

TOWN OF AMHERST
Historic District Commission

November 17, 2022

APPROVED

In attendance: Doug Chabinsky – Acting Chair, Tom Quinn - Planning Board Ex-Officio, Chris Buchanan, Martha Chabinsky, Tom Grella – Board of Selectmen Ex-Officio (remote), Nicole Crawford (alternate)
Staff present: Nic Strong – Community Development Director, Kristan Patenaude – Recording Secretary (remote)

Doug Chabinsky, Acting Chair, called the meeting to order at 7:00 p.m. and introduced Commission and staff members present.

PUBLIC HEARINGS:

- 1. CASE #: PZ16552-103122 – Shauna & Daniel Rooksberry (Owners & Applicants); 164 Amherst Street, PIN #: 018-003-000 – Request for approval to replace existing vinyl on home, replace existing windows with same materials, replace front door and add portico and modify window placement shed dormer.**

Doug Chabinsky read and opened the case.

Tom Quinn moved to accept the application as complete. Seconded by Chris Buchanan.

Voting: 5-0-0; motion carried unanimously.

Chris Buchanan moved that this application has no regional impact. Seconded by Tom Quinn.

Voting: 5-0-0; motion carried unanimously.

Shauna Rooksberry explained that her proposal is to replace the front door and add a portico; replace the existing siding on the house to match the addition, as the current siding is rotten and broken; and replace the existing windows in the same materials as on the addition. She noted that the Commission previously approved an addition to the house. Some of the window placements for the addition had to be moved, so the layout is a bit different than what was originally approved. This has been updated on the drawings. It was noted that the existing vinyl siding is cracking, and much of it will be stripped to do the addition, so the intention is to re-side the whole house with nicer materials. Trim will be added to make the house look nicer.

In response to a question from Doug Chabinsky, Shauna Rooksberry explained that the windows in the front of the addition have been shifted slightly. She explained that there was an interior wall issue that required the shift. She believes that centering the windows above the garage will look more natural.

Tom Quinn stated that he reviewed the August 18th meeting. At that time, there were some concerns regarding the windows and siding on the addition, but it was decided that, since the rest of the house was already vinyl and the rest of the windows were non-conforming, it made sense to have the addition windows match the existing house. His concern is that now the discussion is

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to replace all of the siding and all of the windows with materials that are not compliant in any way with the District. In fact, vinyl siding is specifically excluded.

Martha Chabinsky agreed with Tom Quinn.

It was stated that the house is noncontributing and is located on Amherst Street. Shauna Rooksberry stated that the existing vinyl is 30 years old and will soon need to be replaced. This proposal will significantly enhance the look of the house. She noted that she is also planning to redo the landscaping in the spring. Shauna Rooksberry stated that the Commission approved vinyl siding on a contributing property in 2020, on 151 Amherst Street, Case # PZ12280. It was noted that this is not a contributing property.

Chris Buchanan stated that this is not a precedent-setting board. Any approval made on other properties in the past does not have any standing with today's application. The role of this Commission is to look at the Historic District Commission regulations and judge each case that comes before it. The Commission reviews applications in terms of conforming to the regulations. If a property is contributing, the Commission ought to judge it more stringently. It is very unusual to have a case where the Commission would choose to discard the regulations for any reason, especially on the premise that the property is simply not contributing. Article 6 of the regulations is very specific regarding the use of synthetic materials. He believes this makes it very clear that permitting vinyl siding at any point is in direct conflict with the regulations. He stated that, while he understands the desire to improve the condition or the look of the house, these are not considerations of the Commission.

Doug Chabinsky stated that there are provisions in the regulations for granting waivers for certain unique cases. The Commission ought to consider this, as this applicant may need to come back before the Commission in a few years to replace the existing vinyl siding to match the addition.

In response to a question from Doug Chabinsky regarding why the applicant did not consider siding with clapboard instead, Shauna Rooksberry stated that this was due to cost. The Commission previously required her to side her shed in cedar and this cost her \$4,600 more than vinyl. She also noted that vinyl is better for maintenance. She believes the vinyl siding will look better, and she is proposing to add trim and molding to it.

