

CHAPTER VII

HISTORIC RESOURCES

A. INTRODUCTION

The quality of future planning can be enhanced in many ways by an appreciation of a community's past. Although Hudson's historic resources are overshadowed by the tremendous amount of new construction which has occurred in the past twenty five years, the historic buildings and sites which survive play a critical role in defining the town's character and connecting the present with the past. Like other environmental resources, historic resources are precious, fragile and nonrenewable and may be lost without awareness, respect and adequate protection.

According to data from the U.S. Census, in 2000 11% of the housing units in town were built before 1940, as compared to 16% in the region and 24% statewide.¹ In fact, as of 2000, Hudson was ranked fourth in the Nashua region for towns with the fewest historic housing units, on a percentage basis, behind Pelham, Merrimack and Litchfield. These statistics highlight how critical it is to identify, promote and protect significant historic resources in town before these important links to the past are lost forever.

The purpose of this chapter is to provide some background on the history and important historic structures and sites in Hudson, to summarize the status of preservation activity and to discuss the preservation tools available to local citizens. A wide range of preservation techniques may be used to help ensure that future growth is compatible with local design and land use traditions. These can range from non-regulatory options such as public education (school projects on local history, establishment of markers commemorating sites of historic interest) to intermediate measures such as nominating structures to the National Register of Historic Places or suggesting compatible design themes to a developer who might otherwise be unaware of options to integrate new structures with their surroundings. Finally, a community may opt to use regulatory techniques such as establishing local historic districts. It is up to the community to plan a program of historical and cultural protection, based on local needs and desires.

B. HISTORICAL BACKGROUND

The Town of Hudson was formerly part of the Town of Dunstable which was chartered in 1673 as an outpost of the Massachusetts Bay Colony. Parts of the old township broke away as separate entities beginning about 1730. Hudson was known as Nottingham West from 1746 until 1830 when residents petitioned the General Court for a name change to avoid confusion with another Nottingham, New Hampshire.

The settlement of what is now Hudson began about 1710. Early on three garrison houses (Blodgett, Taylor and Hills) were built within a half mile of the Merrimack River in the western part of the present town limits to withstand Indian attacks. Settlement in town did not begin in earnest until the end of Lovewell's War in 1725, and by 1733 there was a settlement of about ten families on the Joseph Hills Farm. The first meetinghouse was built in 1733 on the road leading from Dracut to Litchfield (later Musquash Road). When the boundary between new Hampshire and Massachusetts was established in 1746, the meetinghouse was no longer in the center of town so the citizens voted to build a new meetinghouse. The 1733 meetinghouse was then sold to the neighboring Town of Pelham, moved there

¹ U.S. Census, 2000. http://www.nashuarpc.org/census/demprofile00_hudson.pdf

and used as a meetinghouse until 1785. A new meetinghouse was constructed in Hudson Center in 1748; in 1778 it was sold and removed from the site.

Prior to the construction of the Taylor's Falls Bridge across the Merrimack River from Nashua to Hudson in 1827, one of the earliest and busiest ferries was established in 1729 at Cummings Farm in Hudson, running to a spot near the mouth of the Nashua River. At least two other ferries linked Hudson to Nashua including the Hills Ferry in the northern part of town and Little's Ferry at South Nashua.

Hudson Center developed rapidly in the late 18th and early 19th Century after the Presbyterian Church or North Meetinghouse was erected in 1771. By 1834, Hudson Center was the primary village center of the town. It contained a tavern, three small stores, a meetinghouse, a physician and eight or nine residences. Other than the small concentration of buildings at Hudson Center, there were no other village centers in town. The construction of several new buildings, including the Hudson Baptist Church in 1841 and the Town House in 1857 reinforced the importance of the village at the center, although by this time the importance of the Center was beginning to wane.



The area known as Hudson Bridge, at the eastern terminus of the Taylor's Falls Bridge, had begun to develop as a commercial center as early as 1837, when a store was established there, and continued to develop rapidly during the mid 19th Century due to its proximity to the industrial city of Nashua. By the early 20th Century, the business center of the town had moved from Hudson Center to "The Bridge". The post office moved to the Bridge area in 1910 and the town library moved to the Hills Memorial Library in 1909. The Hudson Volunteer Hose company constructed a hose carriage house at the Bridge in 1892. Library Park and the rest station was established in 1911 for those awaiting the electric cars at the southeast corner of the park. The advent of the electric railways in Hudson in 1895 simplified commuting to the mills in Nashua and accelerated the evolution of Hudson as a bedroom community for Nashua.

