

Town of North Kingstown Historic District Commission

Rules and Regulations



**North Kingstown
Department of Planning & Development**

55 Brown Street
North Kingstown • Rhode Island 02852
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Last Revised, March 2010
Previously known as the HDC Certificate of Appropriateness Information Package



Town of North Kingstown

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What is a Certificate of Appropriateness?

WHAT IS A CERTIFICATE OF APPROPRIATENESS?

An application for a Certificate of Appropriateness is required for any change which affects the exterior appearance of a structure or its appurtenances located in the Historic District, including construction, alteration, repair (other than in-kind), moving, or demolition.

Applications to the Historic District Commission are classified into the following categories:

- Signage
- New construction/additions
- Alterations/minor modifications
- Site improvements
- Demolition
- Moving of Structures
- Exceptions

Each application category has specific submission requirements which are listed in the checklists included in this guidebook. The checklists are also part of the application.



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Application Procedures

The following procedures shall apply for filing an application for a Certificate of Appropriateness.

General Requirements

An application for a Certificate of Appropriateness must be filed with the Department of Planning and Development and considered complete fifteen (15) calendar days in advance of a scheduled meeting. An Signage Application must be filed with the Department of Planning and Development and considered complete six (6) calendar days in advance of a scheduled meeting. All applications must be signed by the applicant, owner, and all design professionals working on the project (architect, contractor, landscape architect, etc.). The application, completed in full, together with all required documentation, shall be filed and date stamped on the day submitted. The Department of Planning and Development staff is available to assist applicants in preparing application or answering any questions.

Acceptance of Application

The Department of Planning and Development shall pre-determine that an application is administratively complete. The Historic District Commission has the authority to determine at their regularly scheduled or properly convened meeting that an application is complete for purposes of review. If the Commission determines that the application is not complete, it is not required to accept the application and may require that the applicant supply additional information for the next meeting.

Site Visits

The applicant shall agree, by signing the application, to allow the Historic District Commission to make site visits at a mutually agreeable time. The Commission shall contact the applicant prior to visitation. No more than two members at any given time may go on a site visit unless an agenda is duly posted on the Rhode Island Secretary of State's website as per the Rhode Island Open Meeting requirements.

Advisory Opinions

Historic District Commission members shall refrain from any indication of approval or disapproval except at properly conducted meetings. Only the official vote of the Commission shall be binding.



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Review Criteria

In reviewing an application for Certificate of Appropriateness, the Historic District Commission shall take into account the following:

- The historical and architectural significance of the structure and its appurtenances
- The way in which the structure and its appurtenances contribute to the historical and architectural significance of the district
- The appropriateness of the general design, arrangement, texture, materials, and siting proposed in the plans.

The Commission may designate more explicit design criteria as it deems necessary using Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, & Reconstructing Historic Buildings.

Issuance of Certificate of Appropriateness

1. An application for a Certificate of Appropriateness (COA) may be approved, denied, or approved with amendments and/or conditions by the Historic District Commission.
2. Motions to grant or deny shall include a specific reference to the Commission's Review Criteria under which the proposal has been judged.
3. Upon granting a Certificate of Appropriateness, the Commission or its designee shall stamp the original and two copies of all application documents, including the application form and all plans, approved. The Commission and its designee has the authority to require additional copies or updated plans if the Certificate of Approval is conditional upon specific changes discussed during the approval process.
4. The original stamped approved plans with remain in the file in the Department of Planning & Development and are the sole reference for all facets of the Certificate of Appropriateness. One stamped full size plan set will be provided to the Building Official and one stamped full size plan set will be sent to the applicant.
5. Building permits, if required, must be obtained within one year of the approval.
6. Minutes of the Historic District Commission's meetings are filed in the Town Clerk's office. The Commission shall articulate the reason and basis of each decision on record in the form of a motion. In the case of a decision not to issue a Certificate of Appropriateness, the Commission shall include the basis for its conclusion that the proposed activity would be incongruous with those aspects of the structure, appurtenances, or the district.



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APPLICATION PROCEDURE

Changes to a Plan After a Certificate of Appropriateness is Issued

Changes to a plan after a Certificate of Appropriateness is issued must be approved in accordance with these rules and regulations and the North Kingstown Zoning Ordinance. Any change not so approved shall constitute a violation of the Certificate of Appropriateness and the town ordinance.