Shauna Rooksberry stated that she believes the Commission is discounting that what she is trying to do will significantly improve the exterior of the house. Her husband has health issues, and she wants something easy to maintain. She does not want to have to deal with painting her house.

Tom Grella stated that he is in agreement with Chris Buchanan and Tom Quinn regarding the proposed vinyl siding.

Nicole Crawford stated that it does seem problematic that the use of vinyl siding was already approved. Martha Chabinsky stated that this was approved on the addition to match what was

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existing on the house. The current proposal is to replace all of the siding. Nicole Crawford noted that it was previously stated that the Commission does not base approvals on looks. It seems problematic that this was approved in stages. Chris Buchanan stated that the Commission judges on what the regulations say, in terms of materials. Improvement or looks are entirely subjective, with many differing opinions.

Shauna Rooksberry stated that her other option is to sell her house. However, she does not believe a buyer will pay to do these upgrades. She believes that using wood siding will cost her an extra \$20,000. If this project becomes too difficult, she will side the approved addition and keep the main house the way it is, but this will not look as nice.

Doug Chabinsky stated that the Commission does not allow vinyl siding. Shauna Rooksberry noted that her house is vinyl-sided. Doug Chabinsky explained that this was done before the Commission was in place. He explained that one of the reasons that the Commission approved Shauna Rooksberry's addition in vinyl was for it to blend in with the house. This was done as an exception to the regulations. The applicant's contractor, Jim Sickler, stated that it is within reason for this property, based on its condition and location to allow a waiver to continue with the vinyl siding.

Marie Panciocco, 151 Amherst Street, explained that she believes the Commission's decision to allow her to use vinyl siding was due to the fact that she was replacing siding with the same materials existing on the house.

Shauna Rooksberry stated that she is proposing to do the same thing. The regulations say to use materials of the time. Her house was built in 1969 and vinyl was a material of that time.

Dina Masotto noted that she bought a historic house in the District which was previously sided with vinyl. The material was damaged, and she took it upon herself to replace some of it with cedar siding, at a greater cost. She noted that the Commission seemed unaware that the property was sided in vinyl at some point in the past.

Chris Buchanan stated that the regulations are very clear as to what materials are permissible. The fact that these regulations were put in place when they were, does not really mean anything. This is the Town policy. Each time an application has the opportunity to come before the Commission, that is when the proposed material would then be judged.

Shauna Rooksberry noted that the regulations are not based on contributing versus noncontributing properties, which is problematic. As these decisions are made on a case-by-case basis, it is reasonable to request a waiver for this particular project.

FINDINGS:

- 1. Non-contributing property**
- 2. Reasonable public visibility**
- 3. House is currently vinyl sided**

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Nicole Crawford stated that she understands granting a waiver for an addition or a percentage of the house that is not the main structure.

Shauna Rooksberry suggested only doing the already approved addition. She asked if the Commission could regulate color, and it was noted that they do not.

**Chris Buchanan moved not to approve the application, based on materials.
Seconded by Tom Quinn.**

Roll Call Vote: Tom Grella – aye; Chris Buchanan – aye; Tom Quinn – aye; Martha Chabinsky – aye; and Doug Chabinsky – nay. 4-1-0; motion carried.

Shauna Rooksberry stated that she will continue with the addition as planned and noted that the house will be two different colors. Doug Chabinsky stated that the Commission does not regulate color. Shauna Rooksberry stated that this argument is crazy to her, especially as vinyl has been previously approved by the Commission. She noted that she is not in a financial situation to side her house in wood. Doug Chabinsky stated that the Commission does not, in general, weigh financial considerations, as this is not part of the regulations.

Shauna Rooksberry asked if the Commission could preliminarily approve for the house to be sided with wood, with the choice to either do that or move ahead with the addition only. She asked if she could have approval to side the house with Hardie Board instead. Doug Chabinsky stated that that is a concrete-based product. This would require a new application.

