such street, highway, public utility easement or watercourse is moved a maximum of fifty (50) feet.
- B. Where district boundaries are indicated as approximately following the village boundary line, lot lines, utility lines or projections thereof, said boundaries shall be coincident with such lines or projections thereof.
- C. Where district boundaries are so indicated that they are approximately parallel to the village boundary line, lot lines, right-of-way lines or projections thereof, said

boundaries shall be construed as being parallel thereto and at such distances therefrom as indicated on the Historic Preservation Map or as shall be determined by use of the scale shown on the Historic Preservation Map.

- D. In all other cases, where not dimensioned, the location of boundaries shown on the map shall be determined by the use of the scale appearing thereon.

VI. CERTIFICATE OF APPROPRIATENESS FOR ALTERATION,
DEMOLITION OR NEW CONSTRUCTION AFFECTING LANDMARKS
OR HISTORIC DISTRICTS

No building permit shall be issued nor shall any person commence any exterior alteration, restoration, reconstruction, demolition, new construction, or moving of any building or structure or any feature thereon on a landmark or property within a historic district that are visible from any public way, without first obtaining a Certificate of Appropriateness from the Historic Preservation Commission.

VII. CRITERIA FOR APPROVAL OF A CERTIFICATE OF
APPROPRIATENESS

- A. In acting upon an application for a Certificate of Appropriateness, the Historic Preservation Commission shall consider only changes to exterior features of buildings and structures.
- B. The Commission's decision shall be based upon the following principles:¹
1. Buildings and structures which contribute to the character of the historic district shall be retained, with their historic features altered as little as possible.
 2. Any alteration of existing buildings and structures shall be compatible first with its own historic style and secondly compatible with the character of the surrounding district.
 3. New construction shall be compatible with existing architecture.
 4. Only construction or alterations that are compatible with the long term preservation of the historic buildings and structures shall be permitted.
- C. In applying the principles of compatibility, the Commission shall consider the following factors:
1. the general design, character and appropriateness to the property of the proposed alteration or new construction;
 2. the scale of the proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood;
 3. form, texture, material, and their relation to the features of the buildings and structures and to similar features of other buildings and structures in the neighborhood;
 4. visual compatibility with surrounding properties, including proportion of the buildings' and structures' facades, proportion and arrangement of window and other openings within the facades, roof shape, and the placement of buildings and structures on lots in the neighborhood, including setback; and
 5. the historic and architectural significance of the property.

VIII. CERTIFICATE OF APPROPRIATENESS APPLICATION PROCEDURE

¹ These principles are consistent with the current edition of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* and *The Secretary of the Interior's Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*.

- A. Prior to the issuance of a building permit and/or the commencement of any construction, alteration, demolition, or moving of any building or structure, the Code Enforcement Officer shall determine if a Certificate of Appropriateness is required.
- If the Code Enforcement Officer determines that a Certificate of Appropriateness is required, the property owner shall file an application for a Certificate of Appropriateness with the Code Enforcement Officer. The Code Enforcement Officer shall forward the application to the chairman of the Historic Preservation Commission.
- B. The Certificate of Appropriateness required by this act shall be in addition to and not in lieu of any building permit or approval that may be required by any other ordinance or local law of the Village of Kinderhook.
- C. The application must be submitted to the chairman ten (10) days prior to a regularly scheduled meeting of the Commission.
- The application shall contain:
1. name, address and telephone number of the applicant and the owner;
 2. location and photographs of buildings and structures on the property;
 3. elevation and plan drawings of proposed changes, and site plan to show relationships to adjacent properties; and
 4. samples of materials to be used.
 5. Where the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions, a description of material to be used, method of illumination, and a plan showing the sign's location on the property.
 6. Any other information, such as drawings by a licensed architect and/or relevant perspective drawings, which the Commission or the property owner may deem necessary in order to visualize the proposed work.
 7. A fee as set from time to time by resolution of the Board of Trustees shall accompany the application.
 8. The Commission may waive any of the above required item(s) deemed not relevant to the work proposed.
- D. A public hearing will be required when the proposed project requires coordinated review with the Planning Board or with Zoning Board of Appeals and/or includes an addition, new construction, alteration, relocation, demolition, or other actions or work determined by the Commission to warrant public comment.
1. When a public hearing is to be held, the applicant shall remit an additional fee as set from time to time by resolution of the Board of Trustees to cover the cost of the hearing notices.
 2. Written notice of the hearing shall be sent to the applicant and to property owners within 300 feet of the applicant's property; advertised in the newspaper ten (10) days in advance of the hearing; and posted on public boards in the Village.
 3. Opportunity will be provided for proponents and opponents of the application to present facts and their views.
 4. A decision on the application will be rendered within forty-five (45) days of the close of the public hearing. The hearing may be adjourned by the mutual consent of the applicant and the Commission, with continuation set for a date [within forty-five (45) days].
- E. The Commission shall approve, approve with conditions, or disapprove applications for a Certificate of Appropriateness within forty-five (45) days of the closing of the review of the application unless the Commission requires a public hearing on the application.
- F. All decisions of the Commission shall be in writing. One (1) copy shall be sent to the applicant by registered mail, one (1) copy shall be filed with the Village Clerk's Office for public inspection, and one (1) copy shall be forwarded

to the Code Enforcement Officer. The Commission's decision shall state the reasons for approving, denying or approving with modification any application.

IX. HARDSHIP CRITERIA

- A. An applicant whose Certificate of Appropriateness for a proposed new construction or alteration has been denied may apply for relief on the ground of hardship. In order to prove the existence of hardship, the applicant shall establish the following:
1. the property is incapable of yielding a reasonable return, regardless of whether that return represents the most profitable return possible; or
 2. the property is incapable of having a reasonable beneficial use.
- B. An applicant whose certificate of appropriateness for a proposed demolition has been denied may apply for relief on the ground of hardship. In order to prove the existence of hardship, the applicant shall establish the following:
1. the property is incapable of yielding a reasonable return, regardless of whether that return represents the most profitable return possible;
 2. the property is incapable of having a reasonable beneficial permitted use and the property cannot be adapted for any other permitted use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
 3. efforts to find an individual or organization interested in acquiring the property (or part thereof) and preserving it have failed.

X. HARDSHIP APPLICATION PROCEDURE

- A. After receiving written notification from the Commission of the denial of a Certificate of Appropriateness, an applicant may commence the hardship process. The application to commence the hardship process must be submitted to the Commission within 60 days of the written notification from the Commission of the denial of the Certificate of Appropriateness. No building permit or demolition permit shall be issued unless the Commission grants relief based upon a finding that a hardship exists.
- B. The Commission shall hold a public hearing on the hardship application at which an opportunity will be provided for proponents and opponents of the application to present their views. The public hearing shall be held within 40 days of filing of the hardship application with the Commission.
- C. Public notice of the hearing by the Commission shall be given in accordance with Village Law and practice as follows:
1. by publishing a notice of the application and the time and place of the public hearing in the official newspaper of the Village of Kinderhook not less than fifteen (15) days prior to the date of the hearing;
 2. by giving written notice of the hearing to the applicant and to property owners within 300 feet of the applicant's property; and
 3. by giving written notice of hearing to any required municipality, county, metropolitan, regional, state or federal agency in the manner prescribed by law.
- D. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. If a hardship is proven, the Commission shall grant the minimum relief necessary to alleviate the hardship.
- E. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by registered mail and a copy filed with the Village Clerk's Office for public inspection. The Commission's decision shall state the reasons for granting or denying the hardship application.

XI. ENFORCEMENT

All work performed pursuant to a Certificate of Appropriateness issued under this Local Law shall conform to any requirements included therein. It shall be the duty of the Code Enforcement Officer to inspect periodically any such work to assure compliance. In the event work is found that is not being performed in accordance with the Certificate of Appropriateness, or upon notification of such fact by the Historic Preservation Commission, the Code Enforcement Officer shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.

XII. MAINTENANCE AND REPAIR REQUIRED

- A. Nothing in this local law shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a building or structure on a landmark property or property within a historic district which does not involve a change in form, material, or texture.
- B. No owner or person with an interest in a property designated as a landmark or included within a historical district shall permit the buildings or structures on the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Historic Preservation Commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself. The Commission shall by letter notify the Code Enforcement Officer of the determination.

Examples of such deterioration include:

- 1. deterioration of exterior walls or other vertical supports;
- 2. deterioration of roofs and gutters or other horizontal members;
- 3. deterioration of exterior chimneys;
- 4. deterioration or crumbling of exterior stucco or mortar;
- 5. ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors; and
- 6. deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for the public safety.

XIII. VIOLATIONS

- A. Failure to comply with any of the provisions of this Local Law shall be deemed a violation and the violator shall be liable to a fine of up to \$80.00 for each day the violation continues.
- B. Any person who alters, constructs or permits a designated building or structure to fall into a state of serious disrepair or who demolishes a property in violation of this Local Law shall be required to restore the property to its condition prior to the violation. Any action to enforce this subsection shall be brought by the Village Attorney. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.
- C. If the Code Enforcement Officer cites a property owner for failure to maintain or repair the buildings and structures on a landmark property or property in the historic district, the Commission may, but is not required to, assist the property owner in locating sources of financial and technical assistance in order to restore the property. The Village Board upon recommendation of the Commission shall define what is considered a reasonable time period for the completion of repairs.

XIV. RELIEF FROM BOARD DECISIONS.

Any person aggrieved by a decision of the Historic Preservation Commission relating to hardship or a certificate or appropriateness may, within 15 days of the decision, file a written application with the Village Board for review of the decision. Reviews shall be conducted based on the same record that was before the Commission and using the same criteria.

Certificate of Appropriateness

Village of Kinderhook

The Village of Kinderhook Historic Preservation Commission (HPC) has reviewed the proposed work and has determined that it is in accordance with the applicable criteria set forth in Chapter 75 of the Village Code entitled *Landmarks and Historic Districts in the Village of Kinderhook*. Accordingly this Certificate of Appropriateness is issued and shall remain in effect for a period of one year after the date of issuance.

Any change in the proposed work after issuance of this Certificate of Appropriateness shall require inspection by the Code Enforcement Officer to determine whether the work is still in compliance with the Certificate of Appropriateness.

This certificate is not a permit, does not authorize work to begin, does not ensure building code compliance, and does not imply that any zoning review has taken place. You are advised that the Code Enforcement Officer (758-8775) must be contacted for all appropriate building permits before work may commence.

All photographs, descriptions, plans, drawings, and other documentation have been added to the property file in the Village Clerk's office.

Description of the work as approved: (if more space is needed, attach typed pages)

[Secretary: also add name of owner, physical address as well as description. Make reference to application as an attachment to this COA. If a long description, print on back of this page. If you set up your wp program page to start printing at this line you can avoid using a typewriter. Should make copies for HPC and CEO before sending to applicant. Any other ideas?]

Issued by: _____ (HPC Chairperson or Secretary) Date: _____

The undersigned certifies that all work covered under this certificate has been completed in accordance with this Certificate of Appropriateness and any special conditions or modifications subsequently issued by the Historic Preservation Commission.