Agriculture continued to play a major role in the local economy well into the 20th Century. Local farms included both mixed family farms and larger production operations, primarily poultry, apples, and dairy. The U.S. Census indicates that there were 172 farms in Hudson in 1880, ranging from five to more than five hundred acres. In the early 20th Century, Hudson still retained many dairy farms, market gardens and extensive orchards. Even those who worked in Nashua or other urban centers typically kept small gardens and a few chickens.

The poultry industry was particularly significant in the 20th Century. The Jasper farm grew to become one of New England's largest breeding farms and Grant Jasper became one of the leaders of the New England poultry industry. At its peak the farm contained over three hundred acres, eighteen large hen houses, and more than 200 portable brooder houses and range shelters. The daily production was more than 25,000 eggs.

Lowell Road in particular illustrates Hudson's transition from agricultural community to suburban town. In the 1920s there were about twenty-five farms along the road but by the 1960s only half as many remained. As of 2003, there are only a handful of agricultural operations townwide. The construction of the Sagamore Park Bridge in 1974 brought new volumes of traffic to Lowell Road and much of the remaining farm land soon gave way to commercial strip development and lesser amounts of industrial development.

The building boom of the 1970s and 1980s, spurred in part by the availability of public sewer and water services, has changed the mix of housing in town, increasing the proportion of multi-family housing, particularly duplexes, while decreasing that of single family houses, particularly those of a historic nature. A number of large industrial park complexes have been built on Route 111, near the Windham

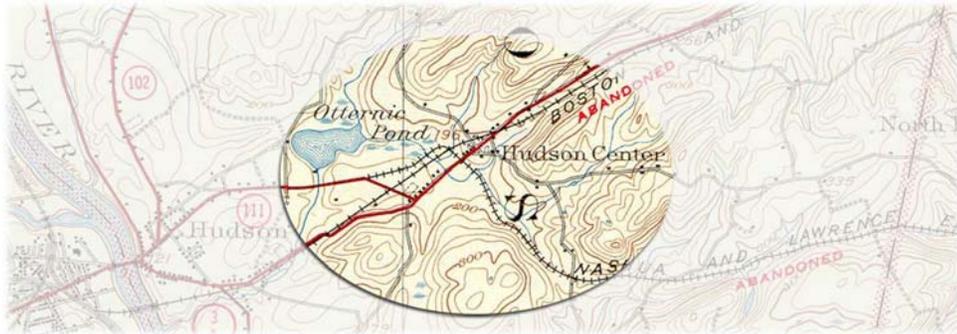
town line, while commercial development has been concentrated along major routes such as Lowell Road, Derry Road and Route 111. Much of the eastern portion of town continues to be more rural in character.

C. SIGNIFICANT LOCAL HISTORIC RESOURCES

Many of Hudson's historic resources are clustered in the two historic village centers, Hudson Bridge and Hudson Center. Although these areas comprise the most notable concentrations of historic resources in town, there is hardly an old road in town where an historic homestead or mill site cannot be found. Hudson's old roads still in use include Bush Hill Road, Derry Road, Kimball Hill Road, Lowell Road, Pelham Road and Robinson Road. The following is a brief summary of some of Hudson's historic resources.

1. Hudson Center

Furthered by its central location in town, Hudson Center developed rapidly in the late 18th and early 19th centuries. It was situated approximately two miles from the current Taylor's Falls Bridge in the area of Route 111 and Greeley Street. Construction of the Presbyterian Church or North Meetinghouse in 1771 provided an impetus for further development. The church was erected on the site of the present Town House (Wattanick Grange Hall). A town common and burying ground were laid out several years later. A cluster of buildings were constructed in the 1840s and 1850s in the then-popular Greek Revival Style. These include the Hudson Baptist Church (1841), the Greeley House next to the church (c.1840) and the Town House (1857). The Hudson Center School was constructed in 1908 and a number of houses were constructed over the years. The Route 111 bypass of the 1960s resulted in the relocation of several structures in Hudson Center and in the taking of a large part of the town common. A proliferation of commercial activity just west of the Hudson Center area and industrial areas to the east has isolated Hudson Center in recent decades. Today, with Benson's Animal Farm being redeveloped for recreational and conservation uses, and a number of houses boarded up, Hudson Center awaits new definition.



