

**TOWN OF GILMANTON
HISTORIC DISTRICT COMMISSION
ACADEMY BUILDING
TUESDAY, APRIL 4, 2017 – 7 PM**

MINUTES

Present: Chair Ernie Hudziec, Matt Grasberger, Betty Ann Abbott, Roy Buttrick (alternate)

Also present: Annette Andreozzi (Land Use Admin.)

Absent: Marshall Bishop (Selectmen's Rep)

Chair Hudziec opened the meeting at 7:00 PM with introductions.

Public Comment

There was none.

Election of Chair

MOTION

Mr. Grasberger nominated Ms. Abbott for vice-chair. Seconded by Mr. Hudziec.

Motion passed unanimously.

Ms. Abbott nominated Mr. Hudziec for chair. Mr. Buttrick seconded.

Motion passed unanimously.

Informal discussion - Chris Keith new outbuilding at 541 Meeting House Road M/L #414/61

Mr. Keith said he is planning on building an outbuilding an L-building to keep animals in. He gave some papers to members, and described what he would do.

Mr. Hudziec asked if the architectural shingles would matching the rest of the buildings on the property.

Mr. Keith stated all the buildings had architectural shingles, and they would match.

Mr. Hudziec asked if he had made an application for this project to the HDC.

Mr. Keith said no. He wanted a building permit so he could get his concrete in the next couple of weeks and finish the project. He felt that no one could object.

Mr. Hudziec said that if any abutter would have an issue the HDC would be in a fix. He had no objection to the slab going in before the HDC gave an approval.

Mr. Keith stated that if the project meets the HDC regulations and setbacks, abutters couldn't say they didn't like the building.

Ms. Abbott said that the HDC operating procedure needs to be followed.

Mr. Hudziec stated that if a formal application was made the next day the HDC would hold a special meeting on April 18, 2017. If the Commission agreed Mr. Keith could do the cement work.

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Mr. Keith said that if he spends \$2000 to do site work, the HDC couldn't say no to his project.

Mr. Hudziec stated that the HDC needs to give abutters a process to vent. There can be no short cuts to the process.

MOTION

Ms. Abbott moved to allow preliminary approval for the cement work & site work at M/L# 414/61, subject to approval of the project at a future meeting, with notices to abutters. Mr. Hudziec seconded.

Mr. Buttrick was concerned that cement would go in and there would be a problem at the meeting.

Ms. Abbott stated that abutters may object but the HDC could only reject the project if it didn't fit with the HDC regulations.

Motion passed unanimously.

Approval of Minutes - March 7, 2017

A clarification was needed for the minutes so they will be reviewed at the next meeting.

Other Business - Discussion of HDC regulations re signs

Mr. Hudziec asked for a clarification of business zone and use as business.

Staff stated that the Zoning Ordinance has a table of permitted uses for each zoning area. Most businesses are permitted in the areas zoned for business. A saw mill is the only business on the table permitted in the rural and village zones, but a business may be allowed if granted a special exception or variance from the Zoning Ordinance by the Zoning Board of Administration.

Mr. Hudziec asked if planning had sign rules.

Mr. Buttrick said a sign that already exists and is changed would not go to the planning board.

Mr. Hudziec said that the HDC sign regulation should say that the Zoning Ordinance has to be met first, and they are the enforcement agency. Then the HDC specifies for the historic district.

Staff explained that the HDC regulations could be more strict than the Zoning Ordinance, but it is understood by state law, that any application in the historic districts had to comply with the Zoning Ordinance first, then the HDC regulations.

Ms. Abbott asked if applicants for signs have to apply to the ZBA.

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Staff explained that the ZBA takes applications when someone wants to do something that is not allowed by the Zoning Ordinance, and HDC & planning regulations. The Zoning Ordinance requires a permit for all signs and advertising devices. When an application for a permit in an historic district is submitted, the Zoning Ordinance is checked first, if those conditions are met then the applicant must apply to the HDC.

Ms. Abbott asked who did the review, and was told the staff then the building inspector. She asked if there was anything in the Zoning Ordinance about flags. Mr. Hudziec thought that was being reviewed.

Ms. Abbott said the ZBA is the board where one appeals when you want to go outside of the ordinance. The planning board formulates the zoning ordinances and places them on the warrant.

Staff explained that RSA [676:9] states that a building permit cannot be issued in a historic district unless it complies with the district regulations or has obtained the approval of the HDC.

Mr. Hudziec said the HDC sign regulation should state that the HDC sign regulation adheres to the Zoning Ordinance sign requirements with the addition of the following requirements: all signs visible from the exterior must have HDC approval, permanent signs should not exceed 9 square feet, and the rest of the original paragraph in the HDC regulations stays the same, plus a sign may be illuminated by a shielded light with approval of the Commission.

Mr. Hudziec wanted to remove all of the section on apparatuses, stating that no machine could be harmonious with the period of the district. He said that any sign deviating from the standards must be reviewed by the HDC.

Staff was concerned that “sign” did not cover flags, banners, devices, parked vehicles, etc. Perhaps “advertising” could be added to signs.

Ms. Abbott suggested “any promotional”.

Mr. Hudziec questioned the third paragraph addressing interior signs visible from the exterior, but was assured that was acceptable. The commission now needs to address temporary signs such as flags. He stated they could not exceed 3’ x 5’ (15 square feet) and can only be displayed during business hours.

Staff requested a definition of temporary.

Ms. Abbott thought temporary was covered under the zoning ordinance.

It was found that political signs have specific temporary limits.

There was a discussion on the materials that make temporary signs and the time limits they could be displayed.

Mr. Hudziec suggested “Signs denoting the opening of a business shall be no bigger than 3’ x 5’ and only be displayed during business hours. Signs denoting a promotion or a future event can be displayed a maximum of 2 weeks before and 1 week after the event.

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During a discussion of size and materials it was stated that plywood is not appropriate for the historic district, and 4' x 8' is bigger than the zoning ordinance allows.

Mr. Hudziec read the part of the zoning ordinance relating to signs.

There was discussion about noting that all historic districts will follow the zoning ordinance relating to signs though it says nothing about flags. [The Ordinance does say "advertising devices".]

It was determined that the pieces of the regulation be put together and emailed to members.

There was a discussion about the word of temporary relating to flags, signs, and events.

Discussion of hardship applications

Mr. Hudziec asked about having a box to check off for hardship on the HDC application form. Rules would be needed to apply for a hardship application, and it would need to be done in a non-public session.

Ms. Abbott asked what the standard would be for a hardship. She didn't think the hardship needed to be discussed in public. She wanted to know what someone would have to prove. Some can't afford to keep up homes in the historic district according to the standards.

Mr. Hudziec said financial hardship would need to be in the rules.

Mr. Buttrick asked if the discussion was a financial hardship.

Mr. Grasberger asked what a hardship would be.

Mr. Hudziec said when he bought his home it had 50 windows. He couldn't spend \$40,000 to \$50,000 to replace them. If he was in the district he would check the box on the application opening a dialogue with the HDC about an approach. He said it would be a disservice if the HDC doesn't. Gilmanton is not like Deerfield.

Mr. Buttrick said that when a person buys in the district they can't then say they can't afford to keep the house up. He wanted to look for a better word than hardship.

Ms. Abbott said it needed to be called hardship so the HDC doesn't get complaints.

Staff will contact NHMA about being able to go into non-public for hardship.

Mr. Buttrick moved to adjourn. Seconded by Ms. Abbott.

All in favor.

Adjourned at 8:40 PM.

Respectfully submitted,
Annette Andreozzi, Land Use Administrator