

1                                   Town of Amherst, New Hampshire  
2                                   **Historic District Commission**  
3                                   **Minutes**  
4                                   **July 16, 2015**

5  
6 The Amherst Village Historic District Commission met on **Thursday, July 16, 2015 at 7:00 pm** in the  
7 Barbara Landry Meeting Room, 2nd floor, in Amherst Town Hall, 2 Main Street, Amherst, NH 03031.

8  
9 *In attendance were Jamie Ramsay, Chair; Tracy Veillete, Vice Chair; Sue Clark, Secretary; Sally Wilkins;*  
10 *Planning Board Representative; Jeanne Rosenblatt, Alternate; Doug Chabinsky; Thomas Grella; Board*  
11 *of Selectmen Representative; Helen Rowe; Alternate; Bruce Fraser; Larry McCoy, Alternate*

12  
13 Jamie called the meeting to order at 7:00 pm.

14  
15 **NEW BUSINESS:**

16  
17 **Case #: PZ6293-02415 – John Bement – 9 Courthouse Road, PIN #: 017-109-000 – Request to allow**  
18 **replacement of siding and trim and the replacement of three windows and front door.**

19  
20 Present: John Bement

21  
22 Mr. Bement stated that he has recently purchased the property and discovered many shortcomings  
23 with the windows and door due to overall neglect from water damage. He said he hoped to receive  
24 approval to install solid wood windows with trim to match the others as well as to replace the front  
25 door that has dry rot and match it to what is currently there.

26  
27 Sue stated that the only original area is the front and that nothing was being proposed to be done to it  
28 – only the area where the addition was built. She stated that the kitchen addition was added in the  
29 1940's or 1950's. She stated that the windows have deteriorated. Jamie stated that he witnessed the  
30 damage during the site walk. Tracy questioned whether the front door would be replaced with a door  
31 with glass. Mr. Bement stated that one pane was actually broken; however, he was proposing to have  
32 glass in the replacement door to match the look and feel.

33  
34 Jamie stated that the Commissioners needed more information on the windows and door. He  
35 questioned whether the door proposed was a "replacement in kind". He said that the door may not be  
36 appropriate for a 1700's house. He asked for more information on the glazing specs, materials, etc. He  
37 told Mr. Bement that the HDC requires all wood construction on windows.

38  
39 Sue agreed that the applicant should come back with specifications on the windows and a picture of  
40 the door being replaced.  
41

MOTION: Sue moved to table the application to August 20, 2015 in order to receive additional information, i.e. specifications, photos, etc. on the windows and door, Doug 2<sup>nd</sup>. *VOTE: All in favor.*

**Case #: PZ6296-062515 – Lawrence & Deborah Gebhardt – 132 Amherst Street, PIN #: 005-094-000 – Request to extend existing retaining wall, build a patio and move stairs to screened porch.**

Present: Lawrence & Deborah Gebhardt

Mr. Gebhardt informed the Commissioners that his current deck had collapsed due to the weight of heavy snow and of poor construction. He said that it was his intention to extend the existing stone retaining wall that begins in the front of the new garage and continues to behind the old garage. He said the extension of the wall will follow the footprint of the deck and stairs. Mr. Gebhardt said that the retaining wall will be built under the screened porch and will be filled and paved with bricks and capped with a finished stone top to compliment the brick. He stated that the porch stairs will be rebuilt to allow the patio to be lowered approximately 12” from the level of the old deck.

Jamie stated that the site walk was straightforward and the application proposed is a significant improvement. He said the relocation of the stairs is a “no brainer” and is proposed in a more practical location.

Hearing no other comments, Jamie called for findings to this case.

**FINDINGS:**

1. Non-contributing property.
2. Built in 1930
3. Minimum public view.
4. Appropriate in terms of location and function.

MOTION: Doug moved to accept the application as presented, Tom 2<sup>nd</sup>. *VOTE: All in favor.*

Jamie explained the 20-day appeal notice process to the applicant.