Failure to Act

Automatic Approval

The failure of the Historic District Commission to act within forty-five (45) days from the date of acceptance of a completed application shall constitute approval unless an extension is mutually agreed upon by applicant and Commission.

Extensions

In the event that the Historic District Commission shall make a finding of fact within this forty-five (45) day period that the circumstances of a particular application require further time for additional study or information, the Commission shall have an additional forty five (45) days, for a total of ninety (90) days, from the date of acceptance of the completed application. Nothing in this section shall be constructed to prevent the application and the Commission from mutually agreeing on an extension beyond the ninety (90) days.

Expiration of a Certificate of Appropriateness

Any Certificate of Appropriateness granted by the Historic District Commission shall expire after one (1) year, as noted in the Certificate of Appropriateness, unless the applicant shall obtain the necessary building permit or proceed with construction. Upon written request and for cause shown prior to the expiration, the Commission may renew the Certificate of Appropriateness for successive one (1) year periods.

Reconsideration of Denied Applications

Applications which have been denied may not be reconsidered for one (1) year, unless there is a substantial change in the facts, evidence, or conditions relating to the request. A new application package must be filed when resubmitting.



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APPLICATION PROCEDURE

Modification of Applications

Pending applications may be modified by written request from the applicant. Such request shall include a description of the proposed modification and shall be accompanied by elevations, and plans or sketches, where necessary. If the application is modified it shall be considered a new application, unless the changes are deemed by the Historic District Commission to be minor in nature.

Modification to Certificate of Appropriateness

After the Certificate of Appropriateness has been issued, any change shall require a new application, unless the changes are deemed by the Historic District Commission to be minor in nature, in which case they may be approved under the existing application.

Appeals

Any person aggrieved by a decision of the Historic District Commission shall have a period of twenty (20) calendar days from the date of approval of the Certificate of Appropriateness in which to file an appeal with the Zoning Board of Review.

Fees

Conceptual Conference

Up to 2: \$50.00
Each additional required: \$50.00

All Other Applications by Cost of Project

\$1.00-\$499.99:	\$25.00
\$500-\$2999.99	\$50.00
\$3000-\$9,999.99	\$100.00
\$10,000-\$14,999.99	\$150.00
\$15,000-\$19,999.99	\$175.00
\$20,000 and above	\$250.00

There will be an additional fee of \$100.00 if work is begun before application is submitted.



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Exceptions

The following items and projects are NOT SUBJECT to approval by the Historic District Commission:

- Lawn ornaments (bird baths, garden statues, etc.)
- Plantings (trees, shrubs, flowers)
- Portable air conditioners
- Paint colors
- Intercom and alarm devices
- Door hardware
- Window boxes
- Temporary signs
- Doghouses
- Playground equipment
- Flags
- Flagpoles (under 12' in height)
- Clothes lines
- Exterior lighting that does not border the street





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Signage

Any new or altered SIGN must obtain Historic District Commission approval.

- Within the Wickford Village Business District, signs shall be wall-mounted, projecting, or painted permanent glass. Freestanding or ground-mounted signs require a Special Use Permit by the Zoning Board.
- Except for painted permanent glass signs, signs shall be constructed of wood.
- One wood sign or up to two permanent painted glass window signs shall be allowed per business. Additional signs may be permitted to face waterways, parking lots, and other streets (See Section 21-249(a)(1)b).
- Under no circumstances shall signs be larger than 15 square feet or 5% of the area of the first floor frontage of the building occupied (10% in multiple business buildings), whichever is smaller. Multiple business buildings are also allowed 8 square feet of signage for a directory sign.
- Lighting shall be indirect only.

There is no checklist for signage. Please use the [Signage Application](#) instead of the Application for Certificate of Appropriateness for all sign requests. Contact the Department of Planning and Development for more information.

Refer to Article X of the North Kingstown Zoning Ordinance for complete regulations.



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New Construction/Additions

The **New Construction / Additions** category includes the construction of any new building or an addition to any existing building including, but not limited to:

- Residential Buildings
- Commercial Buildings
- Accessory Buildings (garages and sheds greater than 100 sq. ft.)

