DEMOLITION PROCEDURES
IN BROOKHAVEN

Here's how the Town Code says an application to demolish a house within a Historic District is to be handled.

The Town has Historic Districts because, the Town Board found, "Brookhaven possesses many buildings, structures and areas of historical, architectural and unique aesthetic value which contribute to its physical well-being and cultural heritage and that these tangible assets, which provide a sense of identity and place, should be perpetuated, conserved, protected and enhanced as a public necessity". Town Code §85-634.

"No permit shall be issued for demolishing all or part of a building or structure within an Historic Districts . . . until the Commissioner has reviewed such demolition permit application and *its potential effect upon said Historic Districts*" (emphasis added). More generally, The Commissioner is to review all land use applications and specifically those requesting demolition in an Historic District "*to determine what effect their granting may have on [the] special character to be preserved [in Historic Districts]*". §85-637.D

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> "(a) If the Commissioner finds that preservation is physically or economically not feasible, he/she shall recommend in favor of issuing such demolition permit.
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> "(b) If preservation is found to be physically or economically feasible, the Commissioner shall take or encourage the taking of whatever steps appear most likely to lead to such preservation, either on the site on which the building or structure is located or on another site to which it might appropriately be removed." §85-638.F(1).

The Historic District Advisory Committee (HDAC) was established to "advise the [Planning] Commissioner about applications having to do with Historic Districts prior to the Commissioner acting with respect to a land use application. §85-635.A.

The Commissioner's decision may be appealed to the ZBA by "[a]ny person aggrieved". §85-638.H.