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March 21, 2023

Tistrya Houghtling, Town Supervisor
New Lebanon Town Hall
14755 Route 22 North
P.O. Box 328
New Lebanon, NY 12125

Dear Ms. Houghtling-

I am pleased to submit the following proposal for consideration by the New Lebanon Town Board for legal consultant services in connection with developing a historic preservation ordinance for the Town of New Lebanon and related land use policies and procedures.

1. **Legal consultant qualifications.** *See* attached statement of qualifications relevant to historic preservation and land use law. References are available upon request.
2. **Scope of services.** Working with the Town-appointed historic preservation committee, I will develop a draft historic preservation ordinance and recommended amendments to associated land use regulations and polices for consideration by the Town Board. This will include best practices research of ordinances and incentive programs for comparable jurisdictions.
3. **Tasks.**

Task 1. Working with the Town-appointed historic preservation committee and the manager of the State Historic Preservation Office's Certified Local Government (CLG) Program, prepare a draft historic preservation ordinance for the Town of New Lebanon that is compliant with New York general municipal authority. This task would include a review and summary of relevant ordinances and regulations and a summary of best practices in historic preservation and ordinances and incentive programs in comparable jurisdictions. Particular attention will be paid composition of historic preservation commission to meet CLG standards, designation of historic property and historic districts, and review of and standards for certificates of historic appropriateness.

Task 2. Working with the manager of the State Historic Preservation Office's CLG Program, Town Counsel, and the Town Zoning Rewrite Committee, undertake a review of New Lebanon zoning and land use ordinances, policies, practices, and procedures to ensure that they provide an effective framework for the administration of a historic preservation program and ordinance, and if appropriate, develop recommendations for amendments, overlay districts, and/or incentive

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programs.

Task 3. Working with the Town-appointed Town Historic Preservation Committee, Town counsel, Town Zoning Rewrite Committee, and appropriate stakeholders, assist in preparing and presenting a wholistic recommendations to the Town Board for the adoption of a historic preservation ordinance and appropriate changes to the zoning ordinance, if necessary to advance historic preservation objectives.

Task 4. Working with the Historic Preservation Committee and the manager of the State Historic Preservation Office's CLG Program, assist in developing a proposed designation for a Shaker Mountain historic district, including design review guidelines to fit Shaker architecture and village planning to guide the issuance of certificates of appropriateness and any zoning overlays or land use designation amendments to ensure consistency with historic preservation goals and objectives, such as the designation of "family cluster" and "interim" zones.

Task 5. Working with the Town historic preservation committee, Town Zoning Rewrite Committee, Town Counsel, and appropriate stakeholders, assist in preparing and presenting recommendations for the proposed designation of a historic district for Mount Lebanon and associated zoning overlays or land use designation amendments.

4. Schedule.

a. Initiation – May 2023

b. Duration – six months from the date of contract initiation

5. Deliverables

Task 1. Delivery of written analysis and critique of comparable local ordinances and recommended best practices summary for local preservation ordinances and zoning incentives – by end of 2th month.

Task 2 – Delivery of proposed draft legislation establishing a historic preservation ordinance for the Town of New Lebanon and related land use/zoning changes – by end of 6th month

Task 3 – Advise the historic preservation committee on the development of a historic district for Mount Lebanon and related zoning/land use changes and review draft nomination and design standards – by end of 6th month

Tasks 4 & 5- Participation in public meetings and delivery of final documents – by the end of the 6th month

6. **Compensation:** The Legal Consultant will charge a discounted hourly rate of \$275/hour, not to exceed \$10,000 without prior authorization. The above-listed tasks are anticipated to take up to 36 hours of time, based on the active participation of the Town Attorney and Zoning Rewrite Committee, who will work with me in developing recommendations for changes to the Town's zoning ordinance or the creation of conservation-type districts and

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conformity with state authorizing legislation.

Upon acceptance of this proposal, it is anticipated that the Town will enter into a contract for the performance of consultant services.

Please feel free to call or email me if you have any questions or wish to discuss this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Ferster', with a stylized flourish at the end.

Andrea C. Ferster