

TOWN OF AMHERST
Historic District Commission

November 18, 2021

APPROVED

In attendance: Jamie Ramsay – Chair, Chris Hall – Vice-Chair, Chris Buchanan [7:14pm], Tracie Adams – Planning Board Ex-Officio, Tom Grella – Board of Selectmen Ex-Officio, and Bill Rapf.

Staff present Natasha Kypfer – Town Planner, and Kristan Patenaude – Recording Secretary (remote).

Jamie Ramsay called the work session to order at 7:12 p.m. and introduced Commission and staff members present.

WORK SESSION TOPICS:

a. Regulation updates

a. Windows and doors

b. Views

c. Modern mechanical equipment

Chris Hall stated that there could be modifications made to many of the sections of the ordinance. The Commission must then discuss how the regulations can be altered to reflect these changes.

Chris Buchanan entered at 7:14pm.

Natasha Kypfer noted that, after a work session on May 6, 2021, a memo was sent suggesting a process: review the ordinances and regulations for changes, Community Development Office staff draft these revisions and make note of statutory updates or historic preservation standards, review and discussion by the Commission at a work session for additional changes, and finally to adopt the changes, per the requirements. Rules of Procedure could be adopted at a regular Commission meeting, changes to the regulations could be adopted at a public hearing held by the Commission, and zoning ordinance changes could be adopted following a public hearing and a vote at Town Meeting.

In response to a question from Will Ludt, 3 School Street, regarding if guidelines and regulations must be followed by homeowners, Chris Hall explained that homeowners must follow the Commission's regulations, but that these are also seen as conditional to the property, depending on where the work is being done and the significance of the property. If the Commission created guidelines, these would give the public a general idea of what to expect.

Chris Buchanan stated that the Commission could discuss how to change certain regulations, while also looking at how this would be translated into a guideline document for the public. The Commission may want to be very specific with certain regulations, or broader, using a scale, for other items. The scale could take into account Contributing/Non-Contributing properties.

Will Ludt asked if ordinances, guidelines, and regulations are addressed similarly by all boards/commissions in Town. There was discussion regarding enforcement issues that all boards/commissions face. Will Ludt noted that the Heritage Commission is trying to get a metal

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detecting policy passed in Town, but there is an issue with how it will be enforced. Chris Hall stated that the Historic District Commission also faces enforcement issues, as it is a quasi-judicial group.

Chris Hall stated that he believes there are certain houses in Town that should be considered Significant. There are certain houses that are already called out that way through the National Registry of Historical Places.

Tracie Adams stated that regulations are more binding and very specific, but guidelines can be helpful to give the public a sense of direction. She believes both are useful.

Chris Hall explained that the National Registry has approximately 170 or so properties listed in Town. There were then an additional 100-150 properties added to the Historic District outside of the National Registry, previously considered the "Extended District."

Tracie Adams stated that a regulation could be added defining the different types of significant properties.

Chris Buchanan stated that the Commission seems to want to review its procedures, to develop categories for properties (reviewing all properties, determining what to do with the "Extended District), and looking at proposed scales for the regulations. Chris Buchanan displayed an example of such a scale.

Tracie Adams suggested that the scale could be different for each of three categories: Significant, Contributing, and Non-Contributing.

Chris Hall stated that he believes Amherst could adopt similar documents to those used in Portsmouth. Natasha Kypfer noted that Portsmouth worked with someone at the Preservation Design Partnership to develop the detailed design guidelines. The Commission voted to adopt these and added them to their zoning ordinance.

Town Administrator Shankle stated that, if this is part of Portsmouth's zoning ordinance, then it is a public document and can be used by other entities without issue. He explained that Section 4.15 of Amherst's zoning ordinance gives the Commission authority to create regulations for design guidelines consistent with the ordinance. The Commission may adopt the guidelines and then, by reference, those are part of the zoning ordinance.

Chris Hall stated that he believes the windows and doors, and small-scale construction portions of the Portsmouth documents would be important for the Commission to consider using.

