

WALPOLE HISTORICAL COMMISSION



A Brief Summary of the Demolition Delay Bylaw

Under certain conditions specified in the town bylaw, every application for a demolition permit of a building or structure which is at least 100 years or more old or listed on or within an area listed on the National Register of Historic Places or other specific areas shall be filed with the Building Inspector.

An application for demolition of a building that meets these criteria triggers a notification to the Walpole Historical Commission (WHC) via a forwarded copy from the Building Inspector within 5 working days from receipt of the application.

Within fifteen working days after receipt of the application for the demolition, the WHC shall make a Determination of Architectural and/or Historical Significance. In simpler terms, if the WHC deems that the building and/or structure involved are not in need of preservation, then the demolition may proceed.

If the WHC finds that the building and/or structure is indeed of significance, then the Building Inspector and the applicant shall be notified in writing from the WHC, and a demolition permit shall not be issued at that time. The WHC shall hold a public hearing within 20 working days of the Determination of Architectural and/or Historical Significance to determine whether the building and/or structure should be preserved.

Public notice (via a local newspaper ad paid for by the applicant, and by posting in a conspicuous place at Town Hall by the WHC) of the time, place and purpose of the hearing shall be made not less than 7 days before the hearing.

If after a public hearing the WHC determines that the building and/or structure need not be preserved, the WHC shall notify the Building Inspector and the demolition may proceed.

If after the public hearing the WHC determines that the building and/or structure should be preserved, the WHC shall notify the Building Inspector, and no demolition permit may be issued until six months after the date of the final determination by the WHC.

The delay of six months provides an extended time frame in the hopes that an alternative to demolition of the property may be found. When an alternative is found, the WHC shall so notify the building inspector, shortening the delay.

Special Note:

The WHC is specifically authorized via the bylaw to institute any and all actions regarding compliance with the bylaw, including the restoration of the demolished premises to their condition prior to a violation of this bylaw.

14 September 2010

Michael E. Amaral