Hudson Center

2. Hudson Bridge



Hills Memorial Library

The area which developed adjacent to the Taylor's Falls Bridge crossing the Merrimack River became the dominant center in the late 19th and early 20th Century. The original bridge was built as a 16-foot wide covered toll bridge in 1827. It wasn't until the arrival of the electric railway in 1895 that a densely populated area had been settled at the bridge crossing.

Examples of a wide variety of architectural styles popular at the turn

of the Century are visible in the houses and other buildings in this area. The Hills Memorial Library, dating to 1909, is a unique structure combining native stonework and Tudor style influences.

3. Hills House, Derry Road; Alvirne Chapel, Derry Road; Hills Memorial Library, School Street

Three of Hudson's most significant historic resources, the Hills House, Hills Memorial Library, and Alvirne Chapel, were constructed in the late 19th and early 20th Centuries by summer resident Dr. Alfred K. Hills (1840-1928), a descendant of Hudson's founding family. The Hills House, owned by the Hudson School District is an excellent example of the Shingle Style dating to 1890, designed by Boston architect Hubert Ripley. Also, designed by Ripley, the Hills Memorial Library was dedicated in 1909 as a gift to the Town of Hudson by Dr. Hills. As his last major building project, Dr. Hills had Alvirne Memorial Chapel constructed in 1909 in memory of his wife. The small stone chapel features a low gabled bell tower.



Hills House



Alvirne Memorial Chapel

D. TOOLS FOR ENHANCEMENT AND PROTECTION OF HISTORIC RESOURCES

There are various methods that can be used to encourage the preservation or restoration of historic resources. These include: 1) historic resources survey; 2) National Register of Historic Places; 3) local historic districts; 4) the Certified Local Government (CLG) program; 5) local heritage commissions; 6) historic building rehabilitation federal tax credits; 7) historic markers; 8) easements; 9) protection of archeological areas; 10) Scenic Road designation; 11) innovative land use controls; and 12) building code provisions.

1. Historic Resources Survey

Preservation through documentation is the most basic and essential of preservation strategies. There are several reasons for undertaking an historic resources survey. In addition to providing a permanent written and photographic record of a town's architecture, a good inventory is the foundation for other preservation tools. It can be of service to the historic district commission and can be used to prepare nominations for listing of historic structures in the National Register of Historic Places. Data gathered in a survey may encourage a greater appreciation of historic structures and sites by local citizens. Historic resource assessments are also necessary for accomplishing environmental reviews required in projects receiving federal funding, such as highway projects. As the beginning of a comprehensive historic preservation strategy, information gathered should act as a firm foundation for future decision making, by identifying buildings suitable for and worthy of preservation and/or rehabilitation.

A complete historic resources survey can help a community weigh proposed actions more carefully, so that it does not inadvertently expend its long-term assets in realizing immediate objectives. If a comprehensive town-wide survey is not feasible, Hudson would be wise to identify the historic resources and areas which may be impacted by future road improvements.

a. Historic Structures Report

The purpose of a historic structures report (HSR) is to develop an understanding of a building's physical history and condition, and provide specific, useable information for implementing a treatment plan. The New Hampshire Division of Historic Resources States that, "One of the first parts of a preservation project should be an historic structures report, which analyzes the physical evolution, condition and potential of an historic building as documented by historical, architectural and technological evidence."² Buildings that are important in the history of a community have potential to continue to serve that community in many ways after its original function is no longer viable. An HSR is a tool that analyzes that potential for the multiple values that a building represents, taking into consideration the meaning, use and cost to maximize the benefit to the community.

2. National Register of Historic Places

The National Register of Historic Places is the official list of the Nation's cultural resources worthy of preservation. Established by the National Historic Preservation Act of 1966 and administered by the National Park Service within the Department of the Interior, the Register lists properties of local, state and/or national significance in the areas of American history, architecture, archaeology, engineering and culture. Resources may be nominated individually, or in groups, as districts or as multiple resource areas and must generally be older than 50 years.