Approved: (date): _____ By: _____
(Code Enforcement Officer)

Approved: (date): _____ By: _____ (HPC Chairpers

VILLAGE of KINDERHOOK
HISTORIC PRESERVATION COMMISSION

PRESERVATION HANDBOOK

DG3 Adopted by HPC on 5/13/04
12/1/04



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This section includes the enabling Local Law, and the U.S. Secretary of the Interior's short list of Standards for Historic Preservation.

VILLAGE of KINDERHOOK HISTORIC PRESERVATION COMMISSION

OVERVIEW



This Preservation Handbook is intended to give the Kinderhook residents and property owners an overview of Chapter 75 of the Village of Kinderhook Village Code (“Landmarks and Historic Districts in the Village of Kinderhook”). This local law established Historic Preservation Commission with responsibility to review proposed alterations and additions to buildings and structures in the Historic District.

This Handbook contains information helpful to residents and property owners contemplating alterations or additions to structures within the Historic District.

Prior to applying for a building permit, applicants are urged to consult this Handbook (available at the Village Hall and the Kinderhook Library) which defines the principle functions of the Commission, the application and review and approval process. The Handbook is divided into two major parts followed by an appendix:

Part 1 - **OVERVIEW**

Provides a brief history of the Village, reviews the function of the Historic Preservation Commission, outlines the activities, which are regulated under the Historic District Ordinance, and describes the required application procedures.

Part 2 – **DESIGN GUIDELINES**

Discusses appropriate design in the historic context and the principles that will be considered by the Commission in the review process.

Part 3 - **APPENDIX**

This section includes the enabling local law, the Bylaws of the Historic District Commission, and the U.S. Secretary of the Interior's short list of Standards for Historic Preservation.

1.1 Our Village

Kinderhook appears on Dutch maps as early as 1614 and therefore is one of the

oldest place name in continual use in the state of New York. During much of the eighteenth century, according to census and tax list data, it was the most prosperous freehold town in Albany County, a county which comprised present day Albany, Rensselaer, Greene and Columbia Counties, the former two being the Van Rensselaer Manor, primarily leasehold lands. Kinderhook Landing (now Stuyvesant) had a role in transportation by river while Kinderhook village was on the inland routes.

The most important feature of the area economy between 1670 and the end of the Revolution was agriculture. Between 1765 and 1785, Kinderhook became a center for agriculture, trade, and a way station for travelers.

Roads and transportation

By 1670 a rudimentary network of trails and roads existed in and around the village, and by 1685 postal riders traveling between New York and Albany serviced the area twice a month over the Post Road. Just before the Revolution, a new road to Kinderhook Landing (now Stuyvesant) was made - present day Broad Street. In 1786 the first stage coach company between New York and Albany was chartered to run at least once a week coaches over the post road running through Kinderhook, present day Albany Avenue and Hudson Street. With the establishment of the Federal postal system, Kinderhook village became one of the seven post offices in the state of New York in 1789. The era of turnpikes began in 1799 and the old Post Road, which ran through the village, became a turnpike in the early 1800s.

Settlement

While the area was first settled in the 1660s, it is not to imply that there was a compact village in existence at that time. By 1709 there were just eight village households; by 1744 there were fourteen, and by 1763 there were fifteen households plus the Dutch Reformed church, clustered near the corner of Hudson Street and William Street.

With the end of the Revolution, in what was to become Kinderhook village (incorporated in 1838) there were thirty-eight households consisting of 59 male under 16 yrs and 55 males over 16, 89 women of all ages and 92 slaves -- altogether 295 persons, an average of 7.7 persons per household.

It was in this period that the village expanded outward from its original center. The three farms on either side of the new Broad Street (the old road to Kinderhook Landing went along the flatlands near the creek) were subdivided among descendants, while others bought lots on Albany Avenue and Chatham Streets. In 1813 the Village consisted of "20 or 30 dwellings" but by 1850 there were about 200 residences housing some 1400 inhabitants.

Industry

In the first half of the 19th century industry was powered by water in mills along Kinderhook Creek. Kinderhook prospered from the commerce in goods and farm produce which passed through the Village on the way to Kinderhook Landing on the Hudson where these products were loaded on sloops. The village itself was also for a time a center of hat manufacture and carriage building. In 1836, the Village was described as "one of the most important places of business in the

County;" and two years later Kinderhook was incorporated as a village.

The advent of the railroad brought a reversal of fortunes, since the trains bypassed the village in favor of Niverville and Chatham. Agricultural stability allowed the village to be preserved however, without the significant transformation caused by intensive commercial and industrial development which took place in less fortunate communities.

Today Kinderhook retains a nineteenth-century ambiance, refreshing in authenticity and visual appeal. The central area of the Village includes an exceptionally well preserved assemblage of eighteenth and nineteenth century architecture with a smattering of earlier houses to attest to its early founding.

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1.2 The Kinderhook Historic District

In 1931 the Trustees of the Village of Kinderhook adopted a Zoning Law and, in 1972, recognizing the historical, architectural, and cultural importance of the village, designated the core of the Village a Historic District in an effort to preserve the unique features and historic homes. In recognition of its exceptional historical and cultural resources, in 1974 the United States Department of the Interior placed much of the Village on the National Register of Historic Places.

To further protect and preserve the essential appearance, character, and integrity of the Village, the Trustees, in 2003, passed a local law (Chapter 75) governing the Landmarks and Historic District, and establishing the Historic Preservation Commission. The intent of Local Historic Preservation Law, as indicated in Chapter 75-1 is to:

- (A) protect and preserve the long term preservation of the landmarks and historic districts which represent distinctive elements of Kinderhook's historic, architectural, and cultural heritage;
- (B) foster civic pride in the accomplishments of the past;
- (C) protect and enhance Kinderhook's attractiveness to residents, businesses, and visitors, and thereby to support and stimulate the economy, and;
- (D) insure the harmonious, orderly, and efficient growth and development of the Village.

1.3 The Historic Preservation Commission

As required in the new law, the village trustees appointed the original five members to Kinderhook Historic Preservation Commission in February 2004, each to serve a staggered five-year term.

Members of the Commission are chosen on the basis of significant and demonstrated expertise or interest in historic preservation, evidenced by personal

or professional involvement, or by an active interest in local or regional history, architecture, architectural preservation, archaeology, cultural history or related fields. Generally, at least three members reside in the Historic District.

The Commission is a branch of local government and its decisions are binding under law. The local law, that created the Commission is located in the Appendix to these Guidelines.

The jurisdiction of the Historic District Commission is independent of and equal to that of any other local governmental authority except a court of law upon appeal.

Function of the Commission

The principal responsibility of the Commission, is to consider proposed alterations, additions or changes to structures or other features within the Historic District. The Commission will review applications submitted by property owners for such changes and will approve, approve with conditions or disapprove such application. In all cases, the Commission will work with the applicant in a concerted effort to find a solution acceptable to all parties and consistent with established criteria.

Functions of the Historic Preservation Commission defined under Chapter 75-3 include:

- (1) promulgate rules and regulations as necessary for the conduct of Commission business;
- (2) adopt criteria consistent with local historic architecture and local laws and code for the identification of significant historic, architectural, and cultural landmarks and for the delineation of historic districts;
- (3) formulate design guidelines consistent with historically accurate painting schemes;
- (4) conduct surveys of historic, architectural, and cultural landmarks and historic districts within the Village in order to establish an inventory of all properties and structures;
- (5) employ staff and professional consultants as necessary to carry out the duties of the Commission;
- (6) make recommendations to the Village Board for designation of properties or structures as landmarks and historic districts;
- (7) develop and participate in public educational programs to increase public awareness of historic, cultural and architectural preservation;
- (8) provide advice and guidance to property owners and Village Boards concerning historic preservation issues;
- (9) coordinate project review with Village Planning Board, Zoning Board of Appeals and agencies;
- (10) make recommendations to the Village Board concerning the use of

- State, Federal or private funds to promote the preservation of landmarks and districts within the Village;
- (11) recommending acquisition of a landmark structure by the Village Board when its preservation is essential to the purposes of the historic preservation and when private preservation is not feasible;
 - (12) review projects for compliance with SEQR regulations, and;
 - (13) approve, approve with conditions or disapprove applications for Certificates of Appropriateness pursuant to this act.

Resources

In addition to these Guidelines, the Commission may use other resources as a basis for counseling applicants and reviewing applications for a Certificate of Appropriateness including, but not limited to:

- periodically updated surveys of structures within the Historic District;
- a resource file containing contemporary photographs as well as historical images and descriptions of the property under consideration;
- past precedent for successful and appropriate design within the Village;
- reference materials on historic architecture and the elements of historical style.

After review, site visits, occasional revision, and after approval by the Commission; -- the applicant will be issued a Certificate of Appropriateness as mandated by the Village Historic Preservation Law.

1.4 The Certificate of Appropriateness

Proposed projects, structures or other features proposed for properties in the Historic District will fall, in general, into one of two categories:

1. Normally no Certificate of Appropriateness is required for minor works such as routine maintenance or emergency repairs that do not alter the exterior appearance or fabric of the structure. No Certificate is required for interior work.
2. Works requiring a Certificate of Appropriateness from the Commission include exterior changes, alterations, restorations, additions, demolitions, new construction or other works materially altering or effecting the exterior appearance of any building, structure or other feature within the Historic District and are visible from a public way or

public access.

Before undertaking any such work the owner must contact the Code Enforcement Officer for a determination if a building permit is required, and if Commission review and a Certificate of Appropriateness is required. If Commission review is required, no Building Permit will be issued, and such work cannot commence until a Certificate of Appropriateness is obtained.

Application Process

Applications for a Certificate of Appropriateness can be obtained at the Village Hall and from the Code Enforcement Officer. The application provides general guidelines and a listing of the kind and completeness of the information and documentation required.

The completed application with the required documentation must be filed with the Code Enforcement Officer at the Village Hall (who will forward it to the Chairman of the Commission) at least ten days prior to the regularly scheduled meeting of the Commission. Commission meetings take place the second Thursday of each month at 7:30pm at the Village Hall.

The applicant is encouraged to consult this Handbook and/or Chairman of the Commission or such other designated member of the Commission before submitting an application:

- to answer questions the applicant may have about the application process and;
- to clarify the extent of the project and to discuss, in a preliminary way, the concerns of the Commission.

The Commission wishes to be helpful to applicants by assisting in the process, by interpreting Commission Guidelines, and/or by suggesting a range of options to satisfy preservation guidelines and to achieve project goals.

The applicant will have an opportunity to present and discuss the project with the Commission members at a regularly schedule Commission meeting. The Commission, before issuing a Certificate of Appropriateness will consider whether the proposed project preserves the character of the Historic District, is compatible with the the style or period of the building or structure in question, and with the character of the Historic District.