Applications for **New Construction / Additions** generally require two (2) meetings, consisting of a conceptual conference and a final hearing.

Conceptual approval shall be valid for a period of one (1) year. An additional one (1) year extension may be granted by the Commission upon written request by the applicant.

Final design approval will result in a Certificate of Appropriateness. That Certificate shall expire one (1) year after the date of filing of the resolution in the Commission's office unless the applicant shall, within one (1) year, obtain a legal building permit or proceed with construction. The Commission, upon written request by the applicant and for cause shown prior the expiration of the initial one (1) year period, may renew the Certificate of Appropriateness for successive one (1) year periods.

Refer to the following pages for the Conceptual Conference and Final Conference checklists. You will receive the checklists in the application package.



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Historic District Commission Application Materials Checklist

Refer to the [North Kingstown Historic District Commission Rules and Regulations](#) for further information about your project

New Construction /Additions Conceptual Conference: The construction of any new building or an addition to any existing building including, but not limited to: residential buildings, commercial buildings, accessory buildings (such as garages and sheds greater than 100 square feet).

Conceptual conferences are required for new construction and additions. The conceptual conference stage may require more than one meeting.

SUBMISSION REQUIREMENT

New Construction

- 1 original and 10 copies of the application form signed by applicant and owner, as well as ALL contractors, designers, architects etc. that are working on the project. Use additional signature pages included in the application as necessary.
- 3 full-size copies and 10 11'x17' copies of a plan set including*:
 - A plan at a scale no smaller than 1/4" = 1' showing the existing and proposed building elevations of all affected
 - A site plan showing the location of the proposed structure on the site, distance to property lines, dimensions of the buildings or addition, location of driveways (existing and/or proposed, locations of walkways and location of septic system(s)
 - A locus plan showing location of proposed site and building(s) and all lots within 200' of the site, along with the location of all buildings within 200'.
- 2 color paper copies and a digital submission of photographs of:
 - All properties within 200' of the site, taken from the street.
 - The subject lot.
- Proof of notification to all property owners within 100' of the property by "certified return receipt requested" mail. Notices shall be sent at least 10 days prior to the scheduled meeting.

Additions

- 1 original and 10 copies of the application form signed by applicant and owner, as well as ALL contractors, designers, architects etc. that are working on the project. Use additional signature pages included in the application as necessary.
- 3 full-size copies and 10 11'x17' copies of a plan set including*:
 - A plan at a scale no smaller than 1/4" = 1' showing the existing and proposed building elevations of all affected sides.
 - A site plan showing the location of the proposed structure on the site, distance to property lines, dimensions of the buildings or addition, location of driveways (existing and/or proposed, locations of walkways and location of septic system(s)
 - A locus plan showing location proposed site and building along with the location of adjoining lots and building location on those lots.
- 2 color paper copies and a digital submission of photographs of:
 - All properties within 200' of the site, taken from the street.
 - All sides of the existing structure.
- Proof of notification to all property owners within 100' of the property by "certified return receipt requested" mail. Notices shall be sent at least 10 days prior to the scheduled meeting.

**The HDC may request architectural details/cross sections of important features during this stage.*



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Refer to the [North Kingstown Historic District Commission Rules and Regulations](#) for further information about your project

New Construction / Addition Final Design Approval - The construction of any new building or an addition to any existing building including, but not limited to: residential buildings, commercial buildings, accessory buildings (such as garages and sheds greater than 100 square feet).

Applications for Final Design Approval Shall Have Received Conceptual Approval Unless Otherwise Waived by the Commission

SUBMISSION REQUIREMENTS

New Construction & Additions

- 1 original and 10 copies of the application form signed by applicant and owner, as well as ALL contractors, designers, architects etc. that are working on the project. Use additional signature pages included in the application as necessary.
- 3 full-size copies and 10 11'x17' copies of a plan set including:
 - A plan at a scale no smaller than 1/4" = 1' showing the existing and proposed building elevations of all affected sides
 - Architectural details/cross sections to scale of doors and windows, door and window frames, siding, chimneys, porches/decks, rake trim, corner boards, railings, post caps, steps/staircases, and any other significant features.
 - Plan showing walls, fences, and/or signs where applicable.
- 10 copies of detailed description of materials and textures to be used in the construction of foundations, siding, exterior trim, roofs, decks/porches, etc. Include full-scaled detail drawings where possible.
- 10 copies of manufacturer's specification sheets for skylights, windows, doors, and roof shingles Include full-scaled detail drawings and samples where possible.
- Any additional material requested by the HDC at the Conceptual Conference
 - _____
 - _____
 - _____
 - _____
 - _____