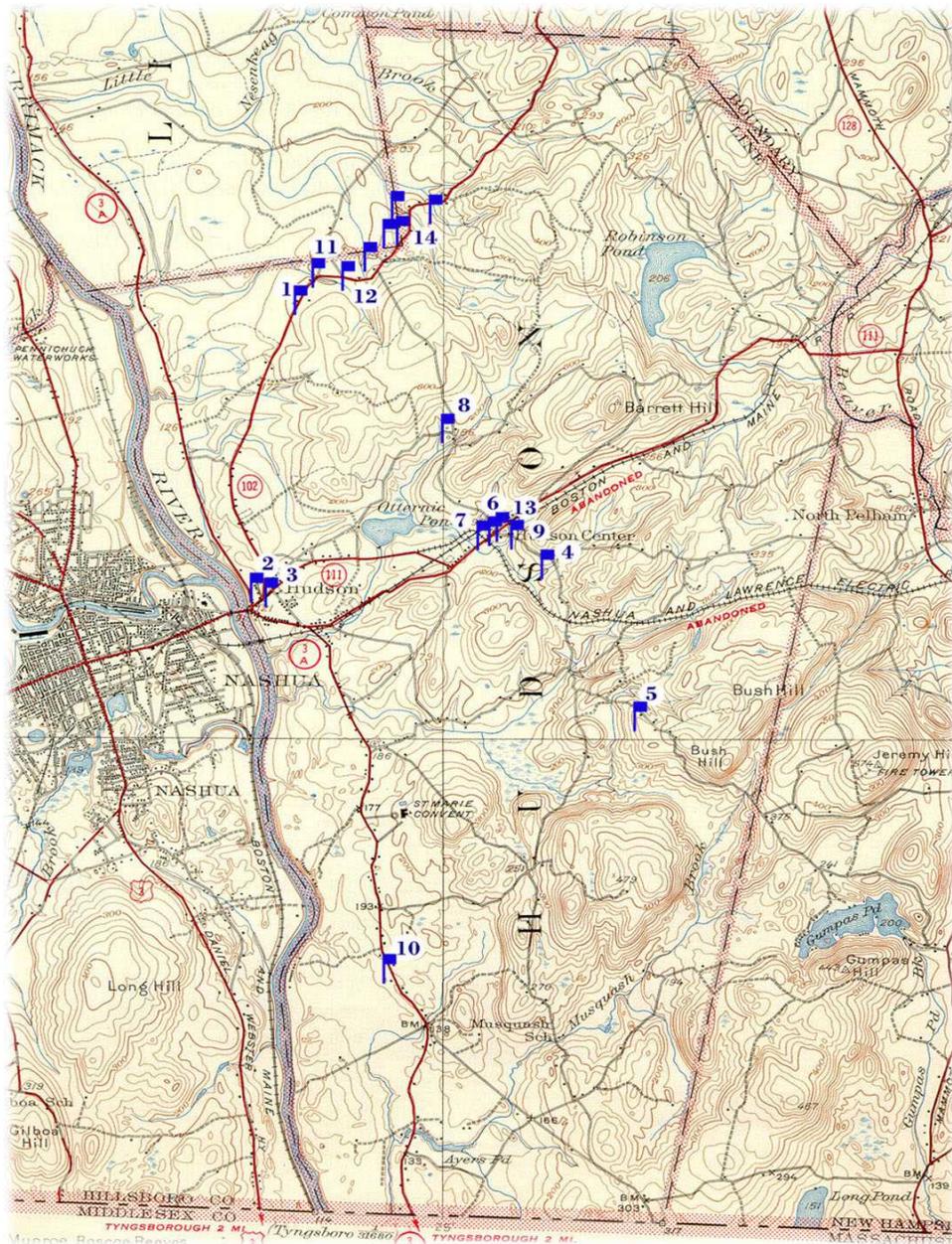
The primary benefit of National Register listing is the recognition it affords and the appreciation of local resources which is often stimulated through such recognition. The National Register also provides for review of effects which any federally funded, licensed or assisted project, most notably highway projects, might have on a property which is listed on the Register or eligible for listing. Register standing can also make a property eligible for certain federal tax benefits (investment tax credits) for the rehabilitation of income-producing buildings and the charitable deduction of donations or easements.