The Commission will consider:

1. The architecture of, and the historic significance of the property.
2. The general design and architecture of the historic building or structure, and, the character, and appropriateness of the proposed project related to

the existing;

3. The scale of the proposed project in relation to the property and to the surrounding properties;
4. The appropriate form, texture, and materials proposed and their relationship the structure and to surrounding structures.
5. Compatibility with surrounding properties taking into consideration proper proportion, façade design, window and door types and arrangements; roof types and shapes as well as the setbacks and placement of the building.

Property owners will be encouraged to chose materials and color schemes appropriate to the style and period of the building or structure, and compatible with neighboring properties;

The Commission will approve, approve with conditions, or disapprove applications for a Certificate of Appropriateness and so notify the applicant in most cases within a few days no longer than within forty-five days of the Commission review unless the application requires a Public Hearing.

Public Hearing

A Public Hearing will be required:

- when the proposed project requires a coordinated review with the Village Planning Board and/or with the Zoning Board of Appeals;
- if the application includes an addition, new construction, alteration, relocation, demolition, or other action that is determined by the Commission to warrant public comment.

Hardship

An applicant denied a Certificate of Appropriateness may apply for relief on the grounds of hardship. Hardship as defined in Chapter 75 refers to the ability of the property to yield a reasonable return or beneficial use, not a condition related to the applicant's financial means.

Application for hardship must be submitted to the Commission within sixty days of written notification from the Commission of denial of a Certificate of

Appropriateness. The Commission will schedule a Public Hearing within forty days of receipt of Hardship Application and public notice of the hearing will be given in accordance with Village law and practice.

The applicant must have consulted in good faith with the Commission and other interested organizations or bodies to seek with due diligence a satisfactory and appropriate alternative in accordance with the Commission guidelines and criteria.

If a hardship is proven, the Commission will grant the minimum relief necessary to alleviate hardship. The decision of the Commission shall be in writing stating the reasons for granting or denying the Hardship Application.

Appeal

Any person aggrieved by a decision of the Historic Preservation Commission relating to hardship or Certificate of Appropriateness may, within 15 days file a written application to the Village Board for review of the decision. Reviews will be conducted based on the same record that was before the Commission and using the same criteria.

1.5 Enforcement

The Commission is a branch of local government and its decisions are binding under law. The local law+ that created the Commission is located in the Appendix to these Guidelines.

All work pursuant to a Certificate of Appropriateness must conform to the requirements included therein. The Code Enforcement Officer will inspect the work periodically to assure compliance. If at any point non-compliance is determined, the Code Enforcement Officer will notify the Commission and issue a stop-work order.

The Chapter 75 of Villager Code also includes provisions requiring appropriate maintenance for the buildings designated as landmarks and buildings within the Historic District.

The jurisdiction of the Historic District Commission is independent of and equal to that of any other local governmental authority except a court of law upon appeal. Violation of any provision of the Local Law is subject to fines and other legal remedies.

VILLAGE of KINDERHOOK
HISTORIC PRESERVATION COMMISSION

Part 2 DESIGN GUIDELINES
(12/1/04)

2.1 Introduction

The Village of Kinderhook is most fortunate, compared to many small villages in New York State, to have retained a traditional small village atmosphere with well tended homes representing almost every style and every period of residential construction.

We have early eighteenth century homes built by farmers of Dutch and English descent, fine residences erected by nineteenth century mill-owners, and a majority of modest homes -- well built and well cared-for through time. The character of our village is imparted by these and by our commercial center clustered around the village green, by the fabric of streets, sidewalks, lawns, gardens, mature trees, and all the individual acts of civic pride appearing throughout the community.

Village residents view these attributes with great affection and these have always attracted the attention and the admiration of travelers, potential homeowners, historians, architects and builders.

2.2 Growth and Change

Our Village has, through the recent past, managed to elude many of the patterns of change that have destroyed the fragile ecology of small towns everywhere.

The mandate of the Historic Preservation Commission is to protect and to preserve the distinctive elements of our historic, architectural, and cultural heritage, and to insure the harmonious growth and development of the Village. Our philosophical goal is not to freeze the Village in time, but to preserve and reinforce the overall character of the Village Historic District; - to integrate the contemporary needs of property owners with the need to safeguard the architecture and the environment of our unique and historical Village.

Historic Preservation Commission Goals

The goal of the Historic Preservation Commission is to preserve and reinforce the overall character of the town's historic district. With the first zoning ordinance passed in 1932, and the establishment of the historic district in 1972, the village has benefited from a tradition of protection and preservation. Structures within

our Historic District are of architectural styles from many different time periods and have been altered over time. We understand the need for current property owners to alter or expand their property to accommodate modern-day standards.

Our Village

The character of our Village is imparted by the sum of the historic houses, modest homes and commercial structures build and well cared-for over time. Of equal importance is the nature imparted by the fabric of streets, sidewalks, lawns, gardens, mature trees, and all the individual acts of civic pride appearing throughout the community.

We recognize the architectural importance of buildings and structures from early settlement of the Village to the present day. We believe that structures representing every style and every period play an integral part in the architectural landscape of the Village.

2.3 Our Architectural Heritage

Homes in the village of Kinderhook include an extraordinary variety of architectural styles, the result of almost three centuries of construction, the influence of changing taste, and the evolving nature of the materials used.

One way to understand our Village environment is to trace, through three hundred years, the architectural styles represented by our residential architecture. Residences from the Dutch, Federal, Greek Revival, Italianate, Second Empire styles, contrast with the modest homes built in many styles over the past hundred years.

The Dutch / English Period 1600-1760

The countryside surrounding Kinderhook was settled by people of Dutch descent who brought building skills from the old country. With plentiful local lumber and clay for brick, they built structures similar to those constructed in the medieval period in the Netherlands. The 1737 Van Alen house on route 9H is a well-preserved example. Homes of this period in the Village include:

[insert pictures hereafter]

At 15 Hudson Street, original construction dates from the mid 18th century, but the gambrel roof, the dormers, and the Victorian bay windows trace alterations done over a 150 year period.

Although 26 William Street is often considered Dutch, load bearing brick walls, the gambrel roof, and the center hall confirm the influence of New England

Georgian style.

While 39 Hudson Street began as a Dutch house dating from early in the 18th century, in the late 19th century parts were dismantled and rearranged. Alterations in the Gothic Revival style and an early 20th century front porch have all but buried the original.

The Federal Period 1790-1830

More historic homes in the Village are Federal in style than any other type. While there was little construction during the period of the Revolutionary War, the nation began to build again and building lots were available during a time of prosperity that followed the War.

16 Hudson Street is an example of the early Federal two-story house, which, with steeply pitched roof and post and beam structure, still retained elements of the Dutch style.

At 98 Albany Avenue the original structure has a traditional Federal Style center hall, with corner pilasters, and ornamented door and window surrounds. The addition on the left is probably early 20th century.

4 Sylvester is a Federal house in all respects but for lack of symmetry; - with sophisticated detailing around the offset windows and front door which must have been positioned to allow larger rooms on the right side of the house.

The Greek Revival 1825 -1850

Kinderhook lacks homes built in the true "Greek temple" form popular with prosperous farmers early in the period of westward expansion, although there are many in the surrounding countryside. Crow Hill, just outside the village, is a most unusual Greek Revival house, constructed with a floor plan in the shape of the letter H.

More restrained houses built during the Greek Revival period are similar to

Federal the houses that proceeded them, somewhat bolder moldings, entablature, cornice, pilasters, and columns were used reflecting the heavier proportions of ancient Greek structures.

It was during this period that heating systems became more efficient. Cast iron stoves became popular after 1820, with the center of production at Albany and Troy. The result was a willingness to increase the number and size of windows, to increase ceiling height in more modest houses, and extend the plan of the house beyond the compact rectangle.

Solid shutters now became louvered, designed more to control privacy and ventilation rather than heat and cold.

15 Broad Street and 12 Albany Avenue prove the adage that the elements of one style merge with the next. Both probably began their lives in the Federal style, but were embellished, at the time of construction or later, with a pilasters, moldings, entablature, and cornice probably taken from one of the many pattern books published at the time.

Homebuilders and architects, well into the 20th century, and even to this day, include columns, pilasters, entablatures and moldings in their building vocabulary; - elements translated to a "carpentry" vocabulary from classical Greek architecture.

The Gothic Revival 1835-50

As the 19th century moved along, acceptance of other European-derived styles gathered momentum, so when the Gothic Revival appeared here, acceptance was relatively short lived, squeezed by the persistent popularity of the Federal, the Greek Revival and the emerging French Second Empire style. Gothic was a style promulgated by America's leading mid-nineteenth century architects, A J Davis & A J Downing; who saw the medieval based Gothic Revival style as a more natural architecture with earth-colored brown, tan, gold, ochre, buff & green paint schemes that blended with the landscape.

28 Albany Avenue

Kinderhook has one well-developed Gothic cottage, that retains its original reticulated Gothic eaves and board-and-batten siding. The earthy colors favored by Gothic house builders have been altered here to lighter tones. There is a later porch (bracketed in the Second Empire style, ca. 1870) which suits the house well. The one-over-one modern upstairs windows alter the overall integrity of the

facade.

Unlike all the other "Revival" styles of the 19th century which find their sources in Roman and Greek classical architecture, the Gothic is a return to the northern European medieval Gothic, the same source from which the earlier Dutch houses descend. They share a smaller scale (smaller rooms, one-and-a-half story height) and a steep pitch roof, which inspired some Dutch houses to take on Gothic features around 1840.

The Italianate Style 1850-75

We think of the 20th century as the era of pre-manufactured house parts, but this process actually began by the mid 19th century. The power band saw provided possibilities especially suited to the Italianate style. Shaped brackets in this style were cheaply produced, encouraging the proliferation of this style primarily in cities where multiple stories with lots of front windows were preferred. A flat cornice roof allowed generous ceiling heights full height windows on the upper floor that the gable roof could not.

This style allowed city houses to be built minimal side yard setbacks, as roofs could drain to rear. To compensate visually for the simplicity of a flat roof, the cornice and entablature was increased in size, with overhang and large brackets providing appropriate visual weight.

14 Church Street

This Italianate style house has all the features of this style, including a wrap-around and bracketed porch. While the idea of the front stoop dates to the early Dutch period, it wasn't until this period and style that the porch became so important; - a living area just as much as any room. The almost flat roof allowed for a new flexibility in room arrangements as the plan of a house was no longer controlled by the geometry of the pitched roof.

If a back room needed to be wider or to face the street, as in this house, this was easily accomplished. This roof form allowed for new room arrangements also allowed freedom to introduce other spaces such as the stairway and special function rooms. This style was especially adaptable to the side hall plan, further encouraging its popularity in towns and cities.

The French Second Empire Style 1860-80

The culmination of the revivals of the 19th century was the French Second

Empire style, named for the revival of the monarchy under Napoleon III (1852-70). Its crowning feature was the Mansard roof, a French innovation from the 17th century, made popular as wealthy families build homes topped by this high roof that afforded room for servant quarters in what until that time had been simply an attic.