In response to a question from Doug Chabinsky regarding if it is possible to modify this application for wood siding instead so that the applicant does not need to come back before the Commission for approval, Nic Strong stated that, if the applicant requested verbally to change to the wood siding and then submitted an amended written version of the application for the file, the Commission could consider this because it would bring the property to a more conforming state.

In response to a question from the applicant regarding if approval is needed to side a house with wood, Doug Chabinsky stated that approval would likely be needed as this would require removing existing materials from the house.

Shauna Rooksberry stated that her concern is in siding the addition in vinyl, as it was approved, and then needing to replace the siding on the main house in five years. Doug Chabinsky explained that this would depend on who is sitting on the Commission at that time.

Shauna Rooksberry asked if she could receive approval for the portico and front door at this time. Doug Chabinsky asked the Commissioners if modifying the application to remove the vinyl siding and replace it with wood, would allow it to move forward.

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Chris Buchanan stated that his issue with the application, as submitted, is the proposed materials. He explained that, if the application was modified in this way, he would then have questions as to what type of clapboard will be used, how much reveal there will be, etc. There are a number of details that need to be clear in the application. To only modify the application to include wood siding is a little vague. It may make sense to table this matter to receive more details.

Shauna Rooksberry stated that she did not even know she bought a house in the Historic District. She stated that she will keep the vinyl for the addition, as previously proposed. She stated that she would like a hearing regarding the portico, the windows, and the door.

In response to a question from Doug Chabinsky, Shauna Rooksberry stated that the existing windows are vinyl.

Tom Quinn stated that the regulations specify that vinyl windows are not allowed in the Historic District. The Commission previously made an exception for the addition, as it was only a couple windows being made to match the existing house. Instead of talking about a very small violation of the regulations, this proposal is now for an entire house violation of the regulations.

Shauna Rooksberry stated that the house was built in 1969 and there is nothing historic about it. She stated that it is ridiculous that the Commission is making things so difficult for people.

Chris Buchanan explained that, when the decision was made to put this house in the Historic District, that was when the regulations were applied, putting the Commission in a place to now enforce them.

Shauna Rooksberry stated that the Historic Register notes that the only reason her house is listed is due to location. There is no historic character whatsoever. It also says in the Historic Register that other materials can be considered.

Tom Quinn stated that, as an example, if one is renovating a house, a certain amount of items is allowed to be not in code until it reaches a certain percentage of the house being gutted, at which point the entire house needs to be brought up to code. This proposal was previously for 25% of the house and now is for 100%. Where the Commission may have been more lenient at a 25% violation, it cannot be at 100%.

Shauna Rooksberry noted that, technically, the windows in the bedrooms upstairs are not up to code, according to the Fire Department. She asked if she could replace them with vinyl casement windows to bring them up to code. Chris Buchanan stated that the best thing an applicant can do is look at the regulations and submit an application that conforms to those regulations. If the proposal is to explicitly make modifications that are not consistent with the regulations, it will likely be hard to get approval.

Shauna Rooksberry stated that the regulations for windows note that existing materials should be used. The regulations say nothing about vinyl windows. Chris Buchanan explained that this

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language is specifically talking about original windows for contributing properties. Shauna Rooksberry stated that the Commission told her to follow the regulations, and she is reading what it says in the regulations. Chris Buchanan agreed that it is difficult to own a modern house in the Historic District. Shauna Rooksberry asked if the Commission is choosing when to apply the regulations, as it states verbatim that windows should be of existing materials.

Doug Chabinsky agreed that the regulations are silent on this matter, and this has bit the Commission before.

Chris Buchanan stated that the regulations when stating that, "...the historical and architectural character of a building or structure expressed by design, style, rhythm, form, massing, scale, proportions, features, or materials shall be maintained or restored..." are talking about the historical and architectural character of the building. This is how vinyl, noncompliant windows could exist but not fit the regulations. The Commission has regulations, and it is the Commission's job to follow them.

Shauna Rooksberry stated that the Commission also has a waiver from the regulations. Chris Buchanan explained that there are very specific conditions for when a waiver can apply, and he does not believe this application fits that.

In response to a question from Shauna Rooksberry, Chris Buchanan explained that Article 6.A deals with changes to existing structures, and references existing materials.