Contrary to many commonly held beliefs, National Register listing does not interfere with a property owner's right to alter, manage, dispose of or even demolish his property unless federal

² New Hampshire Land and Community Heritage Investment Program website - www.lchhip.org. *Alterations, Addition and Architects (Historic Resource Information)*. November 2002,

funds are involved. Nor does National Register listing require that an owner open his property to the public. A National Register district must have the approval of a majority of property owners in the district. For a single, privately owned property with one owner, the property will not be listed if the owner objects. National Register listing can be an important catalyst to change public perception and increase historic awareness but cannot in itself prevent detrimental alterations or demolition. Yet, it remains an important first step toward historic awareness, respect and protection. Statewide there are nearly five hundred National Register listings of which approximately fifty are districts. Twenty individual buildings or sites and four districts in the region are listed on the Register. Properties listed on the Register in Hudson are shown in Table VII-1 and illustrated on Map VII-1. Potentially eligible sites are also listed in the table and illustrated on the map.

Map VII-1. Location of Properties Listed, or Having the Potential to be Listed, on the National Register of Historic Places



Source: NRPC GIS, 2004

Table VII-1. Properties Listed, or Having the Potential to be Listed, on the National Register of Historic Places

Number on Map VII-1	Name of Property	Listed on National Register	Potential to be Listed on National Register
1	Hills House, 211 Derry Road	YES	-
2	G.O. Sanders House, 10 Derry Road	YES	-
3	Hills Memorial Library, 16 Library Street	YES	-
4	Benson's Wild Animal Farm, Central Street. & Kimball Hill Road.	NO	YES
5	Davis-Cohen (Morrison) House, 101 Bush Hill Road	NO	YES
6	Hudson Baptist Church, 123 Central Street	NO	YES
7	Baptist Parsonage, 234 Central Street	NO	YES
8	Smith-Walch-Sinkiewicz House, 79 Greeley Street	NO	YES
9	Hudson Center School, 10 Kimball Hill Road	NO	YES
10	Bartlett-Charbonneau House, 2 Old Derry Road	NO	YES
11	Hills-Murray House, 20 Old Derry Road	NO	YES
12	Hudson Townhouse/Wattannick Grange, 2 Windham Road	NO	YES
13	Old Derry Road Historic District: Houses at 34-36, 48, 53, and 62-66 Old Derry Road and No. 9 Schoolhouse at 82 Old Derry Road	NO	YES

Note: The list of properties with the *potential* for listing on the National Register is not all inclusive but is based on evaluations by the NH Department of Transportation for the Hudson-Nashua Circumferential Highway Project.

3. State Register of Historic Places

The State of New Hampshire Register of Historic Places program encourages the identification and protection of historical, architectural, archaeological and cultural resources. The program provides for listing in order to encourage awareness of the historical significance of the listed structure, but does not mandate protection. Benefits of listing include public recognition, consideration and advocacy in the planning of local and state funded projects, qualification for state financial assistance for preservation projects (i.e., LCHIP) and special consideration or relief in the application of some access, building and safety code regulations. Listing takes place through application to the NH Division of Historic Resources.³ All buildings listed under the section on the National Register may be appropriate for listing under the state program. Three of the remaining structures on the Benson's Property are listed on the NH State Register.

4. Local Historic Districts

The term "historic district" can refer either to an historic district established by Town Meeting vote, previously discussed, or to a National Register Historic District. Both are useful preservation tools but differ in the way in which they are established and the protection they afford. An historic area may be both a locally designated historic district and a National Register District. Several communities within the region, including Amherst, Hollis, Mont Vernon and Nashua have enacted local historic district ordinances.

The most comprehensive preservation tool available to local governments under New Hampshire state law is the creation and administration of a local historic district (RSA 674:45). The purpose of

³ Source: NH Division of Historic Resources, *The NH State Register of Historic Places*, February 8, 2001. See: www.state.nh.us/nhdhr.

an historic district is to protect and preserve areas of outstanding architectural and historic value from inappropriate alterations and additions which might detract from an otherwise distinctive character. Historic districts should not attempt to "freeze" time but should preserve what is significant to a district while accommodating change and new construction in accordance with regulations based on a local consensus.