18 Broad Street

This house began life as a late Georgian brick house, a near twin to the Van Schaack house next door. In 1875 a new owner changed the roof and much of the exterior (and interior) details to the French style. Unlike the earlier Italianate style, the imposing high roof (referred to as "Mansard", after the French architect who popularized the style) sits like a crown over the bracketed cornice. This style was usually built as a free standing structure on a large plot, a home for the wealthy or as "Old Main" for a number of eastern colleges

This house poses the question; -- would such a significant alteration and a change of style of this magnitude be favorably considered under contemporary historic preservation standards ?

Houses change over time

Most houses that have survived for a century or more undergo a variety of stylistic alterations and additions. From an historic preservation point of view, such radical changes would likely be unacceptable if proposed today.

Such changes constructed in the past however, have become and accepted part of the visual fabric of the village and are now protected from further change or even from restoration to the earlier period.

The David Van Schaack house said to have been built in 1774 and is one of the finest examples of late Georgian architecture in the north-east. the side wings were added in the 1840s and were done in a compatible style and using the same detailing as the original house.

At 18 Broad Street, built in 1787, by Peter Van Schaack. Originally quite similar in appearance to the place next door built by his brother David, it underwent a radical Second Empire renovation in 1875.

Originally built as a residence, the Bank at 1 Hudson Street is an classic example of the Federal style with a Greek Revival style porch probably added when the residence became a bank in 1859.

Built by the father or the brother of the 1 Hudson Street builder and in the same style as 1 Hudson, this house on Albany Avenue underwent an exterior

remodeling in the late 19th century which provided a Victorian front porch and trim.

2.4 HISTORIC CONTEXT

Basic concerns evident in a successful building in any architectural style are concerns related to size, massing proportion, scale and rhythm. In judging an alteration, an addition or new construction within the Historic District, The Commission will consider:

Size

The Commission encourages designs that are compatible with the size of existing construction and to neighboring buildings. When adjacent buildings are of various sizes, we would also consider the rhythm of building sizes along the street. There are architectural devices that can aid in either reducing or enlarging the apparent size of a building.

Massing

When examining massing, we will examine the form of the building, its shape and proportion. The shape of the roof is an important element of massing, the rhythm of the street is often influenced by roof forms, so roof styles become important elements in new designs and additions.

Roofs may run parallel or perpendicular to the street. They may be gabled, hipped, gambrell or one of many other profiles. The pitch may be steep, flat, or shallow. Appropriate massing will reflect the characteristic roof form of the existing building, the neighborhood and the district.

We will review the shape of the building; generally the older the building the simpler the shape. Over time some historic buildings gained porches, bay windows and other modifications having historic value in their own right. These additive modifications are generally smaller in size and an accessory to the primary form of the original building.

Massing can be symmetrical or asymmetrical. Generally eighteenth and early nineteenth century buildings are relatively symmetrical and balanced. Mid to late 19th century architecture exhibits a more dynamic and deliberately asymmetrical balance.

Proportion

When considering proportion, we will review the height and the width of the building. We encourage design that reflect the overall proportions of the period, abutting properties and the rhythm of the street at large.

Scale

Scale is the relationship of individual design elements to the structure as a whole and the relationship of the structure to its neighboring structures, street, and topography. The scale of a structure is a primary consideration in determining whether a building is compatible with its setting.

The pattern of buildings along a street line is basic to establishing scale, whether the neighboring buildings form a consistent pattern or are characterized more by differences.

Rhythm

Rhythm is a recognizable pattern created by the repetition of design elements along a street or within a single structure. The placement of windows on the facade of a single building can create a rhythm and repetition of similar front porches, roof shapes, dormers or balconies can create a rhythm along a street.

Orientation

Orientation here means a building's position in relation to the street. Differences in set back and side lot affect the rhythm of the street. New construction, alterations and additions should take neighboring set backs and side lots into account.

2.5 Design Principles

These general principles have been developed as a tool for both the Commission and for homeowners to provide general guidelines for demolition, alterations, additions, new construction, and site features. Their purpose is both to give Commission members general standards to apply in judging the appropriateness of proposed construction, and to provide homeowners with a degree of predictability.

Applicants are cautioned against using, as a basis for approval, an example of past alterations or additions to other properties that may or not have been historically accurate.

These guidelines are a statement of principles and not absolute standards. Because every proposal is unique, the Historic Preservation Commission must in the end use its own discretion in determining appropriateness.

2.5.1 Demolition

Generally we will not permit the demolition of structures over fifty years old and/or contribute to the overall scale of the district unless there is no prudent alternative. We consider moving historic structures only as a last resort.

2.5.2 Alterations

Alterations should be consistent with the original structure and any later additions. We discourage alteration or removal of characteristic architectural features, including architecturally significant additions.

We will encourage, whenever possible, restoration of original features, and repair rather than the replacement of deteriorated architectural features wherever practical. In the event that replacement is necessary, we recommend that the new material match the material being replaced in composition, design, color, texture and other visual qualities.

Where both repair and replacement are required, we recommend that missing architectural features be based on accurate duplication of original features.

2.5.3 Additions

Because an addition has the capability to radically change valued historic appearance, an exterior addition should be considered only after it has been determined that the requirements cannot be successfully met by other means.

If requirements cannot be met any other way, then an attached exterior addition can be an acceptable alternative.

The introduction of additions compatible with historic buildings in the district is acceptable if the addition does not visually overpower the original building, compromise its historic character, or destroy any significant features and materials.

By placing additions on inconspicuous elevations and limiting their size and height, the integrity of the original buildings can be maintained.

Additions should be harmonious with the characteristic massing and architectural features, and respect the main character-defining elements of the original structure and be harmonious with the immediate environment.

Roof forms on additions to historic buildings should be designed to conform as closely as possible to the period, and so the features of the building are not radically changed, obscured, damaged, or destroyed.

New additions should be designed and constructed so that the features of the historic building are not radically changed, obscured, damaged, or destroyed in the process of rehabilitation. It is important to differentiate the addition from the original building so that the original form is not lost.

The scale of an addition should be carefully considered so as not to upstage the original building or to disrupt the character of the neighborhood.

To the extent possible, the new element should be clearly differentiated so it does not appear to be part of the original structure.

Additions echoing the style of the original structure and additions that introduce compatible contemporary design of appropriate mass, the scale, and proportion are both acceptable.

The impact of the addition on the site in terms of loss of important landscape features will also be considered.

The compatibility of proposed additions with historic buildings will be reviewed in terms of the mass, the scale, and the proportion and the spacing of windows and doors.

Further Guidelines for Additions Include:

- (1) Locate additions as inconspicuously as possible, on the rear or least character-defining elevation of historic buildings.
- (2) Construct additions so that there is the least possible loss of historic fabric.
- (3) Ensure that character-defining features of the historic building are not obscured, damaged, or destroyed.
- (4) Limit the size and the scale of additions so that they do not visually overpower historic buildings.
- 4
- (5) Design additions so that they are differentiated from the historic building. It is usually not appropriate to duplicate the form, the material, the style, and the detail of the historic building so closely that the integrity of the original building is lost or compromised.
- (6) Design additions so that they are compatible with the historic building in mass, materials, color, and proportion and spacing of windows and doors.

(7) Either reference design motifs from the historic building, or (a more difficult approach) introduce a contemporary design that is compatible with the historic building.

(8) Design additions so that they can be removed in the future without damaging the historic building.

(9) It is not appropriate to construct an addition that is larger in scale and taller than the original building.

(10) Whether in residential or commercial areas, additions are the largest and most intrusive changes to a historic property and the integrity of the neighbors and the neighborhood must be respected.

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2.5.4 New Construction

New construction should be harmonious with the immediate historic environment and reflect the scale, massing and building traditions of the immediate area and the Village. We encourage excellence in new design that is compatible with this environment.

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2.5.5 Other Features

While the mandate of the Commission is specifically related to the built environment, we recommend that incidental site structures and fixtures, such as outbuildings, fences, street lighting, signs, utilities and paved surfaces be consistent with the scale and style of the nearby environment. Utility service entrances, where not underground, should be hidden from the public way to the extent possible.

The Commission recommends that parking and related traffic areas, wherever possible, be appropriately concealed or screened from public view. The visual impact of large parking areas should be softened through the use of traditional paving materials and suitable landscaping.

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2.5.6 Adaptive Reuse

While we do not regulate the use of a property, we encourage the retention or restoration of original intended use wherever possible. We are supportive of adaptive reuse when it is essential for the practical preservation of a structure. Any changes in use should be compatible with the building and site as to require minimal alteration to both.

VILLAGE of KINDERHOOK HISTORIC PRESERVATION COMMISSION

ELEMENTS of HISTORIC STYLE

(12/1/04)

Our goal is to maintain the historic progression of architectural styles in our Village from early colonial to contemporary. Our neighborhoods are, in general, characterized by a diversity of styles.

We believe that the reproduction of historic architecture and compatible contemporary architecture can be appropriate for both new construction and additions, which can be carefully crafted as not to upstage the main portion of the building or to disrupt the neighborhood's ambiance.

The Commission will determine appropriateness based not on taste, but on whether the proposed architecture will be harmonious with the characteristic style of the its immediate environs and secondly of the overall district.

3.1 EXTERIOR ARCHITECTURAL FEATURES

Chimneys	Outbuildings
Decks and Terraces	Roof Form
Dormers	Roofing
Front doors, Entranceways and Porches	Shutters
Fences and walls	Street and traffic signs
Fire Exits and Handicapped Access	Sidewalks and Roadways
Foundations	Siding
Garage Doors	Signs
Gutters and Downspouts	Skylights
Landscaping	Storm Windows and Doors
Light fixtures	Sunrooms
Masonry	Trim and Ornamentation
	Windows

Chimneys

Typically chimneys in the Village are red brick topped with brick courses which project slightly outward outward. Chimneys should be maintained in their

original height, form and design. Original decorative elements should be maintained. If a new chimney is constructed, it should match the existing chimneys in style and material. Non-masonry chimney stacks should not be used.

Decks and Terraces

While porches are traditional building elements in the Historic District contemporary decks have little historic precedence. Deck additions should be limited to the first floor and should be located out of public view. Landscaped terraces are encouraged in lieu of decks where in the public view.

Directional and Advertising Signs

Applicants should keep in mind that any sign installed must meet zoning regulations. Street and traffic signs are encouraged to reflect local historic precedence.

Dormers

The use of dormers was relatively rare during early historic periods. When houses were built a single story or one and a-half stories high, bedrooms on the second floor were of secondary importance for which gable end windows provided sufficient light. Modern use of the second floor on these houses requires more light through larger windows, and therefore we see dormers. The addition of new dormers is not encouraged. If dormers are used they should be clearly subordinate to the primary roof form.

Entrances/Porches

Historically, entryways have been a major character-defining element of a home and often the primary decorative feature. Porches were often the most embellished architectural element of a house with functional and decorative features such steps, balustrades, pilasters, and entablatures which are all important in defining the overall character of a building.