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Alterations / Minor Modifications

The Alterations / Modifications include the addition, replacement, or modification of any of the following items (other than in-kind), including but not limited to:

- Windows
- Doors
- Porches
- Decks
- Overhangs
- Gutters
- Roofs
- Window trim
- Door trim
- Exterior siding
- Bulkheads
- Chimneys
- Stairs/ramps
- Railings
- Columns
- Exterior light fixtures that border the street
- Location/screening of air conditioner condensers
- Awnings
- Shutters
- Exterior blinds
- Historic house plaques and signs

Refer to the following pages for the Alterations/Minor Modification Checklist. You will receive the checklists in the application package.



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Historic District Commission Application Materials Checklist

Refer to the [North Kingstown Historic District Commission Rules and Regulations](#) for further information about your project

Alterations / Minor Modifications - New, replacement, or modification of any of the following items (other than in-kind), including but not limited to: windows, doors, porches and decks, overhangs, gutters, roofs, window and door trim, exterior siding, bulkheads, chimneys, stairs and ramps, railings, columns, exterior light fixtures that border the street, location and screening of air conditioner condensers, awnings, shutters, exterior blinds, historic house plaques and signs*.

Alterations / Modifications

- 1 original and 10 copies of the application form signed by applicant and owner, as well as ALL contractors, designers, architects etc. that are working on the project. Use additional signature pages included in the application as necessary.
- 3 full-size copies and 10 11'x17' copies of a plan set including:
 - A plan at a scale no smaller than 1/4" = 1' showing the existing and proposed building elevations of all affected sides
 - A site plan showing the location of the existing structure on the site, distance to property lines, dimensions of the buildings or addition, location of driveways demarcating affected sides
 - Architectural details/cross sections to scale of doors and windows, door and window frames, siding, chimneys, porches/decks, rake trim, corner boards, railings, post caps, steps/staircases, and any other significant features of the alteration/minor modification.
 - Plan showing walls, fences, and/or signs where applicable.
- 10 copies of detailed description of materials and textures to be used in the replacement or modification. Include full-scaled detail drawings where possible.
- 10 copies of manufacturer's specification sheets and product literature for products to be used in the replacement or modification. Include full-scaled detail drawings and samples where possible.
- 2 color paper copies and a digital submission of photographs of:
 - All properties within 200' of the site, taken from the street.
 - All sides of the existing structure.

SUBMISSION REQUIREMENTS

* Historic plaques and signs should refer to the North Kingstown Planning Department staff and HDC Signage Application to ensure submission of the proper materials.



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Site Improvements

The **Site Improvements** category includes the addition, replacement, or modification of any of the following items (other than in-kind), including but not limited to:

- Driveways
- Sidewalks
- Paved walkways (in excess of 15' in length)
- Sheds (less than 100 sq. ft.)
- Gazebos
- Walls
- Permanent trellis
- Arbors
- Pergolas
- Fences
- Patios (over 100 sq. ft.)
- Flagpoles (over 12' in height)

Refer to the following pages for the Site Improvements checklist. You will receive the checklists in the application package.





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Historic District Commission Application Materials Checklist

Refer to the [North Kingstown Historic District Commission Rules and Regulations](#) for further information about your project

Site Improvements - New, replacement, or modification of any of the following items (other than in-kind), including but not limited to: driveways, sidewalks and paved walkways in excess of 15' in length, sheds less than 100 sq. ft., gazebos, walls, permanent trellis, arbors, pergolas, fences, patios in excess of 100 sq. ft., flagpoles over 12' in length.