Historic districting can be an effective technique for protecting the character of an area. Unlike zoning which focuses on land use, an historic district emphasizes exterior appearance and setting. Yet unlike site plan review, historic districts allow officials to exercise authority over construction and alteration of single family dwellings, however, buildings alone need not comprise a district. Effective district preservation should involve streetscapes, landscapes, contributing views and viewsheds as well as buildings. It should be noted that historic districting is not an appropriate method for protecting all historical resources in an area, especially where properties are widely scattered. Historic districting also may not be the most effective means of protecting a significant land area, but districting can be effectively combined with other techniques.

5. Certified Local Government (CLG) Program

The National Historic Preservation Act of 1966 provides for matching grants-in-aid to the states from the Historic Preservation Fund for historic preservation programs and projects. Federal law requires that at least ten percent of each state's Historic Preservation Fund grant be designated for transfer to eligible local governments which apply for the money. A local government can participate in the program once the State Preservation Office certifies that the community has established its own historic preservation commission, district and a program meeting certain federal and state standards. Matching grants are made each year to certified local governments for survey and planning projects, including preparation of National Register nominations and historic resource surveys. Currently, the CLG program represents the only source of state funds available for communities interested in preservation planning. In the Nashua Region, the only communities designated as CLGs are the City of Nashua and the Towns of Amherst and Hollis.

6. Local Heritage Commissions

In 1992, the Legislature enacted RSA 674:44-A to enable towns or cities to establish heritage commissions "for the proper recognition, use and protection of resources, tangible or intangible, primarily man-made, that are valued for their historic, cultural, esthetics or community significance within their natural, built or cultural contexts."

The statute defines the power of the commission and authorizes acquisition of property in the name of the town. Heritage commissions may, if authorized by the Town assume the composition and duties of historic district commissions or the municipality may choose to maintain separate and distinct commissions. If separate, the heritage commission is advisory to the historic district commission, the planning board and other local boards.

The Town may appropriate funds and the proper handling of these or other related funds is specified in the statute. The makeup of members is similar to other local boards, and a planning board member may be a member of the heritage commission. The requirements for meetings, disqualification of a member, abolition of heritage commissions, effect of abolition, transfer of documents are the same as for other local boards. The statute also amends the historic district statutes to incorporate references to cultural and community values as a public purpose, and authorizes creation of more than one district in a municipality.

7. Historic Building Rehabilitation Federal Tax Credits

The rehabilitation of older buildings, frequently less expensive than new construction, is a cost-effective solution benefiting the tax base while filling older structures with a new life. The Economic Recovery Act of 1981, as amended, provides incentives in the form of Federal investment tax credits for the substantial rehabilitation of income-producing older buildings. The act was passed to support preservation by eliminating certain tax incentives which encouraged the demolition of historic structures. In order to receive the credits, owners are required to furnish detailed rehabilitation plans for review and certification by the National Park Service. Municipally owned structures are not eligible for these credits.

Currently the tax incentives take two forms:

<u>Credit</u>	<u>Building Use</u>	<u>Eligible Properties</u>
10%	Commercial/Industrial	40 years and older
20%	Commercial/Industrial Income Residential	50 years and older

To be eligible for the larger federal tax credit, a building must be a certified historic structure, either listed individually on the National Register, or contributing to a National Register or certified local district. Certified rehabilitation work must adhere to the Secretary of the Interior's Standards for Rehabilitation, a list of ten standards developed to ensure that significant features of a building will not be compromised. In order to qualify for any of the tax credits, rehabilitation expenditures must exceed \$5,000 or the adjusted basis of the property (cost of the building excluding the value of the land less depreciation), whichever is greater.

The investment tax credits provide some incentive to rehabilitate older buildings instead of undertaking new construction. Unfortunately because these credits do not cover privately owned, non-income producing residences which constitute the majority of Hudson's resources, their use in Town is somewhat limited. Larger structures with income-producing potential could benefit from the use of the credits, which would also insure the sympathetic rehabilitation of the buildings.

