

**TOWN OF GILMANTON
HISTORIC DISTRICT COMMISSION
ACADEMY BUILDING
THURSDAY, OCTOBER 24, 2019 – 7 PM**

MINUTES

Present: Chair Ernie Hudziec, Marshall Bishop (Selectmen's Rep), Matt Grasberger, Roy Buttrick, Allison Hooker

Also present: Annette Andreozzi (Land Use Admin.)

Chair Hudziec opened the meeting at 7:03PM with introductions.

General Public comments
none

New Business

Public Hearing - Case #7-2019, John Funk & Deborah Chase,

owner/applicant: Requesting to add a 14' x 20' addition & use as house.
Property is located on Cat Alley in the Corners Historic District;
Map/Lot# 127/47.

Mr. Funk indicated he was at the ZBA last week. The ZBA denied his application. There is an appeal period. On his property there is an existing shed. He would like to put on a 14' x 20' addition running perpendicular to the shed. It would comply with the HDC regulations. There would be a window on the east, 2 windows on the west, and a small rear window. There would be no outbuildings.

Mr. Grasberger asked if there were approvals at this point to build.

Mr. Funk said no.

Mr. Grasberger said he thought the cart was before the horse to be before the HDC now.

Mr. Funk said the HDC was a design review, so if the ZBA decision was reversed he would have design approval ready.

Staff informed the Commission that the court had ruled that an applicant may go in any order they wish to get approval from Boards and Commissions.

Mr. Hudziec stated that the HDC is not responsible for the structure meeting the setbacks, just the design and the HDC regulations.

Ms. Hooker asked why the ZBA turned the application down.

Mr. Funk said the ZBA was concerned with water issues, and possible intrusion on privacy. His plan shows that a septic can be put on the property.

Mr. Hudziec asked if the trim on the addition would match the shed.

Mr. Funk said the trim for the new addition will be put on shed.

Mr. Hudziec asked if the septic would require a mound.

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Mr. Funk said no. In his experience there is no ledge on the property. If a mound would be required, he would not go ahead with the project because he didn't think a mound would look good.

Mr. Buttrick asked about a chimney.

Mr. Funk said there wouldn't be one, just a heat pump.

Mrs. Ronstadt, abutter, said that Mr. Funk understated the ZBA's concern. She has an easement for a water pipe on the property. The septic would be close to her pipe. It is the smallest lot. The neighborhood doesn't have small houses, so this would bring values down. She talked about water that runs down the hill from another property, and said the lot would be a changing its use.

Mr. Hudziec said that the HDC has never had a joint meeting with the ZBA about construction or anything else. The HDC has jurisdiction over appearance. The HDC can only stop construction if the application doesn't meet the regulations. Other considerations are the jurisdiction of other Boards.

Ms. Vesey asked about approval of a well or septic.

Mr. Hudziec stated the regulations say the septic system cannot be a mound. There is no regulation related to wells.

Ms. Cook wanted to know if the HDC could stop trees from being cut down.

Mr. Hudziec said no.

Mike Smith, Cat Alley abutter, asked if the character of work to be done is in the HDC jurisdiction. He stated this will be a miniature home, which is counter to the neighborhood.

Mr. Hudziec said the historic districts have period & non period homes. Non-period homes in the Corners District are smaller. There is no regulation about size of construction.

Mr. Funk said it would not be a tiny home. It is 34' length. Other homes in the district are similarly sized. He has owned the lot for 13 years with no water problems. The lot does have an intermittent wetland.

Mr. Buttrick moved to close the public hearing.

Seconded by Mr. Grasberger.

Motion passed unanimously.

Mr. Grasberger said it is not the time to be voting on this application.

Ms. Hooker said that a vote can happen, but should anything change, the change would have to be approved. There could be a motion based on what has been presented.

Mr. Buttrick said the commission has no information about if this is going to change.

Mr. Hudziec said it was a tough one. The HDC regulations deal with enforcement of the exterior appearance of buildings and elevation, with some exceptions. There could be an approval pending final site review.

Mr. Buttrick asked how many houses in the district have 500 square feet.

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Mr. Hudziec asked to be shown what regulation required a size. If someone wanted to build an addition to a shed as a shed, there would be no objections.

Mr. Buttrick said it wasn't in the character of the historic district.

Mr. Hudziec said districts are a mix and match. Few districts have all the same buildings.

Ms. Hooker stated the regulations say nothing about footprint, but they do state it must have a central chimney.

Mr. Hudziec said the HDC didn't exist to stop things that meet the regulations. There is nothing in them that talks about size.

Mr. Grasberger said the purview is the look of the entire district. It does not fit in with the historic district.

Mr. Hudziec said that if an applicant had big bucks he could sue, because there is nothing in the regulations about size, so there is no legitimate reason to turn down the application.

Mr. Hudziec stated the public could make additional statements even though the public hearing had been closed.

Ms. Ronstadt said other residents need to be considered. She wants to put a bunch of little houses on her property. Someone shouldn't be allowed to sit in the setbacks.

Mr. Funk said the two other lots on Cat Alley are the same size as his. His is not the smallest lot in Gilmanton.

Mr. Hudziec moved to approve Case #7-2019, John Funk & Deborah Chase, owner/applicant. Property is located on Cat Alley in the Corners Historic District; Map/Lot# 127/47. The approximately 14' x 20' addition to the existing building will be in harmony with it, in accordance with HDC regulations. Final site plan and construction detail approval to be submitted after a meeting for final review.

Ms. Hooker seconded the motion.

Vote was 3 in favor and one opposed.

Motion passed.

Public Hearing Case #8-2019, Richard Nowak, owner/applicant:

Requesting 5' high black fence, 6' of total length, parallel to Province Road.

Property is located at 535 Province Rd. in the Corners Historic District;

Map/Lot# 128/16.

Ms. Williams is the property co-owner. She said the fence would be 5' high to keep in dogs.

Mr. Hudziec asked how far the street visible part would be from the road.

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Someone said about 100'.

Mr. Buttrick moved to close the public hearing.

Seconded by Mr. Grasberger.

Motion passed unanimously.

MOTION

Mr. Buttrick moved to approve Case #8-2019, Richard Nowak, owner/applicant because the fence was away from public view.

Mr. Grasberger seconded the motion.

Motion passed unanimously.

Approval of Minutes - September 26, 2019.

Motion by Ms. Hooker to accept the minutes as presented.

Seconded by Mr. Hudziec.

Motion passed unanimously.

Adjournment at 8:15 PM

Respectfully submitted,
Annette Andreozzi
Land Use Administrator