



## **Guidance for Determining When Prior Written Approval is Required**

To guide property owners in understanding the type of work that can and cannot be conducted without prior written approval pursuant to the easement, Easement Program staff have developed a list of examples of ordinary maintenance and alterations, which is provided below. Except as otherwise prohibited in the relevant deed of easement, work defined as ordinary may be conducted without prior written approval by Easement Program staff. Work defined as an alteration requires review and written approval by Easement Program staff before any work may be undertaken.

Property owners are encouraged to contact Easement Program staff with any questions regarding what work is considered ordinary maintenance versus that which is determined to be an alteration necessitating prior approval.

The term "in-kind" means the replacement of existing historic fabric with the same material of the same dimension, design, function, and workmanship.

Changes classified as alterations are not necessarily unacceptable. The intent of the easement is to enable the Idaho State Historical Society to review proposed alterations and assess their comprehensive impact on the integrity of the protected historic and archaeological resources, not to preclude future change. The Idaho State Historical Society Easement Program staff will work with property owners to provide technical assistance and to develop mutually satisfactory solutions that are consistent with the *Secretary of the Interior's Standards*, the terms of the easement, and in the best interests of the property.

**It is the responsibility of the property owner to notify the Idaho State Historical Society in writing when any alterations are contemplated.**

### **Examples of Ordinary Maintenance Versus Alterations**

Ordinary maintenance and repairs generally do not require review by Easement Program staff, but property owners are encouraged to contact Easement Program staff with any questions.

This list is not intended to be comprehensive; it is only a sampling of some of the more common types of alterations which may be contemplated by property owners.

#### **A. Paint**

Ordinary Maintenance – Exterior or interior hand scraping and repainting of painted non-decorative and non-significant surfaces as part of periodic maintenance.

Alteration – Painting of previously unpainted surfaces or painting over, removing and/or stripping historic decorative surfaces or distinctive and historic stylistic features including

murals, stenciling, wallpaper, ornamental woodwork, stone, decorative or historically significant original plaster.

## **B. Windows and Doors**

Ordinary Maintenance – Regular maintenance including caulking, painting, and necessary reglazing. Repair or in-kind replacement of existing individual deteriorated window parts.

Alteration – Replacement of windows or doors, including sashes, frames, thresholds, or trim, change in window sash configuration or fenestration patterns (relationship of existing door and window openings), or creation of new window or door openings.

## **C. Mechanical, Electrical and Conditioning Systems**

Ordinary Maintenance – Repair and/or replacement of existing systems and their components, which would have no effect on the historic fabric of the building or structure or would not alter the exterior appearance of non-historic buildings or structures. Such work includes the installation of new pumps, units such as a furnace, replacement of valves and pipes within existing chases, and rewiring within existing chases.

Alteration – Replacement of existing above-ground tanks or fuel storage containers; installing new systems or upgrading existing systems which would affect the historic fabric of the building or structure; require significant ground disturbance for a new well, new piping, underground electrical conduit or a geothermal system; require new ducts or chases; result in major appearance changes (i.e. dropped ceilings, disfigured walls or floors, exposed wiring, ducts, and piping); or require the removal of existing fabric or material such as original plaster or floorboards or affect the exterior appearance of a non-historic building or structure.

## **D. Exterior**

Ordinary Maintenance – Spot repair of existing cladding and roofing including in-kind replacement of cladding/siding, shingles, slates, and in-kind replacement of common, non-decorative porch elements.

Alteration – All work to masonry, whether exterior or interior. Extensive repair or replacement of building components such as cladding or roofing or architectural features such as decorative trim, shutters, cupolas or finials. Change involving the removal or addition of materials or building elements (i.e. removal of a porch or shutters or installation of architectural detail, such as moldings, carved porch supports or stained-glass windows.); construction of a new addition or altering or demolishing building additions. Structural stabilization of an historic building or structure is also considered a major alteration.

## **E. Outbuildings and Landscape**

Ordinary Maintenance – Routine maintenance of outbuildings and landscape including lawn mowing, pruning, gardening, and routine repair of outbuildings or landscape features, such as walkways, terraces, patios, fountains, etc.

Alteration – Ground disturbance or grading other than routine gardening, installation of drainage or irrigation systems, demolition of existing outbuildings, altering, installing or removing significant landscape features such as gardens, changes to forested cover, view sheds, walks, or plantings that define the historic setting or create a landscape feature, and ground disturbance affecting archaeological resources.

## **F. New Construction**

Ordinary Maintenance – Installation of a new mailbox; replacement of an existing fence line with the same material; installation or erection of removable exterior furniture such as birdhouses, benches, swing sets, small above-ground pools etc. that are not attached to any historic building, structure, or fabric or temporary or seasonal items such as political signs, netting for fruit trees or vines, holiday decorations, etc.

Alteration – Construction of any new buildings, structures, features, or amenities including but not limited to farm buildings, residential outbuildings, garden sheds, pergolas or arbors, in-ground pools or fishponds, terraces, walkways, garden features such as fencing, fountains.

## **G. Changes to Legal Status of Property**

Ordinary Maintenance – Conveyance to a new owner; execution of a will bequeathing or gifting the property. Note that some easements specifically require that the Idaho State Historical Society be notified prior to any sale or conveyance.

Alteration – Subdivision of the property; boundary line adjustments; execution of any easement for any purpose, including access easements, utility easements or overlay easements in favor of any private person or entity or any public utility.