In response to a question from Doug Chabinsky regarding the conditions for a waiver, Chris Buchanan read that, "the Commission shall have the discretion to waive any condition contained in these regulations for good cause shown. A waiver of these regulations will be granted if each of each of the following conditions is found:

1. Granting the waiver would benefit the public interest,
2. By granting the waiver substantial justice would be done,
3. Granting the waiver would not be contrary to the spirit and intent of the regulations,
4. Granting the waiver would not be detrimental to the historic character, environment, scenic value, or general welfare of the Town"

Doug Chabinsky suggested that the Commission address each condition in terms of this application.

1. Granting the waiver would benefit the public interest

Martha Chabinsky stated that she is not sure the request fits this condition.

2. By granting the waiver substantial justice would be done

Doug Chabinsky stated that this is an existing house which the applicant is proposing to upgrade. This is a noncontributing property already sided in vinyl and the proposal is to keep with the existing materials. He believes the proposal supports this criteria.

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3. Granting the waiver would not be contrary to the spirit and intent of the regulations, Chris Buchanan stated that he believes it would be difficult for the proposal to meet this criteria.

4. Granting the waiver would not be detrimental to the historic character, environment, scenic value, or general welfare of the Town”
The applicant stated that the proposal will definitely not be detrimental, as it will have the same look as the existing house, but new. This will not change the aesthetics, or the current value of the neighborhood.

Chris Buchanan stated that a waiver for this application would be showing that deviating from the regulations to permit vinyl would be in the benefit of the public interest. Doug Chabinsky stated that the proposal would improve the look of a property that is very visible when entering Town. Shauna Rooksberry stated that she is surprised, as she believes that the Commission would want her to do all these things. It makes no sense that the Commission would not want her to do these things to add value to the property. Chris Buchanan explained that the regulations are clear on this item.

Doug Chabinsky stated that he believes the only criteria that might be a stumbling block is the one regarding the regulations. Chris Buchanan stated that he believes this to be the clearest criteria item against this case. It is why the financial hardship argument is not applicable, unfortunately.

Shauna Rooksberry stated that this is a challenge because the Commission is essentially making her house fall into disrepair. She asked if this is what the Town wants.

In response to a question from Doug Chabinsky regarding approval of parts of the application, Nic Strong stated that this may be possible, but the Commission just denied the whole application. It will have to resurrect it in order to approve any part of it.

Doug Chabinsky asked for a motion to rescind the prior motion.

Tom Quinn asked if more details are needed regarding the portico. Doug Chabinsky stated that the Commission has the drawings submitted. Martha Chabinsky asked about a listing of materials for the portico and door. Shauna Rooksberry stated that she is unclear on the materials for these items, as she previously believed vinyl siding would be approved. Martha Chabinsky stated that there appear to be pillars and a roof. The applicant stated that those were proposed in AZEK board material. Doug Chabinsky noted that a composite material is proposed for the columns. Tom Quinn noted that use of a synthetic material for this is an issue.

In response to a question from Martha Chabinsky regarding the proposed trim material, Shauna Rooksberry stated that the trim was proposed to match the existing house. If she cannot replace the vinyl siding on the house then the trim will be made to match whatever is on the house.

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Martha Chabinsky stated that she believes the Commission needs spec sheets for these items. Doug Chabinsky agreed that a materials list is needed.

Doug Chabinsky suggested rescinding the previous motion, in order to table this application, to allow the applicant to do some research regarding the cost of wood and Hardie Board siding. Shauna Rooksberry asked if the portico and front door items can be approved, as her construction is slated to start next week.

Martha Chabinsky noted that the new door has simulated divided lights. Doug Chabinsky stated that the door is likely proposed to be made of fiberglass. This material has been allowed in the past. Martha Chabinsky suggested that the previous motion could be rescinded, and the Commission could vote only on the door at this time, while tabling the rest of the application to next month.

Shauna Rooksberry asked what kind of windows the Commission would prefer, as she already ordered the windows for the addition. These are vinyl, as previously approved by the Commission. Martha Chabinsky stated that she does not believe the Commission would want two different types of windows in the house. Doug Chabinsky stated that the regulations are not very clear on windows.