**Case #: PZ6297-062515 – Timothy & Mary Ireland – 1 Carriage Lane, PIN #: 017-024-000 – Request to rebuild portion of demolished barn to be reattached to existing garage barn.**

Present: Timothy & Mary Ireland

Mr. Ireland explained that they were in front of the HDC in 2013 where the Commissioners voted to approve the demolition of the barn, connecting shed and dismantle the barn for future reconstruction and rebuild within the existing footprint attached to the existing structure. Mr. Ireland stated that the replacement materials would be wood siding and all wood windows and doors.

Doug asked whether the new shed will protrude above the existing shed? Mr. Ireland stated “yes”. Sue stated that in 2013, this was a hardship case and the minutes from that meeting are very

important to this case. She said the one thing the Commissioners did ask was to set granite posts on each corner to show the original footprint. Sue asked if the wood was salvageable. Mr. Ireland stated that they can only use some of it.

Tracy asked where the design came from. Mr. Ireland stated that he has seen similar sheds in the Village. Tracy stated that pictures of those sheds would be helpful.

Jamie stated he was not comfortable with the design and said the design was not fine enough to make a decision. He asked if the Ireland's had someone who can accurately represent what is being proposed.

Mrs. Ireland asked the Commissioners to provide them with what is approvable in the Village. Sally stated that it would be difficult to provide this information as not every house is of the same era. Sally stated that looking at elevations, was there anything available to provide the Commissioners with scalable representation. She said that this was not enough for Commissioners to approve.

Mrs. Ireland stated that it was her intention to make the backyard look as pleasing as possible and all "eyes" were drawn to the shed/barn. She said it would look better than a wood sided structure. Mr. Ireland stated that it isn't going to be visible from the public view. Tracy disagreed – she said it is visible when you drive by.

Tracy recommended that the Ireland's come back with options and for them to bring pictures. Doug stated that it would be great if they could show how they were to tie in so they can look at massing and proportions.

MOTION: Doug moved to table this application until August 20, 2015, Tracy 2<sup>nd</sup>. *VOTE: All in favor.*

#### **OTHER BUSINESS:**

#### **CASE #: PZ5057-053014 – Brian & Alice Handwerk – 3 Manchester Road, PIN #: 018-040-000 – Request for change in window size.**

Present: Brian Handwerk

Mr. Handwerk requested permission to change his previously approved application for the resizing of his kitchen window. The existing window sash is 42"x90"; however, they would like install a smaller divided light triple casement window with the sash measuring 34" x82" in order to accommodate the sink and kitchen counter. He said the window frame would not be against the post and he proposes to replace it with the same architect series (Pella Architect) but of a smaller dimension. He felt it would also look better from the outside.

Sally questioned whether it would be aligned with the ones from above. Mr. Handwerk stated "yes". Jamie felt that this was not a significant change. Doug stated that he appreciated the fact that Mr.

129 Handwerk came back before the Commissioners. Mr. Handwerk stated that it will provide for a great  
130 view too.  
131  
132 **MOTION:** Sally moved to approve the change in window size and have the Chair review and approve  
133 the window so the applicant need not have to return back to the Commissioners, Doug 2<sup>nd</sup>. *VOTE: All*  
134 *in favor.* Jamie instructed Mr. Handwerk to contact him directly on when to come by his house to view  
135 the window.  
136  
137 **OLD BUSINESS:**  
138  
139 **Case #: PZ6182-052815 – Matt Larson – 11 Carriage Road, PIN #: 017-019-000 – Request to replace**  
140 **existing wood windows of the same style and color using integrated light muntins – continued from**  
141 **June 18, 2015.**  
142  
143 The HDC application was withdrawn at the homeowner's request. No action was taken by the  
144 Commissioners.  
145  
146 **CASE #: PZ6180-052815 – David & April Savino – 5 Foundry Street, PIN #: 017-040-000 – Request to**  
147 **construct a second story addition to the existing ell – continued from June 18, 2015.**  
148  
149 Present: April & David Savino; John Condon, Condon and Fox Building Corp.; Tony Hall; many abutters  
150 & neighbors (see sign in sheet)  
151  
152 Sally motioned to un-table Case #: PZ6180-052815, Tom 2<sup>nd</sup>. *VOTE: All in favor.*  
153  
154 Mr. Savino provided an architectural model of how the roofline and structure intersect for  
155 Commissioners to view. He stated that John & Tony did a great job of depicting how the roofline  
156 would look.  
157  
158 Discussion followed regarding the window elevations and crown molding details. Mr. Savino stated  
159 that he, John Condon & Tony Hall carefully reviewed the HDC regulations and all agreed that this house  
160 meets all the requirements specified for new additions. Tony Hall provided illustrations and photos of  
161 homes in Groton, MA and other examples of how this home is in line with the architecture of the  
162 Village and how they comply with the regulations.  
163  
164 ***At this point, Sally Wilkins left the meeting at 8:15 pm.***  
165  
166 Discussion followed regarding the landscaping of the yard and what trees will be kept during  
167 construction. Mrs. Savino stated that there are trees that need to be trimmed and this would happen  
168 regardless of whether the project moves forward or not.  
169  
170 Jamie reiterated that he felt this would be a cardinal change with this home. He stated that the mock  
171 up viewed on the site walk was very helpful especially from the East side. He had one question  
172 concerning the windows – would changing the windows in the original house meet egress. Mr. Savino