8. Historic Markers



Markers are an easy, inexpensive way to tell both residents and visitors about significant people, places and events in a community's past. The State Marker Program was originated by the New Hampshire Legislature in 1955. The aim of the program is the erection of appropriate markers designating events, people and places of historical significance to the State of New Hampshire. Communities who would like to be considered for a marker submit a request for consideration by the State Highway Department and Division of Historical Resources. There is generally no cost involved for a marker on a state-maintained road. There is a charge of \$1,100 for a marker on a private road. Statewide there are approximately 160 historical markers. Few have been erected in NRPC communities. Hudson does not currently have any State markers.

The sole purpose of the marker program is recognition. The program is non-restrictive; it does not protect historic sites nor does it obligate owners in any way. The criteria which apply to marker selection are also much less stringent than those for getting a property listed on the National Register. A marker may be used to point out historic sites which have changed considerably over time or even to commemorate events for which there is no standing evidence, anything which has

historical significance to a community. For the simple recognition of an historic property, the historical marker program may be a better tool than the National Register, more readily visible and much easier to use. Another type of marker which has found widespread use involves the placement of wooden date markers on houses. Such a program was initiated in Hudson back in 1976 as part of the Bicentennial celebration.

9. Easements

Across the country, preservation easements have proven to be an effective tool for protecting significant historic properties. An easement is a property right that can be bought or sold through a legal agreement between a property owner and an organization eligible to hold easements. Just as a conservation easement can be used to protect open space, scenic areas, waterways, wildlife sanctuaries, etc. from incompatible use and development, an architectural easement protects the exterior appearance of a building. If properly administered, easements are a superior method of conserving and protecting land, water and historic resources; perhaps better and longer than zoning or locally designated historic districts.

Easements provide property owners with two important benefits. First, the character of a property is protected in perpetuity. In addition, the donation of an easement may make the owner eligible for certain tax advantages. If the property is listed in the National Register, in return for giving an easement, an owner is eligible under the Tax Treatment and Extension Act of 1980 to make a deduction from his taxes. Donation of an easement may also reduce estate and local property taxes.

Easements are also extremely beneficial to a community. The costs of acquiring easements may be significantly lower than buying properties outright to protect valuable resources, particularly when easements can be acquired by donation. Significant resources can remain in private hands but are protected from inappropriate alteration as the organization holding the easement is given the right to review any proposed change to the structure or property.

The proposed deed conveying the Benson's property to the Town of Hudson includes a preservation restriction on the historic property, which identifies the *Secretary of Interior's Standards for Rehabilitation and Guidelines of Historic Properties* as the principle standard for review. The preservation restrictions applied to the buildings and their settings "require that, where possible, repair, replacement, alterations and additions should be made "in-kind", with forms, design, materials, and workmanship that match or compliment and are compatible with the historic forms, design and materials."⁴

10. Protection of Archaeological Areas

Although much of this chapter deals specifically with architectural resources, it should be recognized that the preservation of areas of high potential for prehistoric and historic archaeological sites poses unique problems. In comparison to historic structures, archaeological resources are more difficult to identify and protect. Each site is unique and fragile. Once a site is disturbed, information is lost. While there is often an urgent need to keep the location of an important archaeological resource confidential, the same confidentiality will often preclude public awareness. Acquisition of the land or land development rights is often the only way to effectively preserve archaeological resources. Ironically, increased appreciation may also represent a very real threat to archaeological resources.

⁴ U.S. Department of the Interior, National Park Service, Cultural Resources Stewardship and Partnerships, Historic Preservation Services, *Secretary of Interior's Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*, 1995.

Rapid growth is the greatest threat to archaeological resources. The few applicable laws that protect archaeological resources are primarily federal. As a result of these laws, large highway projects or projects which require review by a federal agency usually have a review of impacts to cultural resources. In addition, there are mining laws which allow review of projects for impacts and there is the possibility of review within the dredge and fill process.