In response to a question from Doug Chabinsky, the applicant noted that the existing windows in the house are original to the house.

Shauna Rooksberry suggested that she complete the addition, as previously approved, and come back before the Commission for other items at a future date. Martha Chabinsky stated that she believes approval could be granted for a few of the proposed items this evening.

Doug Chabinsky stated that, regarding the windows, these should be replaced with the original material, which in this case would be vinyl. Tom Quinn agreed that the specs for the proposed windows seem to be substantially the same as the existing windows.

Martha Chabinsky moved to rescind the prior rejection.

Discussion:

Chris Buchanan asked what exactly is being rescinded.

Doug Chabinsky stated that the motion is to rescind the previous vote, so that the Commission can approve the front door, and the windows, and table the rest of the application to next month so that the applicant can return with a list of materials.

Seconded by Tom Quinn.

Roll Call Vote: Tom Grella – aye; Chris Buchanan – aye; Tom Quinn – aye; Martha Chabinsky – aye; and Doug Chabinsky – aye. 5-0-0; motion carried unanimously.

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Doug Chabinsky moved to approve the front door as requested, approve replacement of the existing windows with the same materials, and table the rest of the application to December 15, 2022, at 7pm at Town Hall, to allow the applicant to come back with an updated materials list and decisions for the whole house and portico materials. Seconded by Tom Grella.

Roll Call Vote: Tom Grella – aye; Chris Buchanan – aye; Tom Quinn – aye; Martha Chabinsky – aye; and Doug Chabinsky – aye. 5-0-0; motion carried unanimously.

It was noted that the windows for the whole house and the front door have been approved. Doug Chabinsky noted that the Commission has previously approved Hardie Board, particularly to replace vinyl. He noted that materials and dimensions are needed for the portico.

- 2. CASE #: PZ16553-103122 – Ashley Stiles (Owner & Applicant); 27 Middle Street, PIN #: 017-105-000 – Request for approval to replace all siding on main part of house with proposed Color HPX siding.**

Doug Chabinsky read and opened the case.

Tom Quinn noted that this application did not include a plot plan. Doug Chabinsky stated that this proposal does not involve new construction and so does not require a plot plan.

It was noted that the applicant was not present at the meeting, either in person or via Zoom. The Commission decided to thus table the application to the next meeting.

**Chris Buchanan moved to table the application to December 15, 2022, at 7pm, at Town Hall. Seconded by Martha Chabinsky.
Voting: 5-0-0; motion carried unanimously.**

- 3. CASE #: PZ16554-103122 – Mellisa & Dina Masotto (Owners & Applicants); 3 Old Jailhouse Road, PIN #: 017-073-000 – Request for approval to demolish and rebuild structure with exact footprint + 6ft width towards driveway, add basement.**

Doug Chabinsky read and opened the case.

Doug Chabinsky explained that it was not originally clear from the submittal but confirmed that the Commission took materials from the first application and added them to the materials in the second application. The applicant noted that this was correct, aside from the item regarding vinyl siding.

**Tom Quinn moved to accept the application as complete. Seconded by Chris Buchanan.
Voting: 5-0-0; motion carried unanimously.**

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Tom Quinn moved that this application has no regional impact. Seconded by Chris Buchanan.

Voting: 5-0-0; motion carried unanimously.

Mellisa Masotto stated that the proposal is going to be a reasonable size. This is simply a 6' addition in one direction. A signed plot plan was submitted showing that the proposed addition is 55' and 59' away from the lot line. She explained that there is an existing foundation on site, made of stone. The proposal is to remove that foundation, place a solid foundation, and add 6' to the footprint.

Dina Masotto stated that, upon purchase of the home, they were made aware that part of the house was unlivable and would require renovation. They got a building permit for the inside of the first part of the house, as that was also unlivable at the time. There is a structure already in place, with a 6' crawl space, and air conditioning ductwork. The existing foundation is part brick and part stone. The walls and roof are caving in for this part of the structure. There is no electric, heat, or AC on that side as it is unlivable. The intention is to redo the foundation and extend it by 6'.