Chris Buchanan stated that the Commission could review the Portsmouth document and then set a workshop to determine what to do with it. He stated that the Commission needs to review the statutory requirements for its procedures.

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Tracie Adams stated that the Planning Board made some changes to its procedures, based on RSA 676. This included making a determination of completeness, prior to hearing an application. This is determined using a checklist from the Community Development Office. Also, per RSA 36:56, the Planning Board determines regional impact from each application as well. It would be simple for the Commission to follow both of these procedural items per RSA.

Chris Hall stated that, as a consumer, he would be upset if he filled out all necessary information and then came before the Commission, only to be told to come back next month as part of these procedures. Natasha Kypfer explained that, in reviewing applications, she personally contacts applicants if there are missing items, and this is documented in each Staff Report.

Chris Hall stated that there are many applications that come before the Commission that are incomplete. While it would be great if completeness was more of an administrative item, he is concerned that the Community Development Office may not always know the specifics of what to look for. Natasha Kypfer stated that applicants are alerted if the applicant is incomplete and are sent copies of the Staff Report.

Tracie Adams noted that, per the statute, the Commission would open a hearing, determine completeness and regional impact, and then hear the application. This will keep the Commission within State regulations.

Chris Buchanan stated that the Community Development Office does a good job at determining checklist items and creating clear Staff Reports. To the point that things are absent from an application, this speaks to the checklist not having been updated by the Commission with certain requirements. The Commission could review this checklist and suggest necessary changes.

In response to a question from Bill Rapf regarding how to determine regional impact, Tracie Adams stated that this does not necessarily impact the applicant, but simply alerts other towns to potentially send a representative to hear the application. Chris Buchanan stated that he cannot believe this will ever be an issue for the Commission, but it is a statutory requirement.

Chris Hall suggested that there be a Chairman checklist as well in case someone needs to fill in for the Chair. Tracie Adams stated that the Planning Board goes through a similar template so that everyone knows how the meeting will flow.

Chris Hall suggested that the items reviewed in the findings of the application could be brought up toward the beginning of a hearing, in order to review these items with an applicant off the bat.

Jamie Ramsay stated that he would like it to be clear that just because an application is complete, does not mean it is automatically approved.

In response to a question from Will Ludt regarding the percentage of applications that come before the Commission for an initial conceptual review, Chris Buchanan stated this is approximately 20% of all applications. Jamie Ramsay stated that this has always been

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encouraged, but maybe should be mandatory for a substantial project. This would be an exchange of ideas between the applicant and the Commission before it rises to the level of a formal application. Tracie Adams noted that the Planning Board uses the process of conceptual reviews as well. Chris Hall stated that this could be placed in the regulations.

Chris Buchanan noted action items for the Commission: categorize all properties in the HDC. Chris Hall stated that he already has a list of suggestions for this item that the Commission can review before the next work session.

Another action item is reviewing meeting procedures in order to meet statutory requirements. The Commission should also review the existing checklist used for applications.

The Commission could also review the windows and doors section of the Portsmouth document.

Natasha Kypfer stated that the deadline for the next scheduled meeting has not yet passed, but there are no applications submitted so far.

Chris Hall noted that the Commission does not currently have a letter of disapproval.

OTHER BUSINESS:

1. Minutes: October 21, 2021

Tom Grella moved to approve the minutes of October 21, 2021, as amended [Line 32: change “completed” to “completely”]. Seconded by Chris Hall.

Voting: 5-0-1; Jamie Ramsay – aye, Chris Hall – aye, Tracie Adams – abstain, Chris Buchanan - aye, Tom Grella – aye, and Bill Rapf – aye; motion carried.

Tracie Adams moved to adjourn at 8:29pm. Tom Grella seconded.

Voting: 6-0-0; Jamie Ramsay – aye, Chris Hall – aye, Tracie Adams – aye, Chris Buchanan - aye, Tom Grella – aye, and Bill Rapf – aye; motion carried.

Respectfully submitted,
Kristan Patenaude

Minutes approved: December 16, 2021