173 stated that he preferred them not to have to change them but he will reach out to the Fire Chief and  
174 Building Inspector on their recommendations. Jamie agreed – he stated that they would need to meet  
175 two means of egress. He questioned whether the applicant could meet a second means of egress if  
176 the size of the windows became moot. Tom stated that there is another stairway in the front – that is  
177 a second means of egress.

178  
179 Jamie questioned whether removing one window and replacing the window was to let more light in.  
180 Mrs. Savino stated “yes”. Jamie felt it was much easier to replicate a new window. He said it was  
181 worth a conversation with Fire Chief Matthew Conley to have other means of egress other than a  
182 window.

183  
184 Jamie opened up discussion for the public. He stated that the Commissioners are in receipt of letter  
185 from abutters Amily Moore and Terry May and reported that all members received a copy.

186  
187 Dan Bernatas, 3 Foundry Street spoke in favor of the addition and stated that he thought it will look  
188 great.

189  
190 Terry Mayo, 93 Boston Post Road read the June 28, 2015 certified letter he and Ms. Moore composed  
191 and sent to the Historic District Commissioners for the record.

192  
193 Colleen Mailloux, Community Development Director, stated that from a Zoning perspective, some of  
194 issues raised in Mr. Mayo’s letter are beyond the purview of the HDC. She stated that no request has  
195 been submitted for a determination on the zoning issues. She stated that the HDC can determine  
196 massing & character but floor ratios need to go before ZBA. She said that as Zoning Administrator, she  
197 will make the determination whether a variance is necessary to the ZBA. Mr. Savino stated that if  
198 deemed, they will go through the process.

199  
200 Jamie stated that this was a significant structure. Sue stated that it is house number 40 built in 1788  
201 but it does not say “significant”. Jamie stated it is a contributing property. Helen stated that what is  
202 important here is that it is a contributing property.

203  
204 Larry questioned whether contributing and significant are the same. He said if it is the same, it should  
205 maintain the same meaning. Colleen stated that contributing and/or significant properties are under  
206 the HDC purview.

207  
208 Jamie stated that mocking up the roofline was enlightening to him. He said it was much smaller in  
209 scale than he originally thought. He said it was obscured by a maple tree in full bloom, however, that  
210 would not be the case in the winter.

211  
212 Amily Moore, 7 Foundry Street spoke against the project. She said that the examples given by Tony on  
213 homes in Groton, MA were homes that sat on massive amounts of land, not 1’ from the property line  
214 such as this. She stated that this all white massive structure would block any sunlight into her home  
215 and will affect property values. She stated that “if you are stewards of Amherst Village, this will make  
216 or break the Commission”.