In response to a question from Doug Chabinsky, Dina Masotto stated that the proposal includes a couple of extra feet in the basement, if the dig does not compromise the existing barn. The foundation is 21" on one side, at a slant. The proposal is not to make the height of the foundation different. Doug Chabinsky stated that this is something for the Building Inspector to rule on.

Dina Masotto stated that the vinyl siding was removed from the front of the home, and this uncovered some wood siding, with the rest being replaced with cedar planks. The proposal is to continue removal of the vinyl from this section of the home, to replace it with cedar siding.

In response to a question from Doug Chabinsky regarding work that was being done on the front of the house last week, Dina Masotto stated that this work was to replace the door, as it previously had no lock, and the antique doorknob was broken. A few months were spent trying to restore that door, but the wood door was fully rotted and there was rotting around the doorknob. As the door could not be restored, they asked and were told it could be replaced with a 6-panel wood door, which is what it was replaced with. The door was not painted white; it was left wood to match the rest of the home. The top part of the door was replaced with cedar and needs to be painted. Chris Buchanan noted that these seem to be in kind replacements.

Tom Quinn asked if there is reason for the Commission to complete a second site walk, as some of the current Commissioners were not seated during the last site walk. He also noted that there was previous concern from the Commission regarding the fact that the plan shows the back of the house located approximately 15' from the property line. The applicant noted this is actually 24' at the corner. Tom Quinn stated that there is a large retaining wall in that area that an abutter was concerned about. Doug Chabinsky stated that this is in the purview of the Building Inspector. The state changed its regulations several years ago, so that any retaining wall over 4'

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needs to have a structural assessment to ensure that any excavation or heavy equipment use will not damage the wall. This study will need to be done before a building permit will be issued. The Building Inspector adjudicates that and will need engineered drawings.

Chris Buchanan stated that he feels as though the materials submitted, plus a short drive by of the site, were clear enough to get an understanding of the proposal, without needing another site walk. Doug Chabinsky agreed.

There was no public comment at this time.

FINDINGS:

- 1. Contributing property**
- 2. Reasonable visibility from the public way**
- 3. Applicant is seeking to demolish a structure that was not part of the Historic Register and replace it with a similar structure, as far as height goes, with the exception of extending it 6' to the side, away from the boundary line**

Chris Buchanan moved to approve this application, as submitted. Seconded by Martha Chabinsky.

Voting: 5-0-0; motion carried unanimously.

Dina Masotto asked about the appeal process in case the Historic District Commission's decision was contested by an abutter or other interested party. Doug Chabinsky explained that anyone can appeal the Commission's decision and, if approved, any work already completed would have to be undone. As the first step in this project is the careful demolition of the structure, it would be difficult to require this be reconstructed.

Dina Masotto stated that they just received notice regarding the door. Doug Chabinsky stated that replacements in kind without an approval are a grey area. He stated that he will let the Building Inspector know that the Commission is okay with the all-wood door replacement.

In response to a question from Tom Quinn regarding replacement of a transom window above the door, Dina Masotto explained that this was not replaced, as all the wood around it was rotted. Instead, they extended a portion of the cedar wood through this area.

Martha Chabinsky stated that it is a better idea to submit an application before replacing anything else on the house, just so that it is clear to everyone.

OTHER BUSINESS:

- 1. Minutes: October 20, 2022**

Martha Chabinsky moved to approve the minutes of October 20, 2022, as submitted. Seconded by Chris Buchanan.

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Voting: 5-0-0; motion carried unanimously.

2. Continued Discussion on HDC process

It was noted that the Commission will hold a work session on November 29, 2022, at 7pm, to review the regulations and process items.

Chris Buchanan stated that he reviewed the proposed changes and implemented the modest suggestions made at the last meeting. He also commented on what some of the language is or where it comes from regarding some of the large changes to contemplate. He explained that he does not necessarily endorse a lot of the changes, especially the windows-related changes, but aggregated information from various sources for further discussion.