SUBMISSION REQUIREMENTS

Site Improvements

- 1 original and 10 copies of the application form signed by applicant and owner, as well as ALL contractors, designers, architects etc. that are working on the project. Use additional signature pages included in the application as necessary.
- 3 full-size copies and 10 11'x17' copies of a plan set including:
 - Existing conditions of site
 - Detailed and dimensioned site improvement proposal
 - Existing and proposed building elevations if necessary (trellis, arbors, etc.)
 - A site plan showing:
 - Location and dimensions of all existing structures on site
 - Recognized property boundaries*
 - Distances to property lines for all structures
 - Location of driveways, walkways, fences, septic system
 - Architectural details/cross sections to scale of any significant features of the site improvement (framing, siding, decking, trim, corner boards, railings, post caps, steps/staircases, brick or paving pattern)
 - Plan showing walls, fences, and/or signs where applicable.
- 10 copies of detailed description of materials and textures to be used in the site improvement. Include full-scaled detail drawings and elevation plans where possible.
- 10 copies of manufacturer's specification sheets and product literature for products to be used in the site improvement. Include full-scaled detail drawings and samples where possible.
- 2 color paper copies and a digital submission of photographs of:
 - All properties within 200' of the site, taken from the street.
 - All sides of the existing structure.

**The Historic District Commission reserves the right to require a survey prepared by a registered land surveyor if property lines are found to be disputed by others and the site improvement affects areas in questionable ownership.*



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Demolition

The **Demolition** category includes the demolition or removal of any building structure in part or in whole.

Refer to the following pages for the Demolition checklist. You will receive the checklists in the application package.





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Historic District Commission Application Materials Checklist

Refer to the [North Kingstown Historic District Commission Rules and Regulations](#) for further information about your project

Demolition - Demolition or removal of any building structure in part or in whole.

SUBMISSION REQUIREMENTS

Demolition

- 1 original and 10 copies of the application form signed by applicant and owner, as well as ALL contractors, designers, architects etc. that are working on the project. Use additional signature pages included in the application as necessary.
- 10 copies of description of structure including:
 - Approximate age of structure
 - Historic and present use
 - Condition of structure
- 10 copies of report from a structural engineer and/or architect relative to structure's condition. Report must include scaled drawings and elevations.
- 10 copies of narrative describing why demolition is proposed
- 10 copies of an alternatives analysis investigating any and all alternatives to demolition
- 10 copies of asbestos abatement program if applicable
- 3 full-size copies and 10 11'x17' copies of a plan set including:
 - Existing building elevations
 - A site plan showing:
 - Location and dimensions of all existing structures on site
 - Recognized property boundaries*
 - Distances to property lines for all structures
 - Location of driveways, walkways, fences, septic system
 - Plan showing walls, fences, and/or signs where applicable.
 - Site plan showing proposed conditions (what will be done after demo)
- 2 color paper copies, 2 black and white copies, and a digital submission of photographs of:
 - All properties within 200' of the site, taken from the street.
 - All sides of the existing structure.
- Proof of notification to all property owners within 100' of the property by "certified return receipt requested" mail. Notices shall be sent at least 10 days prior to the scheduled meeting.

**The Historic District Commission reserves the right to require a survey prepared by a registered land surveyor if property lines are found to be disputed by others and the demolition affects areas in questionable ownership.*



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Moving of Structures

The **Moving of Structures** category includes the moving of any existing building off site or on site.

It is important to note that buildings on the National Register will lose status once a building is moved.

Refer to the following pages for the Moving of Structures checklist. You will receive the checklists in the application package.





Town of North Kingstown

Historic District Commission Application Materials Checklist

Refer to the [North Kingstown Historic District Commission Rules and Regulations](#) for further information about your project

Moving of Structures - The moving of any existing building off site or on site.

