

**TOWN OF GILMANTON  
HISTORIC DISTRICT COMMISSION  
ACADEMY BUILDING  
TUESDAY, JANUARY 6, 2009 – 7 p.m.  
MEETING MINUTES**

**Present:** Chairman Perry Onion, George Carpenter, Deborah Chase, Allen Everett,  
Alternates – Ella Jo Regan and Joanne Wilkens  
Land Use Clerk – Annette Andreozzi

Chairman Onion opened the meeting at 7:02 p.m. with introductions. He requested that the Commission select an alternate chair for the evening as he will need to step down for the public hearing and might need to leave early.

Ms. Chase was selected to be acting chair. Alternates Ms. Regan & Ms. Wilkens were seated as voting members.

**1) Public Hearing - Case # 1-2009 , owner/applicant: Perry Onion**

Request to install lamp post, lamp between barn doors, and additional lamp beside north & south doors. Plant shrubs. Install two sidewalks & 2 retaining walls. Property is located at 359 Meetinghouse Road in the Smith Meeting House Historic District, map/lot 414-40.

Mr. Onion told the Commission that his application was partly a renewal of a previously approved plan, which he had been unable to complete. He had agreed to plant evergreens to screen the garage doors. The holes have been dug, but the planting has not been done because wood must cut that is shading where the evergreens will grow. The lamp posts have not been installed. The previously approved black metal posts will be put in. Mr. Onion does not feel that he will be able to put in the sidewalk that was to coming out from the front door, shown in the plan, so he asked for that to be removed from the application. He submitted a more detailed plan of the sidewalk he does intend to complete, noting that he is hoping to get an old stone step, so the plan is approximate. He made a request to make the wall by the barn taller because some fill will be added next to it. The height would be about 18" above the fill. The only light not shown in the original plan is a small one next to the sliding door. A new full size drawing of the black metal light was submitted. It is 8" tall and projects 7" out from wall.

Ms. Regan asked about the look of the light between the garage doors? Mr. Onion said it is a simple saucer with goose neck. Ms. Chase asked about

having two different types of lights on the north side. Mr. Onion said that any other antique light would have to be big to light up the parking area.

There was a discussion about the HDC having allowed gooseneck lights even though they were not from 1820. It was felt that goosenecks were the typical earliest electric lights used on barns.

The items that were not included on last year's Onion application are:

- little light
- specifics of driveway retaining wall
- sidewalk from the barn (at this time he will not be building the sidewalk from the front door as originally indicated in the application).

Mr. Carpenter ask when Mr. Onion expected to finish all the items on the application. Mr. Onion said within the one year. Asked if he would like to be granted more time, Mr. Onion said for the listed projects he did not need more time.

There was a general discussion about what constitutes an appropriate stone wall vs. a line of boulders, and how to address the use of large rocks while being consistent. It was felt that the HDC wasn't against large rocks that were used appropriately to hold something in place, just not a row of rocks that would look like just a line of boulders. The HDC needs to use descriptive adjectives in their motions to make sure the meaning is clear in addition to a submitted drawing.

**Motion by Ms. Wilkens second Ms. Regan to approve: Case # 1-2009, owner/applicant: Perry Onion. Property located at 359 Meetinghouse Road in the Smith Meeting House Historic District, map/lot 414-40. Extend the past expiration date for one year on approved items, plus include: installation of exterior lamps near north & south doors placed as indicated on submitted drawing, install sidewalk to barn with stone step to be no smaller than 24" x 33", and two retaining walls placed as shown. Retaining walls to be two stones wide, closely fitted, wall width between 22"-26", wall height 18"-24".**  
**All in favor, motion passes.**

2) **Approval of minutes.**

**Motion to approve minutes of the December 2, 2008 as amended.**  
**All in favor. Motion passes.**

3) **Discussion relating to Compliance of HDC Regulations**

Ms. Chase said she had a discussion with Ms. Hatch about how the HDC could hold people accountable for any work done under the HDC jurisdiction. They thought a protocol should be established for approaching an owner:

- 1) Letter from chair reminding applicant about what the agreement had been
- 2) After a few weeks repeat #1
- 3) After a given time frame, chair would make a personal visit.
- 4) A letter sent indicating the previous steps had taken place and the consequences of no action on the applicant's part.

Ms. Regan felt the above was too many steps.

Ms. Chase indicated her concern about the legal ramifications, and indicated the Local Government Center should be a resource. Letters should be sent out with certified return receipt. There should be a tangible financial penalty, which would motivate the person to contact HDC, thereby keeping the penalty from becoming a burden. The Selectman would want public hearing before the policy could be adopted.

Ms. Regan wanted to know if there was a clear list of who has not complied with their HDC application. Discussion concluded that the list would included: Pease, Matt Gault, & Craig Squires at the store.

There was a discussion about how challenges were faced by other HDCs in the state, and what role the Town Selectmen might need to have.

Public comment from George Roberts was that the HDC needs to be strong in seeing that enforcement of important things is done, but the HDC should not be the enforcer. The HDC should use the same process that the ZBA & Planning board uses. The building inspector should be the enforcer, and the HDC would need to concentrate on the important issues, not diminished with a lot of details.

Ms. Chase inquired if the Commission thinks that it might be a good idea to make a date to go before selectman and 1) express concerns, 2) ask for assistances, and 3) ask if the building inspector could interact with persons that are in violation of the regs. She said she would ask her sister from Amherst how their HDC handles violations.

Mr. Onion indicated the HDC made progress with the Frazer(now Pease) property only because the building inspector withheld an certificate of occupancy and the property couldn't be sold with out it. In the case of new construction the C.O. was a much more powerful tool than a fine. The inspector has a construction requirement folder he checks, HDC requirements should be in the folder too.

A point was made that all members should contact other HDCs to see how they handle violations.

Ms. Wilkens was interested in education and felt the HDC needed to make the town aware of good things that come from historic districts; education component is important.

Mr. Roberts said the HDC had planned to photo all buildings in the districts for the record. Also to give an award of recognition for the good things done.

Ms. Chase felt the HDC could be seen as a resource. Ms. Wilkens said she would be willing to do something to help with resource and education. Ms. Chase thought maybe the Commission could put something in the town report. And incorporate these ideas.

Ms. Chase wanted to know if the HDC should make a motion to go before the selectmen. Ms. Andreozzi suggested that before the HDC schedule a meeting with the Selectmen that they put in writing exactly how they would like the enforcement to work and who would be responsible and also a secondary less strict plan. It was agreed to discuss this at the next HDC meeting.

#### 4) **Other Business**

In relation to the HDC requirement to make a decision within 45 days of an application, Ms. Andreozzi indicated that Christine Fillmore of the Local Government Center suggested that the HDC give blanket approval for the land use clerk to ask applicants if they consent to a time extension when the 45 days are nearing the end and the HDC has not had an opportunity to meet.

Ms. Chase suggested that be an item on the next HDC agenda.

Ms. Andreozzi suggested she could formulate a motion for the Commission's consideration at the next HDC meeting.

Commission agreed to have a workshop meeting in February even if there were no applications.

#### **Adjournment 9:01**

Respectfully submitted,  
Annette Andreozzi  
Land Use Clerk