Entrances with porches were an integral part of many historic buildings. Porches on Greek Revival houses, with Doric or Ionic columns and pediments, echoed the architectural elements and features of the larger building. Central arcaded porches are also evident in Italianate style buildings of the 1860s.

Porches of bungalows of the early 20th century were characterized by tapered porch posts, exposed post and beams, and low pitched roofs with wide overhangs. Doors of Renaissance Revival style buildings frequently supported entablatures or pediments.

Porches and entrances as part of additions to historic buildings should be

designed to conform as closely as possible to the period, although there are porches of diverse styles in the village that have become important elements in the character of their neighborhood.

We recommend against removing existing porches because the entranceway would be stripped of its primary characteristics. The reconstruction of a lost porch is strongly encouraged and should be based on historic precedence for the style of the building.

For new structures, porches are often an appropriate way to relate to the scale of a mid- to late 19th century neighborhood. The preservation and restoration of porch detail is crucial and should be considered as part of any appropriate design. Enclosing or screening a traditionally open porch is generally inappropriate.

Fences and Walls

Historically Village residences used wooden fences for animal control, and these fences have been lost. Simple picket fences were typical of the earlier 19th century and again of the 20th century. By the middle of the 19th century ornate iron fences were fashionable.

Existing walls and fences should be preserved wherever possible. Restoration of existing historic fences and walls is always preferred to replacement. Where stone walls are reset or built new, they should follow the traditional drywall techniques used in original construction.

New fences should be appropriate to the period of the property and immediate neighborhood.

High masonry walls, barricade fences, and other large imposing fence-like structures are discouraged because they are not characteristic of the historic Village.

Chain link fences, while they may serve a need in industrial situations and not generally in residential and commercial retail areas.

Fire Exits and Handicapped Access

Exterior stairs to upper level entrances/exits in residential buildings are generally inappropriate to the historic context and thus should be concealed from public view.

Retrofitting for handicapped accessibility is often difficult to achieve in historic buildings. Non-conforming main entrances to such buildings may not require retrofitting as long as a suitable alternative access is provided elsewhere. Where access ramps must be added to visible sides of a historic structure, they should be as discrete as possible and should reflect characteristic details of the main building.

Often such ramps can be constructed as landscape terraces to further mitigate the visual impact on the architectural massing of the main structure.

Foundations

Earliest foundations were of native brownstone, field stone, stone topped with brick or in some cases cut stone. The high foundation became an important architectural element during the middle of the 19th century and remained popular through the 19th century.

If the design in a new construction calls for high foundation walls and/or raised basement stories, local building tradition would usually dictate the use of brick facing or traditional stonework. Large exposed areas of concrete foundation are not considered appropriate.

Porch additions to building types which traditionally did not have any porches should be limited to the rear side of the building where possible. Enclosing or screening an existing porch is generally inappropriate.

Garage Doors

Barn style and carriage house doors are almost always the first choice. Overhead doors can now be ordered to closely replicate traditional designs.

Gutters and Downspouts

Roof drainage systems originally consisted of diversionary rooftop devices or gutters built into the roof structure. Attached metal gutters appropriate for most historic structures today are the half round style.

The metal crown molding style most commonly used today was introduced in the 50's and is most appropriately used on contemporary homes or as a replacement for similarly styled wood gutters.

Landscaping

The Commission may recommend landscaping only when it is needed to obstruct the otherwise unavoidable public view of an inappropriate structure or addition.

Light Fixtures

Lighting fixtures and nighttime lighting levels should be appropriated to the historic context of the building and the neighborhood. The Commission review outdoor lighting fixtures on residential and commercial buildings.

Masonry

The Historic District Commission does not require a Certificate of Appropriateness for the routine repair and maintenance of any masonry surface so long as any re-pointing and/or replacement of masonry units duplicates the

historic condition, mortar type and bond pattern. Any reconstruction of the masonry surfaces may require a building permit and Commission review.

Outbuildings

Outbuildings such as garages, barns, sheds, carriage houses, and greenhouses, are considered important elements in an historic district.

Outbuildings, whether they are new or being considered for demolition are afforded the same protection under our guidelines as principal buildings.

On these outbuildings we encourage the use of natural traditional materials such as wood shingles, wood clapboard, brick, and board and batten. Designs for new outbuildings should reflect the style of the principal building, or may be designed as a visual counterpoint, to the principal structure.

Parking Areas

Generally parking areas are without historic precedence. Parking areas in a front yard is generally inappropriate. Off-street parking areas should be concealed from the road wherever possible and preferably should be located to the rear of the building. When visible from the public way, the Commission will evaluate visibility, size, location, paving materials and lighting.

The Roof

The roof is a defining element of any building. Typically eighteenth and early nineteenth century houses were built with a simple ridge and gable ends and a pitch of 6 to 12 inches of rise to every 12" horizontally. Following the Civil War, two equal wings were often treated with a single cross gable.

Roofing Materials

Historically roofing reflects the availability of materials, levels of construction technology, weather, and cost. Restoration of the original roofing materials is encouraged where practical. We encourage the use of traditional materials characteristic to the neighborhood in new buildings, but in many instances asphalt shingle is an acceptable alternative to traditional materials.

With the introduction of the mansard roof, the roof became a deliberate decorative element, and subsequent revival styles included variety of roof pitches, cross gables, dormers, eyebrows and overhangs.

If possible, the new roof should be clearly differentiated so as to maintain the integrity of the original structure. The pitch and the shape of the roof; -- the size, color, and patterning of the roofing material, and features such as cupolas

and chimneys are important elements of any building. In early residential construction, the roof form consisted of a single primary roof, with additional wings lower, smaller and subordinate.

Appropriate roof designs will reflect the characteristic roof form of the neighborhood and the district. Roof pitch is an important element in the massing of a building. Roof form and pitch for additions normally should be similar but clearly secondary to the main existing roof form.

Shutters

Homes typically were built with exterior shutters as early as the mid-17th century, when they were for protection from storms, sun and for privacy.

An appropriate installation should flank a single window and should be sized so that the pair of shutters are equal to the width and the height of the window inside the frame. The style of the shutter, paneled or louvered, should be consistent with the style of the house; elaborate Victorian shutters would not be on a Colonial Revival home.

Sidewalks and Roadways

Most of the Village streets were not paved until the 20th century. Sidewalks and roadways in the public way are the responsibility of the village trustees, but the Commission will recommend that should be installed in a manner that is sympathetic to the period of the property and the neighborhood.

Siding

During the colonial era, clapboard was the predominant siding material when brick and stone were not used. Typically exposure was as wide as 10" in the early colonial period and 5' to 6' in the 19th century. Board and batten siding was commonly used for barns and other outbuildings.

During the Victorian period many homes used a combination of clapboard and decorative wood shingles, while 20th century homes frequently combine a variety of natural materials including brick, stucco, and clapboard.

Additions and alterations to existing structures should use building materials original to the structure. Board and batten siding is appropriate for accessory buildings but generally not for the primary structure.

Typically, vinyl or aluminum replacement siding is inappropriate in new construction or as a replacement for original wood siding. The Commission will consider approving siding products that are new to market such as cement based fiberboard siding if it duplicates the original material in appearance and texture, and is shown to be consistent with the long term preservation requirements of the structure. New construction should incorporate building materials traditional to the neighborhood.

Signs

In most cases zoning regulations will dictate the size and location of signs. When appropriately designed, signs can contribute to the visual vitality of an historic business district, so the Commission has an interest in the size, material, style and location of signs. Internally lit translucent plastic signs and flashing signs are inappropriate.

Skylights

Historically, skylights were not used because of technical difficulties and therefore should be relegated to parts of the house not visible from the street. A well-designed dormer, where appropriate, will serve the same purpose as well as increasing the living space.

Storm Windows or Doors

Storm windows were developed to keep homes warm. They were typically built of wood and were replaced with wood framed screens for the warmer months.

Triple-track storm windows are more commonly used today, and because inappropriate storm windows storm doors can alter the facade of a historic building, the Commission will encourage the use of traditional materials and design.

Sunrooms

Modern day sunrooms evolved from traditional conservatories and should reflect those origins. The architecture of the sunroom should compliment the architecture of the house. As with any other type of addition, we encourage the use of traditional materials and design.

Trim & Ornamentation

The trim and ornamentation of a building play an important role in defining its character. Historic houses often have purely decorative applied trim that may be found on windows, doors, porch columns, and eaves.

Original existing trim and ornament should be preserved or repaired in keeping with the original design. Epoxy based wood restoration products can repair damaged or rotted wood quite nicely. Replacement of lost trim and ornament is encouraged. The addition of trim and ornamentation for which no historic precedence exists is inappropriate.

Trim and ornamentation on additions should display the characteristic use of trim and ornamentation found on the main house. In many instances this may be done in a more simplified fashion than the main structure.

Trim on new buildings should be appropriate to the neighborhood. Highly elaborate ornamentation is usually inappropriate for new construction.

Windows

The proportion, rhythm, and relative symmetry of windows, entrances and fenestration are basic design elements and windows are a major element in the

characteristic style of a historic building. Throughout history, windows have become larger and more frequent; -- decorative in their own right. By the middle of the nineteenth century, windows were grouped into bays and by the end of that century into horizontal window bands.

Typically Colonial and Federal era windows had a fixed upper sash and a moveable lower sash. The windows consisted of multiple smaller panes of glass separated by wooden muntins, commonly 12 or more panes in each frame. By 1830 larger panes of glass could be produced and one sees 6 over 6 windows and by 1850 2 over 2 windows.

Generally windows up to and just after the Civil War were consistent in size throughout the main facades. With the emergence of the Victorian period however, windows began to vary considerably in size and location.

The Shingle Style deliberately scattered window types within the wall and roof surfaces of the house. The 1920's eclectic revivals continued this romantic placement. With the colonial revival, more conservative placement of windows became fashionable again.

Windows in new additions should be spaced to reflect the characteristic proportions and rhythm of the existing proportions, though they may be diminished in scale to reflect the secondary importance of the addition to the main mass of the building.

Restoration of original windows is encouraged where windows have been removed or where later replacements are historically inappropriate. The Commission encourages the restoration of existing sash, in lieu of replacement. Replacement of windows is permitted, if in keeping with the exact design of the original. Replacement of true divided lights with snap-in grilles is inappropriate.

Wood windows should be replaced with wood windows. Windows with factory applied paint are preferred to vinyl or aluminum clad windows.

As one of the few parts of a building serving as both an interior and exterior feature, windows are nearly always an important part of a historic building.

Wood

Wood has played a central role in American building during every period and in every style. Whether as structural members, exterior cladding, roofing, interior finishes, or decorative features, wood is frequently an essential component of historic buildings.

Because it can be easily shaped by sawing, sanding, planing, carving, and gouging; wood is also used for architectural features such as clapboard, cornices, brackets, entablatures, shutters, columns and balustrades.

These wooden features, both functional and decorative, are very often important in defining the historic character of the building.

