



CITY OF CONCORD
New Hampshire's Main Street™
Community Development Department

REPORT TO MAYOR AND CITY COUNCIL

FROM: David V. Hall, Code Administrator
Matthew R. Walsh, Deputy City Manager – Development

DATE: March 26, 2025

SUBJECT: Revisions to Code of Ordinances, Chapter 26, Article 26-9 Demolition Review

Recommendation:

Accept this report and set the attached ordinance amending the Code of Ordinances, Chapter 26, Article 26-9 – Demolition Review for public hearing on May 12, 2025.

Background:

For decades, the City has had a demolition delay ordinance. The Ordinance, which is codified in the Code of Ordinances, Chapter 26, Article 26-9 – Demolition Review, was last amended in March 2022. Under the current ordinance, all demolition applications involving structures which are greater than 500SF and at least 50 years old must be reviewed by the Demolition Review Committee (DRC). The DRC is a subcommittee of the Heritage Commission, and is comprised of three (3) members of the Heritage Commission and two (2) alternates appointed by the chair of the commission.

Under the current ordinance, once DRC is notified of a demolition permit, it has 12 days to determine whether the building is potentially historically or architecturally significant. If found significant, then a public hearing is scheduled to hear public testimony. The public hearing must be completed not later than 60 days after the demolition application was received.

The purpose of the demolition delay ordinance is to create an opportunity for the City to work with owners of historically significant properties on alternatives to demolition, or to properly document significant structures before they are demolished. While the ordinance creates opportunities to explore potential alternatives to demolition, the ordinance does not empower the City to prohibit the demolition of any structures.

The demolition delay ordinance has been a valuable tool to help further the City's goal of preserving and documenting historic structures. Most notably, the ordinance was instrumental in the preservation of the Rolfe Barn (a 1790 double English barn located in Penacook, which is one of the last of its kind in the country) in the early 2000s.

Discussion:

The proposed ordinance would modify the demolition review process for qualifying structures.

Specifically, the proposed amendment eliminates the Demolition Review Committee, and transfer the DRC's responsibilities to the Heritage Commission.

Secondly, the Heritage Commission will conduct a public hearing on all demolition applications involving a qualified structure (i.e., any building at least 500SF in size that is at least 50 years of age or older; however manufactured housing will be exempted). This modification will clarify and streamline the application process for property owners, as well as improve the efficiency and transparency of the process for all parties and the public.

Third, the proposed ordinance formalizes the procedure for the Heritage Commission to conduct a site visit of the subject structure during the review process, and it specifies that such site visit must be publicly noticed and coordinated with the property owner. Additionally, the proposed amendment further clarifies that the demolition delay process will not apply to buildings which are an immediate threat to public health and safety, or subject to a hazardous building order in accordance with RSA 155-B.

Importantly, like the current ordinance, the entire review process established within the proposed ordinance will be completed within (60) calendar days from the date of the filing of a demolition permit. The 60-day time frame is unchanged from the existing ordinance.

Additionally, like the current ordinance, the proposed ordinance does not empower the Heritage Commission to prohibit the demolition of a structure.

The proposed ordinance was previously reviewed by the Heritage Commission, which recommended adoption. The proposed ordinance was also presented to the Economic Development Advisory Committee on March 25, 2025 who voted in the affirmative to recommend that the City Council adopt the ordinance as presented.