Since much of the region's growth is from private rather than public sources, archaeological evaluation is not required. In some cases in the state, cooperative developers have permitted recording of archaeological data which would otherwise be destroyed. The State Division of Historical Resources has very limited ability to review private projects for impact on archaeological resources. Local officials should consult the Division if a proposal will impact a known archaeological resource or if a project is in a location with a high probability of archaeological potential such as areas with proximity to water. In extreme cases, the Town may wish to ask developers to fund recovery of archaeological data by hiring a professional archaeologist as a consultant to evaluate a property for archaeological potential and/or survey the area for unknown archaeological sites. This procedure is dictated by law in many neighboring states but is not currently required in New Hampshire.

11. Scenic Road Designations



New Hampshire State law enables a community to designate any road as scenic unless it is a Class I or II highway. A scenic road designation protects trees and stone walls located on the public right-of-way. After designation of a scenic road, any repair, maintenance, reconstruction or paving work, tree removal or stone wall removal cannot take place without prior written consent of the planning board or official municipal body.

Designation of a road as "scenic" will not affect the Town's eligibility to receive State aid for road construction. It does however give communities a way to protect an important statewide resource and may also help to preserve the scenic quality around historic structures and stimulate respect for the existing landscape. A number of communities within the region are currently taking advantage of this potential preservation tool. Currently, no roads in Hudson are designated as scenic.

12. Innovative Land Use Controls

The use of an "open space development" ordinance allows for development to be located away from sensitive areas, agricultural lands or historic areas. In the State of New Hampshire RSA 674:21 gives communities authority to adopt a variety of innovative land use controls which may support the preservation of community character and consequently historic resources. The concept of the transfer of development rights is another strategy that may be used to help a community retain its historic character.

Many communities also adopt historic preservation standards as a means of determining the effects of construction on areas of historic significance. The standards require that proposed construction, alteration, removal or demolition of a structure be evaluated for the effects on the historical, cultural or architectural value of a landmark or a historic preservation district. There are several criteria by which to apply these standards, which will vary by community.

In addition, impact fees can be used for the rehabilitation of both cultural and natural resources. During the site plan review and approval process, the Hudson Planning Board assessed a per unit impact fee on the Thurston's Landing subdivision to be used specifically on the Benson's Property. At the discretion of the Board of Selectmen, the money can be used for all types of improvements and rehabilitation. This would include, but not be limited to, the restoration of cultural resources

such as buildings and natural resources such as scenic walkways, stone walls, rustic bridges and landscaping.

13. Building Code Provisions

In seeking to protect the public's health and safety, standards such as building codes may present unique complications to the use or rehabilitation of an historic building. As a result, some communities have elected to amend local building codes to exempt historic structures from certain code requirements, other than life safety provisions. This allows historic buildings to continue to be used safely while not imposing a modern set of standards that are impossible for an older building to meet without a significant loss of integrity. It should be noted that Chapter 32 of the Basic Building Code of Building Officials and Code Administrators (BOCA), used by many of the region's communities including Hudson, specifically addresses the need for sympathetic treatment of historic structures. Under this section, buildings identified as historic buildings are not subject to the code when they are "judged by the building official to be safe and in the public's interest of health, safety and welfare regarding any proposed construction, alteration, repair, enlargement, relocation and location within fire limits."

E. RECOMMENDATIONS

1. Create the institutional structure necessary to effectively protect historical resources. This can be accomplished by:

- Creating a Heritage Commission or an Historic District Commission (see RSA 674:44a et seq for duties).
- Assuring that the Heritage or Historic District Commission would be part of the Town's Design Review Process.
- Applying for the CLG Program.

2. Complete an inventory and document the work needed to protect historic resources, including:

- Completing a historic resource inventory;
- Developing and maintaining a listing of resources qualifying for listing on the National Register of Historic Places; and
- Mapping significant archaeological sites, and allowing for their documentation.

3. Seek adoption of contemporary tools for the protection of historic resources, which includes:

- Establishing one or more historic districts within which the Heritage or Historic District Commission would have jurisdiction.
- Designating selected local roads for protection under the scenic road provisions of RSA 231:157, which provides protection for trees and stone walls lining such ways.
- Revising the Town sign regulations to make specific provisions for signage on historic properties in various districts.
- Providing more specific standards for design control as now authorized for the Planning Board under the Town's Zoning Ordinance.
- Adopting Historic Preservation Standards which could be applied to construction projects in the proximity of historic structures and/or districts.

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