VILLAGE OF KINDERHOOK HISTORIC PRESERVATION COMMISSION

4.0 APPENDIX

(12/1/04)

U. S. DEPARTMENT OF THE INTERIOR

Standards for The Treatment of Historic Properties

Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings. 1995

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Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings are intended to provide guidance to historic building owners and managers, preservation consultants, architects, contractors, and project reviewers prior to treatment.

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Sustaining the existing form, integrity, and materials of an historic property.

3. **Standards for Rehabilitation**

Making possible a compatible use for a property through repair, alterations, and additions while preserving features which convey its historical, cultural, or architectural values.

4. **Standards for Restoration**

Accurately depicting the form, features, and character of a property as it appeared at a particular period of time.

5. **Standards for Reconstruction**

Depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object.

1. **Introduction**

Choosing an Appropriate Treatment for the Historic Building

The Standards are neither technical nor prescriptive, but are intended to promote responsible preservation practices that help protect our Nation's irreplaceable cultural resources. For example, they cannot, in and of themselves, be used to make essential decisions about which features of the historic building should be saved and which can

be changed. But once a treatment is selected, the Standards provide philosophical consistency to the work.

Choosing the most appropriate treatment for a building requires careful decision-making about a building's historical significance, as well as taking into account a number of other considerations:

Relative importance in history

Is the building a nationally significant resource—a rare survivor or the work of a master architect or craftsman? Did an important event take place in it? National Historic Landmarks, designated for their "exceptional significance in American history," or many buildings individually listed in the National Register often warrant Preservation or Restoration. Buildings that contribute to the significance of a historic district but are not individually listed in the National Register more frequently undergo Rehabilitation for a compatible new use.

Physical condition

What is the existing condition or degree of material integrity of the building prior to work? Has the original form survived largely intact or has it been altered over time? Are the alterations an important part of the building's history?

Preservation may be appropriate if distinctive materials, features, and spaces are essentially intact and convey the building's historical significance. If the building requires more extensive repair and replacement, or if alterations or additions are necessary for a new use, then Rehabilitation is probably the most appropriate treatment. These key questions play major roles in determining what treatment is selected.

Proposed use

An essential, practical question to ask is: Will the building be used as it was historically or will it be given a new use? Many historic buildings can be adapted for new uses without seriously damaging their historic character; special-use properties such as grain silos, forts, ice houses, or windmills may be extremely difficult to adapt to new uses without major intervention and a resulting loss of historic character and even integrity.

Mandated code requirements

Regardless of the treatment, code requirements will need to be taken into consideration. But if hastily or poorly designed, a series of code-required actions may jeopardize a building's materials as well as its historic character. Thus, if a building needs to be seismically upgraded, modifications to the historic appearance should be minimal. Abatement of lead paint and asbestos within historic buildings requires particular care if important historic finishes are not to be adversely affected. Finally, alterations and new construction needed to meet accessibility requirements under the Americans with Disabilities Act of 1990 should be designed to minimize material loss and visual change to a historic building.

Using the Standards and Guidelines for a Preservation, Rehabilitation, Restoration, or Reconstruction Project

The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings are intended to provide guidance to historic building owners and building managers, preservation consultants, architects, contractors, and project reviewers prior to treatment.

As noted, while the treatment Standards are designed to be applied to all historic

resource types included in the National Register of Historic Places-buildings, sites, structures, districts, and objects-the Guidelines apply to speck resource types; in this case, buildings.

The Guidelines have been prepared to assist in applying the Standards to all project work; consequently, they are not meant to give case-specific advice or address exceptions or rare instances. Therefore, it is recommended that the advice of qualified historic preservation professionals be obtained early in the planning stage of the project. Such professionals may include architects, architectural historians, historians, historical engineers, archeologists, and others who have experience in working with historic buildings.

The Guidelines pertain to both exterior and interior work on historic buildings of all sizes, materials, and types. Those approaches to work treatments and techniques that are consistent with The Secretary of the Interior's Standards for the Treatment of Historic Properties are listed in the "Recommended" column on the left; those which are inconsistent with the Standards are listed in the "Not Recommended" column on the right.

One chapter of this book is devoted to each of the four treatments: Preservation, Rehabilitation, Restoration, and Reconstruction. Each chapter contains one set of Standards and accompanying Guidelines that are to be used throughout the course of a project. The Standards for the first treatment, Preservation, require retention of the greatest amount of historic fabric, along with the building's historic form, features, and detailing as they have evolved over time. The Rehabilitation Standards acknowledge the need to alter or add to a historic building to meet continuing or new uses while retaining the building's historic character. The Restoration Standards allow for the depiction of a building at a particular time in its history by preserving materials from the period of significance and removing materials from other periods. The Reconstruction Standards establish a limited framework for re-creating a vanished or non-surviving building with new materials, primarily for interpretive purposes.

The Guidelines are preceded by a brief historical overview of the primary historic building materials (masonry, wood, and architectural metals) and their diverse uses over time. Next, building features comprised of these materials are discussed, beginning with the exterior, then moving to the interior. Special requirements or work that must be done to meet accessibility requirements, health and safety code requirements, or retrofitting to improve energy efficiency are also addressed here. Although usually not part of the overall process of protecting historic buildings, this work must also be assessed for its potential impact on a historic building.

2. Standards for Preservation

Guidelines for Preserving Historic Buildings

Preservation is defined as the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

Standards for Preservation

1. A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.
2. The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate, and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color, and texture.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

Guidelines for Preserving Historic Buildings

Introduction

In Preservation, the options for replacement are less extensive than in the treatment, Rehabilitation. This is because it is assumed at the outset that building materials and character-defining features are essentially intact, i.e., that more historic fabric has survived, unchanged over time. The expressed goal of the Standards for Preservation and Guidelines for Preserving Historic Buildings is retention of the building's existing form, features and detailing. This may be as simple as basic maintenance of existing materials and features or may involve preparing a historic structure report, undertaking laboratory testing such as paint and mortar analysis, and hiring conservators to perform sensitive work such as reconstituting interior finishes. Protection, maintenance, and repair are emphasized while replacement is minimized.

Identify, Retain, and Preserve Historic Materials and Features

The guidance for the treatment Preservation begins with recommendations to identify the form and detailing of those architectural materials and features that are important in defining the building's historic character and which must be retained in order to preserve that character. Therefore, guidance on identify retaining, and preserving character-defining features is always given first. The character of a historic building may be defined by the form and detailing of exterior materials, such as masonry, wood,

and metal; exterior features, such as roofs, porches, and windows; interior materials, such as plaster and paint; and interior features, such as moldings and stairways, room configuration and spatial relationships, as well as structural and mechanical systems; and the building's site and setting.

Stabilize Deteriorated Historic Materials and Features as a Preliminary Measure

Deteriorated portions of a historic building may need to be protected through preliminary stabilization measures until additional work can be undertaken. Stabilizing may include structural reinforcement, weatherization, or correcting unsafe conditions. Temporary stabilization should always be carried out in such a manner that it detracts as little as possible from the historic building's appearance. Although it may not be necessary in every preservation project, stabilization is nonetheless an integral part of the treatment Preservation; it is equally applicable, if circumstances warrant, for the other treatments.

Protect and Maintain Historic Materials and Features

After identifying those materials and features that are important and must be retained in the process of Preservation work, then protecting and maintaining them are addressed. Protection generally involves the least degree of intervention and is preparatory to other work. For example, protection includes the maintenance of historic materials through treatments such as rust removal, caulking, limited paint removal, and re-application of protective coatings; the cyclical cleaning of roof gutter systems; or installation of fencing, alarm systems and other temporary protective measures. Although a historic building will usually require more extensive work, an overall evaluation of its physical condition should always begin at this level.

Repair (Stabilize, Consolidate, and Conserve) Historic Materials and Features

Next, when the physical condition of character-defining materials and features requires additional work, repairing by stabilizing, consolidating, and conserving is recommended. Preservation strives to retain existing materials and features while employing as little new material as possible. Consequently, guidance for repairing a historic material, such as masonry, again begins with the least degree of intervention possible such as strengthening fragile materials through consolidation, when appropriate, and repointing with mortar of an appropriate strength. Repairing masonry as well as wood and architectural metal features may also include patching, splicing, or otherwise reinforcing them using recognized preservation methods. Similarly, within the treatment preservation, portions of a historic structural system could be reinforced using contemporary materials such as steel rods. All work should be physically and visually compatible, identifiable upon close inspection and documented for future research.

Limited Replacement In Kind of Extensively Deteriorated Portions of Historic Features

If repair by stabilization, consolidation, and conservation proves inadequate, the next level of intervention involves the limited replacement in kind of extensively deteriorated or missing parts of features when there are surviving prototypes (for example, brackets, dentils, steps, plaster, or portions of slate or tile roofing). The replacement material needs to match the old both physically and visually, i.e., wood with wood, etc. Thus, with the exception of hidden structural reinforcement and new mechanical system components, substitute materials are not appropriate in the treatment Preservation. Again, it is important that all new material be identified and properly documented for future research.

If prominent features are missing, such as an interior staircase, exterior cornice, or a roof dormer, then Rehabilitation or Restoration treatment may be more appropriate.

3. Standards for Rehabilitation

Guidelines for Rehabilitating Historic Buildings

Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Guidelines for Rehabilitating Historic Buildings

Introduction

In Rehabilitation, historic building materials and character-defining features are protected and maintained as they are in the treatment Preservation; however, an assumption is made prior to work that existing historic fabric has become damaged or deteriorated over time and, as a result, more repair and replacement will be required. Thus, latitude is given in the Standards for Rehabilitation and Guidelines for Rehabilitation to replace extensively deteriorated, damaged, or missing features using either traditional or substitute materials. Of the four treatments, only Rehabilitation includes an opportunity to make possible an efficient contemporary use through alterations and additions.

Identify, Retain, and Preserve Historic Materials and Features

Like Preservation, guidance for the treatment Rehabilitation begins with recommendations to identify the form and detailing of those architectural materials and features that are important in defining the building's historic character and which must be retained in order to preserve that character. Therefore, guidance on identifying retaining, and preserving character-defining features is always given first.

The character of an historic building may be defined by:

- the form and detailing of exterior materials, such as masonry, wood, and metal;
- exterior features, such as roofs, porches, and windows; interior materials, such as plaster and paint; and;
- interior features, such as molding and stairways, room configuration and spatial relationships, as well as structural and mechanical systems.

Protect and Maintain Historic Materials and Features

After identifying those materials and features that are important and must be retained in the process of Rehabilitation work, then protecting and maintaining them are addressed. Protection generally involves the least degree of intervention and is preparatory to other work. For example, protection includes the maintenance of historic material through treatments such as rust removal, caulking, limited paint removal, and re-application of protective coatings; the cyclical cleaning of roof gutter systems; or installation of fencing, alarm systems and other temporary protective measures. Although a historic building will usually require more extensive work, an overall evaluation of its physical condition should always begin at this level.