Doug Chabinsky stated that the Commission will hopefully come out of the work session with some updates, which can then be used to update the application checklist.

Chris Buchanan stated that the regulations seem clear that an original window, for example, ought to be kept original, this deals with the historic character of the window. This does not seem to apply to a modern, being less than 50 years old by the Department of Interior, construct. He asked if this needs to be made clearer.

Doug Chabinsky stated that he believes the regulations need to be clearer regarding noncontributing properties and how they will be assessed. Martha Chabinsky stated that there is also an issue if someone replaces a window without permission and the next owner uses this as precedent for replacements. Doug Chabinsky stated that it is difficult to apply regulations for a 200 year old house to a more modern house from the 1970s. The current regulations do not distinguish those properties in any way. Chris Buchanan stated that it is unclear if the Town wants to make distinction or not. Doug Chabinsky stated that this is for the Commission to decide and make a recommendation on.

Chris Buchanan asked if the Commission would like for him to draft something regarding this specific situation. Martha Chabinsky agreed with this. Doug Chabinsky suggested bringing wording from Portsmouth and Exeter for the Commission to review.

Chris Buchanan stated that, regarding contributing, noncontributing, Historic District, expanded Historic District, etc. he personally feels these differences need to be reconciled. He stated that it is clear to him that the regulations apply universally to every single structure, except for the notion of protecting historic character which implies contributing properties. As a result, an inventory of all the properties was completed, and it is clear that there are some properties that probably should have been included on the National Register, and maybe some that should not have been. His vision is for the Commission to fully commit to the extended Historic District as one entity. Doug Chabinsky stated that this was already done. Chris Buchanan stated that, as this is the case, that reference should be deleted from the regulations and the National Register listing should perhaps be updated to reflect this. Or, if the Commission does not like the current boundaries, there should be a suggestion to change it and then update the National Register

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listing to reflect this. Doug Chabinsky stated that he does not believe the Commission is going to change any of the boundaries. Chris Buchanan explained that this was previously done in 1986 and could be done again. Doug Chabinsky stated that he would rather focus on adding houses in the extended Historic District that should be contributing.

In response to a question from Martha Chabinsky, Chris Buchanan stated that the definition of a contributing property is one which is listed in the National Register. There are certain houses that really should be but are not. It was an unprecedented thing for the United States to have National Historic districts created in whole areas in the 1960s. Then, there was a geographical expansion of the municipality-recognized Historic District, which is not nationally recognized, which is the so-called expanded Historic District. Furthermore, the National Register, which was created in the 1960s, likely neglected certain properties which in hindsight probably should have been included. The recent inventory of every property describes the cultural and historic attributes that are worth preserving, which is the principal job of the Commission. Doug Chabinsky explained that comparing the survey to what is currently in the National Register, allows the Commission to determine which houses are not listed but should be.

Nic Strong explained that, regarding the grant, the Selectmen accepted the grant funding. She now needs to contact the Historical Resources Department to determine the phasing of the project.

Nicole Crawford stated that she believes the Commission should quantify or state what will be allowed in terms of the percentage of vinyl, or the percentage of what can be replaced in kind.

In response to a question from Nicole Crawford, Martha Chabinsky stated that a letter used to go out to new homeowners in the District, but this was not consistent. Realtors and sellers do not have any legal obligation to disclose that the house is historic. Tom Quinn stated that every property has to list what district it is in, but this commonly is not reviewed clearly by the buyer. Nicole Crawford stated that she is surprised a letter of disclosure by the Town is only sent after the sale is finalized. She stated that this can be a tremendous financial obligation for homeowners. She asked if the Commission could make it part of the regulations that this must be disclosed when a historic house is sold. Chris Buchanan stated that this could be brought to the State representatives. Nic Strong noted that every time someone buys a house, no matter the district it is in, there is something they do not know. Generally, no research is completed on behalf of the buyer.

3. Any Other Business

Chris Buchanan moved to adjourn the meeting at 8:41pm. Seconded by Martha Chabinsky.

Vote: 5-0-0; motion carried unanimously.

Respectfully submitted,

Kristan Patenaude

Minutes approved: December 15, 2022