Buildings on the National Register Will Lose Status Once a Building is Moved

SUBMISSION REQUIREMENTS

Moving of Structures

- 1 original and 10 copies of the application form signed by applicant and owner, as well as ALL contractors, designers, architects etc. that are working on the project. Use additional signature pages included in the application as necessary.
- 10 copies of description of structure to be moved including:
 - Approximate age of structure
 - Historic and present use
 - Condition of structure
- 10 copies of report, professionally prepared, detailing how structure will be moved, including but not limited to, whether the building will be moved in whole or in parts and how the building will be protected during the preparation and moving process.
- 10 copies of narrative describing reason for moving structure and describing proposed location.
- 10 copies of asbestos abatement program if applicable
- 3 full-size copies and 10 11'x17' copies of a plan set including:
 - Existing building elevations/scaled drawings
 - Existing location site plan showing
 - Location and dimensions of all existing structures on current site
 - Recognized property boundaries*
 - Distances to property lines for all structures
 - Location of driveways, walkways, fences, septic system
 - Proposed location site plan showing
 - Location and dimensions of all existing structures on current site
 - Recognized property boundaries*
 - Distances to property lines for all structures
 - Location of driveways, walkways, fences, septic system
 - Locus maps of existing location and proposed location
- 2 color paper copies, 2 black and white copies, and a digital submission of photographs of:
 - All properties within 200' of the existing location, taken from the street.
 - All sides of the existing structure.
 - The proposed new location including immediate abutting properties
- Proof of notification to all property owners within 100' of the property by "certified return receipt requested" mail. Notices shall be sent at least 10 days prior to the scheduled meeting.

*The Historic District Commission reserves the right to require a survey prepared by a registered land surveyor if property lines are found to be disputed by others and the move affects areas in questionable ownership.



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Meeting Schedule and Procedure of the Historic District Commission

Meeting Schedule

The Commission shall establish a schedule of regular meetings for the calendar year and shall post it, with the meeting place, in the Town Clerk's Office, the Department of Planning & Development, and on the Rhode Island Secretary of State's website as required by Rhode Island General Law. Regular meetings shall be held on the first Monday of every month at 7:00 PM. If the first Monday is a holiday, the regular meeting will be held on the second Monday of the month. All meetings of the Historic District Commission are open to the public.

Meeting Procedure

All meetings shall be open to the public. The order of business at regular meetings shall include:

- A. Call to Order
- B. Roll call
- C. Continued applications
- D. New applications
- E. Other business as listed on the agenda
- F. Approval of minutes
- G. Adjournment

All meetings are posted on the Rhode Island Secretary of State's website as per RIGL 42-46-6(c) and the Town of North Kingstown follows the open meeting law. Agendas are posted at least 48 hours in advance and only those items listed on the agenda are topics of review or discussion.



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Definitions

The following terms shall have the respective meanings unless a different definition clearly appears from the context.

Alterations - An act that alters one (1) or more of the exterior architectural features of a structure or its appurtenances, including but not limited to, the erection, construction, reconstruction, or removal of any structure or appurtenance.

Appurtenances - Features other than primary or secondary structures which contribute to the exterior historic appearance of a property, including but not limited to paving, doors, windows, signs, materials, decorative accessories, fences, and historic landscape features.

Certificate of Appropriateness (COA) - Certificate issued by the Historic District Commission indicating approval of plans for alteration, construction, repairs, removal or demolition of a structure or appurtenances of a structure within a historic district. Appropriate for the purpose of passing upon as application for COA means not incongruous with those aspects of the structure, appurtenances, or the district which the Commission has determined to be historically or architecturally significant.

Construction - The act of adding to an existing structure or appurtenances to a structure, including but not limited to buildings, extensions, outbuildings, fire escapes and retaining walls.

Demolition - An act or purpose of destroying a structure or its appurtenances in part or in whole.

Historic District - A specific division of a city or town as designated by section 21-332 of the North Kingstown Zoning Ordinance. A historic district may include one (1) or more structures.

In Kind - Any maintenance or repair which does not result in any change of design, type of material or appearance of the structure or its appurtenances.

New Construction - Any new structure and/or substantial alteration or addition to an existing structure affecting the exterior appearance of said structure.

Removal - The relocation of a structure on its site or another site.

Repair - A change meant to remedy damage or deterioration of a structure or its appurtenances.

Structure - Anything constructed or erected, the use of which required permanent or temporary location on or in the ground, including but not limited to buildings, gazebos, billboards, outbuildings, decorative retaining walls, or swimming pools.



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The Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings

...can be found on the website of the **National Park Service** or you may request a copy of the sections pertaining to your project at the North Kingstown Department of Planning and Development

http://www.nps.gov/history/hps/tps/standards/standards_complete.pdf