Repair Historic Materials and Features

Next, when the physical condition of character-defining materials and features warrants additional work repairing is recommended. Rehabilitation guidance for the repair of historic materials such as masonry, wood, and architectural metals again begins with the least degree of intervention possible such as patching, piecing-in, splicing, consolidating, or otherwise reinforcing or upgrading them according to recognized preservation methods. Repairing also includes the limited replacement in kind-or with compatible substitute material-of extensively deteriorated or missing parts of features when there are surviving prototypes (for example, brackets, dentils, steps, plaster, or portions of slate or tile roofing). Although using the same kind of material is always the preferred option, substitute material is acceptable if the form and design as well as the substitute material itself convey the visual appearance of the remaining parts of the feature and finish.

Replace Deteriorated Historic Materials and Features

Following repair in the hierarchy, Rehabilitation guidance is provided for replacing an entire character-defining feature with new material because the level of deterioration or damage of materials precludes repair (for example, an exterior cornice; an interior staircase; or a complete porch or storefront). If the essential form and detailing are still evident so that the physical evidence can be used to re-establish the feature as an integral part of the rehabilitation, then its replacement is appropriate. Like the guidance for repair, the preferred option is always replacement of the entire feature in kind, that is, with the same material. Because this approach may not always be technically or economically feasible, provisions are made to consider the use of a compatible substitute material.

It should be noted that, while the National Park Service guidelines recommend the replacement of an entire character-defining feature that is extensively deteriorated, they never recommend removal and replacement with new material of a feature that although damaged or deteriorated-could reasonably be repaired and thus preserved.

Design for the Replacement of Missing Historic Features

When an entire interior or exterior feature is missing (for example, an entrance, or cast iron facade; or a principal staircase), it no longer plays a role in physically defining the historic character of the building unless it can be accurately recovered in form and detailing by carefully documenting the historical appearance. Although accepting the loss is one possibility, where an important architectural feature is missing, its replacement is always recommended in the Rehabilitation guidelines as the first or preferred, course of action. Thus, if adequate historical, pictorial, and physical documentation exists so that the feature may be accurately reproduced, and if it is desirable to re-establish the feature as part of the building's historical appearance, then designing and constructing a new feature based on such information is appropriate. However, a second acceptable option for the replacement feature is a new design that is compatible with the remaining character-defining features of the historic building. The new design should always take into account the size, scale, and material of the historic building itself and, most importantly, should be clearly differentiated so that a false historical appearance is not created.

Alterations/Additions for the New Use

Some exterior and interior alterations to a historic building are generally needed to assure its continued use, but it is most important that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes. Alterations may include providing additional parking space on an existing historic building site; cutting new entrances or windows on secondary elevations; inserting an additional floor; installing an entirely new mechanical system; or creating an atrium or light well. Alteration may also include the selective removal of buildings or other features of the environment or building site that are intrusive and therefore detract from the overall historic character.

The construction of an exterior addition on a historic building may seem to be essential for the new use. It is emphasized in the Rehabilitation guidelines that such new additions should be avoided, if possible, and considered only after it is determined that those needs cannot be met by altering secondary, i.e., non character-defining interior spaces. If, after a thorough evaluation of interior solutions, an exterior addition is still judged to be the only viable alternative, it should be designed and constructed to be clearly differentiated from the historic building and so that the character-defining

features are not radically changed, obscured, damaged, or destroyed.

Additions and alterations to historic buildings are referenced within specific sections of the Rehabilitation guidelines such as Site, Roofs, Structural Systems, etc., but are addressed in detail in New Additions to Historic Buildings, found at the end of this chapter.

Energy Efficiency/Accessibility Considerations/Health and Safety Code Considerations

These sections of the guidance address work done to meet accessibility requirements and health and safety code requirements; or retrofitting measures to improve energy efficiency. Although this work is quite often an important aspect of Rehabilitation projects, it is usually not a part of the overall process of protecting or repairing character-defining features; rather, such work is assessed for its potential negative impact on the building's historic character. For this reason, particular care must be taken not to radically change, obscure, damage, or destroy character-defining materials or features in the process of meeting code and energy requirements.

Rehabilitation as a Treatment When repair and replacement of deteriorated features are necessary; when alterations or additions to the property are planned for a new or continued use; and when its depiction at a particular time is not appropriate, Rehabilitation may be considered as a treatment. Prior to undertaking work, a documentation plan for Rehabilitation should be developed.

4. Standards for Restoration

Guidelines for Restoring Historic Buildings

Restoration is defined as the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

Standards for Restoration

1. A property will be used as it was historically or be given a new use which reflects the property's restoration period.
2. Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces, and spatial relationships that characterize the period will not be undertaken.
3. Each property will be recognized as a physical record of its time, place, and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration period will be physically and visually compatible, identifiable upon close inspection, and properly documented for future research.
4. Materials, features, spaces, and finishes that characterize other historical periods will be documented prior to their alteration or removal.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.
6. Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials.
7. Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.
8. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
9. Archeological resources affected by a project will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
10. Designs that were never executed historically will not be constructed.

Guidelines for Restoring Historic Buildings

Introduction

Rather than maintaining and preserving a building as it has evolved over time, the expressed goal of the Standards for Restoration and Guidelines for Restoring Historic Buildings is to make the building appear as it did at a particular-and most significant-time in its history. First, those materials and features from the "restoration period" are identified, based on thorough historical research. Next, features from the restoration period are maintained, protected, repaired (i.e., stabilized, consolidated, and conserved), and replaced, if necessary. As opposed to other treatments, the scope of work in Restoration can include removal of features from other periods; missing features from the restoration period may be replaced, based on documentary and physical evidence, using traditional materials or compatible substitute materials. The final guidance emphasizes that only those designs that can be documented as having been built should be re-created in a restoration project.

Identify, Retain, and Preserve Materials and Features from the Restoration Period

The guidance for the treatment Restoration begins with recommendations to identify the form and detailing of those existing architectural materials and features that are significant to the restoration period as established by historical research and documentation. Thus, guidance on identifying, retaining, and preserving features from the restoration period is always given first. The historic building's appearance may be defined by the form and detailing of its exterior materials, such as masonry, wood, and metal; exterior features, such as roofs, porches, and windows; interior materials, such as plaster and paint; and interior features, such as moldings and stairways, room configuration and spatial relationships, as well as structural and mechanical systems; and the building's site and setting.

Protect and Maintain Materials and Features from the Restoration Period

After identifying those existing materials and features from the restoration period that must be retained in the process of Restoration work, then protecting and maintaining them is addressed. Protection generally involves the least degree of intervention and is preparatory to other work. For example, protection includes the maintenance of historic material through treatments such as rust removal, caulking, limited paint removal, and re-application of protective coatings; the cyclical cleaning of roof gutter systems; or installation of fencing, alarm systems and other temporary protective measures. Although a historic building will usually require more extensive work, an overall evaluation of its physical condition should always begin at this level.

Repair (Stabilize, Consolidate, and Conserve) Materials and Features from the Restoration Period

Next, when the physical condition of restoration period features requires additional work, repairing by stabilizing, consolidating, and conserving is recommended. Restoration guidance focuses upon the preservation of those materials and features that are significant to the period. Consequently, guidance for repairing a historic material, such as masonry, again begins with the least degree of intervention possible, such as strengthening fragile materials through consolidation, when appropriate, and repointing with mortar of an appropriate strength. Repairing masonry as well as wood and architectural metals includes patching, splicing, or otherwise reinforcing them using recognized preservation methods. Similarly, portions of a historic structural system could be reinforced using contemporary material such as steel rods. In Restoration, repair may also include the limited replacement in kind-or with compatible substitute material-of extensively deteriorated or missing parts of existing features when there are surviving prototypes to use as a model. Examples could include terra-cotta brackets,

wood balusters, or cast iron fencing.

Replace Extensively Deteriorated Features from the Restoration Period

In Restoration, replacing an entire feature from the restoration period (i.e., a cornice, balustrade, column, or stairway) that is too deteriorated to repair may be appropriate. Together with documentary evidence, the form and detailing of the historic feature should be used as a model for the replacement. Using the same kind of material is preferred; however, compatible substitute material may be considered. All new work should be unobtrusively dated to guide future research and treatment. If documentary and physical evidence are not available to provide an accurate re-creation of missing features, the treatment Rehabilitation might be a better overall approach to project work.

Remove Existing Features from Other Historic Periods

Most buildings represent continuing occupancies and change over time, but in Restoration, the goal is to depict the building as it appeared at the most significant time in its history. Thus, work is included to remove or alter existing historic features that do not represent the restoration period. This could include features such as windows, entrances and doors, roof dormers, or landscape features. Prior to altering or removing materials, features, spaces, and finishes that characterize other historical periods, they should be documented to guide future research and treatment.

Re-Create Missing Features from the Restoration Period

Most Restoration projects involve re-creating features that were significant to the building at a particular time, but are now missing. Examples could include a stone balustrade, a porch, or cast iron storefront. Each missing feature should be substantiated by documentary and physical evidence. Without sufficient documentation for these "re-creations," an accurate depiction cannot be achieved. Combining features that never existed together historically can also create a false sense of history. Using traditional materials to depict lost features is always the preferred approach; however, using compatible substitute material is an acceptable alternative in Restoration because, as emphasized, the goal of this treatment is to replicate the "appearance" of the historic building at a particular time, not to retain and preserve all historic materials as they have evolved over time.

If documentary and physical evidence are not available to provide an accurate re-creation of missing features, the treatment Rehabilitation might be a better overall approach to project work.

Energy Efficiency/Accessibility Considerations/ Health and Safety Code Considerations

These sections of the Restoration guidance address work done to meet accessibility requirements and health and safety code requirements; or limited retrofitting measures to improve energy efficiency. Although this work is quite often an important aspect of restoration projects, it is usually not part of the overall process of protecting, stabilizing, conserving, or repairing features from the restoration period; rather, such work is assessed for its potential negative impact on the building's historic appearance. For this reason, particular care must be taken not to obscure, damage, or destroy historic materials or features from the restoration period in the process of undertaking work to meet code and energy requirements.

Restoration as a Treatment. When the property's design, architectural, or historical significance during a particular period of time outweighs the potential loss of extant materials, features, spaces, and finishes that characterize other historical periods; when there is substantial physical and documentary evidence for the work; and when contemporary alterations and additions are not planned, Restoration may be considered as a treatment. Prior to undertaking work, a particular period of time, i. e., the restoration period, should be selected and justified, and a documentation plan for Restoration developed.

5. Standards for Reconstruction

Guidelines for Reconstructing Historic Buildings

Reconstruction is defined as the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

Standards for Reconstruction

1. Reconstruction will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture, and such reconstruction is essential to the public understanding of the property.
2. Reconstruction of a landscape, building, structure, or object in its historic location will be preceded by a thorough archeological investigation to identify and evaluate those features and artifacts which are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures will be undertaken.
3. Reconstruction will include measures to preserve any remaining historic materials, features, and spatial relationships.
4. Reconstruction will be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property will re-create the appearance of the non-surviving historic property in materials, design, color, and texture.
5. A reconstruction will be clearly identified as a contemporary re-creation.
6. Designs that were never executed historically will not be constructed.