217 Mr. Savino stated that sunlight was brought up last month and they have paid close attention to this.  
218 He said it was observed on the site walk that the maple tree blocked sunlight and not from their home.  
219 Jeanne agreed. Amily Moore stated that the maple tree is not always going to be in full bloom.  
220  
221 Mrs. Savino stated that she was sorry that her house is very big and right next to Amily Moore's home.  
222 She said she purchased the house as is. She strongly felt that the possibility of denying her application  
223 due to sunlight would be wrong if that happened.  
224  
225 Colleen Mailloux asked the Commissioners to focus on the application for the addition. She said that  
226 abutters' concerns should be considered but to focus only on whether this fit the character of the  
227 District or not.  
228  
229 Bill Dunlap, 141 Amherst Street stated that massing is more important than where the sunlight hits. He  
230 said that this is a significant structure in the Village and the Commissioners should only approve if it  
231 brings it more closely to its original appearance – he said this is 180 degrees in the opposite direction.  
232  
233 Brad Engel, 4 Foundry Street supported the application.  
234  
235 Mr. Savino stated that there are several homes in the District who have had additions – this is not  
236 precedent setting at all. He is in favor of anything that adds value and that change has been a constant  
237 and “you don't judge this any less historic” because of it. Jamie stated that he has given more thought  
238 to this application than any other case he has sat on.  
239  
240 Larry questioned whether casement windows were legal in the District. Jamie stated that it would  
241 need to be a much larger double hung so it meets egress compliance.  
242  
243 Sue stated that the Commissioners saw the mock up and it was a natural progression to want to  
244 improve the structure. She said that this house needs a lot of work and we have a young couple who  
245 want to improve it. She said she felt it was better to have a home that is appropriately remodeled than  
246 to have a home that is empty with broken windows and cannot sell. She said people buy these homes  
247 and need to live in them. She said that the HDC has done their work and saw the mock up on how the  
248 finished project will look. Tom stated that there will be a 10-12 percent increase in size and he said he  
249 didn't think a 10 percent increase is considered a change. He thought this really was not significant.  
250  
251 Jamie questioned whether there were any more questions, comments or concerns from the audience.  
252 He stated that egress needs to be addressed and answered by the Fire Chief. Jeanne stated that  
253 neighbors' thoughts are important.  
254  
255 Jamie questioned what the timeframe was for construction. Mr. Savino stated that he would like it  
256 done before the first snow fall with a realistic start date of September. Jaime stated that if approved,  
257 this Commission will have to live with it but have made mistakes in the past. He said the  
258 Commissioners should move very carefully with this application. He wants 99 percent of people  
259 looking at it to say it is appropriate and not detrimental to the HDC.  
260

Mr. Savino asked why Jamie felt this was a precedent setting decision. Jamie stated that this application will be used by future applicants. He said it is always the Commissioners intent to preserve the character of the District and this design is a good effort in heading in that direction but this house needs help and the roof frame needs to be addressed.

Colleen stated that the regulations require that the HDC render a decision within 45 days and we are at that point. She stated that if the application is not complete, the HDC can table this until those items are complete. She read the ordinance into the record.

A question was asked whether Mr. Savino would change the windows. Mr. Savino stated that they would change it to have double hung windows and not casement to meet egress and will change the application to reflect this.

Doug recommended that the Savinos consult with the Fire Chief to address egress. He said with the current windows, he wasn't sure he could approve the application. Sue questioned whether the HDC could conduct a special meeting. Colleen stated yes to a date certain. Sue stated waiting another four weeks was too long.

Doug motioned to table the application to a special meeting to be held on July 30, 2015 at 7pm in Town Hall to address the windows, Bruce 2<sup>nd</sup>. *VOTE: All in favor.* **For the record, Sally Wilkins had left the meeting and was not present to vote.**

#### ADDITIONAL BUSINESS NOT ON AGENDA

Tennis Courts – Colleen requested a consensus on whether the Commissioners support the use of granite curbing for the Recreation Department to use to match other granite curbing in the Village. They supported the request.

Bridge Color – Colleen showed mocked up pictures of the bridge and requested what the Commissioners preferred to see in terms of color and she will pass their preference onto the Department of Public Works Superintendent. The Commissioners liked the gray color as opposed to the tan hue.

#### Minutes:

May 21, 2015 – Jamie moved to accept the minutes as amended to line 137, Doug 2<sup>nd</sup>. *VOTE: All in favor.*

June 18, 2015 – Jamie requested that the minutes be tabled until the August meeting due to the lateness of the meeting.

Adjournment: Doug moved to adjourn at 10:02pm, Jamie 2<sup>nd</sup>. *VOTE: All in favor.*

Respectfully Submitted,  
Debra A. Butcher