

The Historic Preservation Commission, the Secretary of the Interior's *Guidelines* and the Albany Avenue Projects

Chapter 75 of the code gives the HPC broad jurisdiction over historic structures and the district or neighborhood in which they are located:

§ 75-1

A. Protect and preserve the long-term preservation of the landmarks and historic districts which represent distinctive elements of Kinderhook's historic, architectural and cultural heritage...

The HPC is authorized to:

§75-3

E (10) Make recommendations to the Village Board concerning the utilization of state, federal or private funds to promote the preservation of landmarks and historic districts within the Village...

Chapter 75, however, provides no regulations, guidelines or criteria for the “...*preservation of...historic districts...*”

As Albany Avenue, along with the core of the Village, is on the National Register of Historic places, a Federal designation, the *The Secretary of the Interior's Standards for the Treatment of Historic Properties*¹ apply. This resource provides the HPC with guidelines for advising the Village Board concerning “... *the long-term preservation of the landmarks and historic districts which represent distinctive elements of Kinderhook's historic, architectural and cultural heritage...*

The *Standards* note that “*The relationships of buildings to each other, setbacks, fence patterns, views, driveways and walkways, and street trees together create the character of a district or neighborhood.*” (p. 13)

And that site features may include “...*circulation systems such as walkways, paths, roads, or parking; vegetation such as trees...*” “*Altering...site features which are important in defining the overall historic character of the {site} so that, as a result, the character is diminished...* is not recommended. (p. 51)² “*Altering...landscape features within the setting by widening existing streets...*” is not recommended. (p. 54)

And “...*preserving...features of the site...including ...walk, paths, roads or parking; vegetation such as trees, shrubs...*” (p. 153) Removing “...*existing landscape features which moderate the effects of the climate on the setting such as deciduous trees...*” is not recommended.

¹ Weeks and Grimmer, *The Secretary of the Interior's Standards for the Treatment of Historic Properties*, U. S. Department of the Interior, Washington, D. C., 1995.

² See also, *The Secretary of the Interior's for Rehabilitation & ...Guidelines...*, Washington, D. C., 1997, pp. 68-9.

The HPC believes that the Secretary's *Guidelines* apply to the instances enumerated in previously submitted Statement, specifically:

1. The traffic lanes should be no wider than 10 feet and the varying widths of the parking/service lanes on both sides of the street should be retained, noting:

a. It is well-documented that the widening and straightening of streets increases speed and raises safety concerns.³

b. The side lanes are used not only for parking but also for the removal of leaves and snow, Thursday garbage collection and spring junk day, FedEx/UPS deliveries, contractors, emergency vehicles, visitors, additional parking for Village events, etc. and their elimination would adversely impact the daily lives of all households affected.

c. These lanes are normally unoccupied for long stretches providing a buffer zone for both bicyclists and joggers

2. The variations or irregularities in the dimensions or layout of lanes, verges, walkways, and trees *"together create the character of a district or neighborhood"* and reflect its organic evolution over several centuries. The HPC therefore considers them part of the historic fabric of the village and strongly recommends that they be preserved.

a. The varying widths of walkways and those of the verges/buffers—where space permits within the ROW--should be retained, though not necessarily in their current configuration.

b. Trees are not only defining features of the street but are also part of its historic fabric as well as a visual asset. The Commission recommends that all efforts should be made to preserve them wherever possible even if that requires alterations of the dimensions or layout of walkways, verges, and/or parking/service lanes. Work-arounds are greatly preferred to destruction. Bump-outs to circumvent healthy trees is considered an appropriate work-around and consistent with the appearance of the street a century or more ago.

3. While the Commission recognizes that many NYS DOT guidelines are suitable for urban or suburban areas it views them as inappropriate for a rural village setting. The Commission strongly recommends against the regularization or standardization of features that deprive the street of its historic rural character. *"Altering...site features which are important in defining the*

³ <https://nacto.org/publication/urban-street-design-guide/street-design-elements/lane-width/>

overall historic character of the {site} so that, as a result, the character is diminished... is not recommended.

- a. Standardized computer generated plans (CADs) are considered inappropriate as they eliminate the very *“site features which are important in defining the overall historic character of the [site].”*

The HPC strongly recommends that a plan more compliant with the Secretary of the Interior’s *Guidelines* as outlined above be submitted to NYS DOT.