Guidelines for Reconstructing Historic Buildings

Introduction

Whereas the treatment Restoration provides guidance on restoring-or re-creating-building features, the Standards for Reconstruction and Guidelines for Reconstructing Historic Buildings address those aspects of treatment necessary to re-create an entire non-surviving building with new material. Much like restoration, the goal is to make the building appear as

it did at a particular-and most significant-time in its history. The difference is, in Reconstruction, there is far less extant historic material prior to treatment and, in some cases, nothing visible. Because of the potential for historical error in the absence of sound physical evidence, this treatment can be justified only rarely and, thus, is the least frequently undertaken. Documentation requirements prior to and following work are very stringent. Measures should be taken to preserve extant historic surface and subsurface material. Finally, the reconstructed building must be clearly identified as a contemporary re-creation.

Research and Document Historical Significance

Guidance for the treatment Reconstruction begins with researching and documenting the building's historical significance to ascertain that its re-creation is essential to the public understanding of the property. Often, another extant historic building on the site or in a setting can adequately explain the property, together with other interpretive aids. Justifying a reconstruction requires detailed physical and documentary evidence to minimize or eliminate conjecture and ensure that the reconstruction is as accurate as possible. Only one period of significance is generally identified; a building, as it evolved, is rarely recreated. During this important fact-finding stage, if research does not provide adequate documentation for an accurate reconstruction, other interpretive methods should be considered, such as an explanatory marker.

Investigate Archeological Resources

Investigating archeological resources is the next area of guidance in the treatment Reconstruction. The goal of physical research is to identify features of the building and site which are essential to an accurate recreation and must be reconstructed, while leaving those archeological resources that are not essential, undisturbed. Information that is not relevant to the project should be preserved in place for future research. The archeological findings, together with archival documentation, are then used to replicate the plan of the building, together with the relationship and size of rooms, corridors, and other spaces, and spatial relationships.

Identify, Protect and Preserve Extant Historic Features

Closely aligned with archeological research, recommendations are given for identifying protecting, and preserving extant features of the historic building. It is never appropriate to base a Reconstruction upon conjectural designs or the availability of different features from other buildings. Thus, any remaining historic materials and features, such as remnants of a foundation or chimney and site features such as a walkway or path, should be retained, when practicable, and incorporated into the reconstruction. The historic as well as new material should be carefully documented to guide future research and treatment.

Reconstruct Non-Surviving Building and Site

After the research and documentation phases, guidance is given for Reconstruction work itself. Exterior and interior features are addressed in general, always emphasizing the need for an accurate depiction, i.e., careful duplication of the appearance of historic interior paints, and finishes such as stencilling, marbling, and graining. In the absence of extant historic materials, the objective in reconstruction is to re-create the appearance of the historic building for interpretive purposes. Thus, while the use of traditional materials and finishes is always preferred, in some instances, substitute materials may be used if they are able to convey the same visual appearance.

Where non-visible features of the building are concerned-such as interior structural systems or mechanical systems-it is expected that contemporary materials and technology will be employed.

Re-creating the building site should be an integral aspect of project work. The initial archeological inventory of subsurface and aboveground remains is used as documentation to reconstruct landscape features such as walks and roads, fences, benches, and fountains.

Energy Efficiency/Accessibility/Health and Safety Code Considerations

Code requirements must also be met in Reconstruction projects. For code purposes, a reconstructed building may be considered as essentially new construction. Guidance for these sections is thus abbreviated, and focuses on achieving design solutions that do not destroy extant historic features and materials or obscure reconstructed features.

Reconstruction as a Treatment. When a contemporary depiction is required to understand and interpret a property's historic value (including the re-creation of missing components in a historic district or site); when no other property with the same associative value has survived; and when sufficient historical documentation exists to ensure an accurate reproduction, Reconstruction may be considered as a treatment. Prior to undertaking work, a documentation plan for Reconstruction should be developed. Reconstruction should generally be based on an extensive archeological investig

Demolition within the Historic District Adopted 12/9/04 for HPC Guidelines Handbook

Local Law No. 1, “Landmarks and Historic Districts in the Village of Kinderhook (75 – 6),” states:

“No building permit shall be issued nor shall any person commence any exterior alteration, restoration, reconstruction, demolition, new construction, or moving of any building or structure or any feature thereon on a landmark or property within a historic district that are visible from any public way, without first obtaining a Certificate of Appropriateness from the Historic Preservation Commission.”

In general the demolition or partial demolition of a building or structure over fifty years old that is of significant historic importance or adds to the overall character of the property or district is not allowed unless there is no prudent alternative. The Historic Preservation Commission will adhere to the following guidelines:

1. Buildings or structures that are representative of a particular historical style, that retain their defining architectural and historic features, and/or that contribute to the overall character of the property or district should be preserved.
2. Buildings or structures that are less well preserved but that remain representative of the features and character of the property or historic district should also be preserved as much as possible.
3. Buildings or structures of any age that lack or have lost their defining architectural or historical features, or contribute little to the character of the property or historic district may be considered for demolition or partial demolition.

In evaluating applications for demolition or partial demolition the Historic Preservation Commission will consider the following:

- ¶ the historical and architectural significance of the building or structure
- ¶ the degree to which the building or structure contributes to the character of the property and of the Historic District
- ¶ the condition and integrity of the defining historical and architectural features of the building or structure
- ¶ the significance of the building or structure to the building history of the principal structure
- ¶ in the case of a secondary building or structure, the significance of this building or structure to the principal building or structure and its importance and relationship to the site and/or to the Historic District

¶ the condition and structural viability of the building or structure

¶ the economic feasibility of rehabilitating or upgrading the building or structure according to modern standards and codes

The historic and aesthetic integrity of a building or structure is sometimes compromised by unsympathetic additions. The Commission will consider the demolition or partial demolition of such additions following the criteria outlined above. The replacement of such additions with new construction will likewise be considered bearing in mind the following:

¶ All applications for replacement construction must comply with the criteria of the Historic Preservation Commission Guidelines.

¶ While the Local Law defines “historic” as being at least fifty years old, the Commission recognizes that many buildings or structures less than fifty years old may be of architectural or historic importance while other older examples may not be.

¶ Applications for demolition and replacement construction will be considered in two phases: the appropriateness of demolition and the appropriateness of the new construction. Approval of demolition will be contingent upon approval of replacement construction.

As an alternative to demolition, a property owner should consider:

- a) expanding the building or structure with minimal damage to the original features
- b) moving it from its present location, (allowing for a new addition), and relocating it at another position on the site;
- c) disassembling and rebuilding on another property.

In the case that demolition is approved, the Commission may request that the building or structure be documented prior to demolition with photographs, scale plans, and/or elevations with measurements.

The denial of an application to demolish may be appealed on the basis of hardship as provided in Local Law No. 1 (75 – 10).

Guidelines for Signage within the Historic District

1/19/05 final

Introduction

The Commission regulates signage within the Historic District under Chapters 75-1 and certain provisions of Chapter 75-2. Signs and signage within the Historic District, in addition to following *these* Commission Guidelines, shall conform to *the size restrictions, in every way* to the regulations and the Zoning Ordinance/Resolutions of the Village of Kinderhook.

Because of the unique character of our Historic District, these Guidelines encourage *signage* of appropriate size, design, and materials *in order to* enhance the overall appearance of the District and to assure there is no disorderly or unnecessary use of signage.

These Guidelines do not regulate official traffic signage. The intent of these Guidelines is to regulate signs of a civic or commercial nature that can be viewed from the public right-of-way.

Purpose

The purpose of signage controls within our Historic District then, is not to regulate the exact number, size, type or even the style of signs. *Signage controls* are to assure that proposed signs are compatible with their proposed location, with the facade of the building on which the sign is to be located, and with the overall appearance of the District.

Signs to be located on buildings should be of a style appropriate to the period of the building. Signs should be located at historically traditional locations, i.e., on storefront sign courses or on flat surfaces of *a commercial* building; hanging or appropriately mounted on the building exterior, or inside storefront windows.

Signs should be compatible in scale and appearance with signs on adjacent buildings and other signage within the District. Signs must be maintained and/or repaired such that the sign continues to conform to the conditions imposed by the Village of Kinderhook and these Guidelines.

Guidelines

Certain types of signs are encouraged within the Historic District:

- New signs, *whether freestanding or placed on buildings* should respect *the historic landscape*, and the building on which they are to be placed. *Often features of the landscape or details of a building will suggest the size, the materials, and the placement for a new sign.*
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- New *freestanding* signs should *consider* neighboring buildings *and the*

historic landscape. They should not obscure or overpower adjacent structures, *buildings or features*. *Freestanding signs should be adequately supported to ensure safety*.

- *New building signage* should not obscure significant features of the historic building, should not obscure or overpower adjacent structures, *buildings or features*. Signs above a storefront should fit within the historic signboard if one exists.
 - *Building signs* should be attached *or hung* carefully, both to prevent damage to historic fabric, and to ensure safety. Fittings, for example, should penetrate mortar joints rather than brick. Sign loading should be properly calculated and distributed.
 - Sign materials *and lettering, whether for freestanding or building signs*, should *be durable and be constructed of, or closely imitate*, historic materials such as metal or wood. Wood signs should be finished *and painted*.
 - *Lettering* may applied, carved or sandblasted and may be painted, or of gold or silver leaf. *Signs and lettering limited to 2 or 3 colors are encouraged, with colors that coordinate with the overall building colors*.
- If illumination is desired, illumination must be *low lever and indirect* (light shining onto the surface of the sign *with the lighting source masked from view*).

Certain types of signs are discouraged within the Historic District

- Signs that do not conform to the regulations and the Zoning Ordinance/Resolutions of the Village of Kinderhook;
- Plastic signs (whether or not backlit) , signs fabricated from plywood, or signs of unfinished wood;
- Signs utilizing neon, bare light bulbs, *flashing lights* or back-lighting as used in most plastic signs;
- Signage with moving parts or any sign that emits sounds.

Existing signs frequently do not meet requirements set forth in these Guidelines. Article 6 (Non-Conforming Building Uses and Lots) of the Village Code requires that, under certain circumstances, non-conforming signs be brought into compliance with the requirements of the Village Code. The commission will review mandated new signs and/or replacements for conformance with these Guidelines.

Certificate of Appropriateness

Application for a Certificate of Appropriateness, when required for signage, is as described previously in these Guidelines. The application shall contain the following information:

- *Name, address and description (preferably by a photograph) of the property or building on which the sign is to be constructed, indicating the exact location of the proposed sign;*
- *A dimensioned drawing of the proposed sign;*
- *A detailed description, including samples, of the materials with which the proposed sign will be constructed; and the name of the company that is to construct the proposed sign.*
- *If the sign is to be illuminated or use any type of artificial light source, details of the fixture, the lamping, and the required shading.*
- The Commission may require additional information consistent with the provisions of these Guidelines.

Once the signage has been approved and a Certificate of Appropriateness has been issued, all signs must be constructed and placed in compliance with the data submitted by the applicant for which the Certificate of Appropriateness was issued.