

TOWN OF AMHERST
HISTORIC PRESERVATION COMMISSION
PROCEDURE FOR FILING APPLICATION FOR
DESIGNATION OF
HISTORIC LANDMARKS, SITES, or DISTRICTS

1. Any individual or group may prepare and submit applications for designation.
2. Obtain Application for Designation forms in the office of the Building Department
 - Complete the application by typing or printing all the information requested.
 - Attach all required support materials.
 - Prepare for submission two (2) copies of the application form and 2 sets of color photos.
3. Submit completed applications and photographs to the Building Department
4. Applications for designation must be submitted to the Building Department at least fourteen (14) days before the next regular meeting of the Historic Preservation Commission (HPC) to merit consideration at that meeting. The HPC may limit its review to no more than ten (10) applications for designation per month. Those in excess may be placed on the agenda for the following month.
5. The Building Department will note the date and time of filing, will keep one original application, make duplicates of the application and attachments, forward one copy to the Town Clerk, and mail one to each HPC Commission Member. The other original application shall be forwarded to the Planning Department.
6. At the next meeting of the HPC, applications will be reviewed by the full Commission. If any application is found to be incomplete or inappropriate for any reason, the applicant will be advised in writing and given a period of thirty (30) days to revise the application. During that time, no Notice of Proposed Designation will be issued for the subject property. If, at the end of the thirty-day period, the applicant has failed to correct all deficiencies, the application will be deemed to have been withdrawn.
7. After preliminary review of designation applications, the HPC may decide to issue a Notice of Proposed Designation for properties which it feels may merit landmark designation. This action will be taken by a majority vote and recorded in the minutes. Notice of Proposed Designation shall be sent to the applicant, the property owner, the Building Commissioner, the Highway, Engineering, Planning and Assessors Departments, the Town Clerk, the Amherst Museum, and any other town department and/or County or State agency as appropriate. Each department/agency shall be given thirty (30) days from the date of transmission to provide comments on the proposed designation to the HPC.
8. Notice of Proposed Designation shall be sent by the Town Clerk thirty (30) days prior to a public hearing to the owner(s) of any property(ies) proposed for historic designation. The notice shall describe the property proposed for designation, summarize the proposed action, and announce the date, time, and location of the public hearing. The Town Clerk shall also send a copy of the Notice of Proposed Designation to the Town Board, along with a copy of the subject application.

Continued

9. Once a Notice of Proposed Designation has been issued, no building permits shall be issued by the Building Commissioner, except for emergency repairs, until the final determination of the proposed designation has been reached.
10. The HPC will refer applications to the Designation Committee for further review. This committee, composed of HPC members, will review each application, visit each property proposed for designation and, if necessary, conduct further research and/or work with the applicant in preparation for the hearing on the application.
11. The HPC shall hold a public hearing prior to recommending designation of any historic landmark, site or district. A public hearing notice must be published by the Town Clerk in the Town's designated official newspaper at least fifteen (15) days prior to the hearing date. The Commission, property owner 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, site, or historic district. The record may also contain staff reports, public comments, or other evidence offered outside of the hearing.
12. At the close of the hearing, the HPC shall vote whether or not to recommend to the Town Board the designation of a historic landmark, site, or district.
13. The Town Board will also conduct a public hearing prior to acting on the recommendation.
14. The HPC shall file notice of each property designated as a landmark and of the boundaries of each designated historic district with the Erie County Clerk's office, the Town of Amherst Clerk's office, and the Town of Amherst Departments of Buildings, Planning, Highways, Engineering and Assessors.
15. Formal notification of designation will be sent by the HPC to the owner(s) of the designated property(ies) and to the applicant(s) if not the same as the owner(s).