

Town of Amherst, New Hampshire  
Historic District Commission  
December 18, 2014

The Amherst Village Historic District Commission met on **Thursday, December 18, 2014 at 7:00 p.m.**

In attendance were Jamie Ramsay, *Chair*; Tracy Veillette, *Vice Chair*; Sue Clark, *Secretary*; Jeanne Rosenblatt, *Alternate*, Larry McCoy, *Alternate*.

Jamie appointed Jeanne Rosenblatt to vote in place of Bruce Fraser & Larry McCoy to vote in place of Doug Chabinsky.

Jamie convened the meeting at 7:05 pm.

**Case #: PZ5616-111314** – Dan & Jennifer Boggia, 24 Manchester Road, PIN #: 020-033-000 – Install (2) propane tanks at the rear of the garage.

Jamie reported that Commissioners conducted a site walk on December 13, 2014 to view the tank location and though there were no abutters in the audience nor did the commission receive any comments or concerns regarding this application, Jamie did confirm that abutters were notified.

Owner Dan Boggia stated that due to a failure with their existing heating system, an after-the-fact approval was needed for an emergency replacement. Sue questioned whether they currently had heat in their home. Dan stated “yes”. He said that they replaced the circulation pump. He stated that he has amended his request to allow for a single 250 gallon tank as opposed to his previous request for two 120 gallon tanks. He stated that his original proposal for two tanks would interfere with a window in the area. He said that the tank location would now be entirely behind the garage instead of on the side of the garage as previously proposed. Based on the change in the application, Jamie made a correction directly on the plan to reflect the change, i.e. relocate proposed location and replace with single 250 gallon tank, and had Dan initial the change on the plans.

Tracy questioned whether their abutter would see the tank. Dan stated that his direct abutter would see the tank but had no concerns with it. Tracy questioned whether there were any plans for plantings. Dan stated “yes” and that he and his wife had future plans to improve the area with plantings.

Jamie stated that it was actually his preference to have a single tank as opposed to two smaller ones. He requested findings from the Commissioners.

**FINDINGS:**

1. Non-Contributing Property
2. Not visible

43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86

Tracy made a motion to approve the application as amended with the change to (1) 250 gallon tank entirely behind the garage, Sue 2<sup>nd</sup>. *VOTE: All in favor.*

**Case # 5045-052814** – Gary Beaulieu, 14 Manchester Road, PIN #: 020-030-001 – Tree Removal

*Jamie Ramsay recused himself from the board as he is directly involved in the design proposal for the dwelling. He stated that he would be representing Mr. Beaulieu as his consultant only and not as a member of the Historic District Commission. Jamie appointed Tracy as Acting Chair for this discussion.*

Jamie began discussion by describing the area on the lot where the trees were located on the meadow side. Jamie stated that the two “bull pine” trees in question are within the building envelope and thus the area that tree removal is permitted. He said that the other trees in the area are in the no cut zone and would not be touched.

Sue stated that during the site walk, she observed that the trees were comparable to the ones in size that the Commission reviewed and approved to be removed on Courthouse Road.

Tracy stated that if these trees were allowed to be removed, it would provide more light and air flow for the other trees to grow in the area.

Jamie agreed with Tracy and stated that there are many sugar maples that exist in that area and with the big pines removed, it would allow the maples to grow and mature. He felt that the tree removal was not detrimental to the lot in any way.

Sue stated that she saw many trees snapped off during the last snowstorm on Thanksgiving this year.

Discussion followed regarding the driveway and its proximity directly across from Tom Grella’s house. Jamie stated that Tom’s driveway is slightly downhill. Tracy confirmed that she didn’t think the driveway was directly across from Tom’s.

Larry stated that he was concerned if a vehicle got loose, it could present a potential problem for Tom. He felt that the Commissioner’s should give some thought to this. Jamie stated that at completion of construction, entrance from Manchester Road would be narrower than existing. He said it looks wide but will be reduced with fieldstone. Larry questioned whether it would be flat before it got to Manchester Road. Jamie stated “yes”. He said if there was any grade, it would be slight.

Jamie stated that the plans show the approved infiltration trench to be built. He said that there is no water coming down that site so the trench may not be needed at all. He said water is actually coming from up the hill by the Steele’s house with the swale to the right of the property. Jamie stated that no water was running under the driveway. He said that the infiltration trench, as proposed, is to be built in the restricted area to the right of the driveway and may not be necessary. He stated that he wasn’t sure if the town would allow for elimination of the proposed infiltration trench but he will discuss this with Community Development Director Colleen Mailloux.

87  
88 Larry requested a definition of infiltration. Jamie stated it is when water seeps into soil or rock.  
89  
90 Jamie reported that he met with the Building Inspector regarding the foundation drainage. He said  
91 that the perimeter drain and inside the foundation was bone dry –not a drop of water found. He felt  
92 this was a misread of the site and actual condition is completely opposite of the site engineer’s  
93 anticipation. Sue stated that the odds were that it was going to be wet.  
94  
95 Sue questioned when the trees would be taken down. Jamie stated that he will speak with Colleen.  
96  
97 Tracy stated that it seemed like tree removal will not be visible and not seen from the road. She said it  
98 will enhance the lives of surrounding trees as observed from the site walk.  
99  
100 Discussion followed regarding Sue’s research on what homeowner’s can and cannot do with trees on  
101 their properties in the Historic District and whether the District only had jurisdiction over structures.  
102 She stated that the town should not be taking money from applicants if HDC approval isn’t required.  
103 Jamie felt that the HDC should weigh in on applications involving trees in order to make the public  
104 aware when they want to remove trees.  
105  
106 Sue stated that she has been checking other communities on whether trees were mentioned in their  
107 regulations and what is required of residents. Jamie stated that it could be considered a “non-fee  
108 review” and he said he would be in favor of that. Sue said that if the HDC disagreed with their  
109 proposal, they could be told.  
110  
111 Jamie questioned whether this would be a liability for the town. Sue agreed to conduct more research  
112 and will report back to the Commission.  
113  
114 Discussion followed regarding enforcement action on violators. Larry stated that Courthouse Road  
115 changed their windows without a permit. Sue stated that violators need to come before us after the  
116 fact. Jamie stated that enforcement is extremely difficult for the Commission.  
117  
118 Discussion continued regarding instituting fines for work done without HDC approval. Larry questioned  
119 about enforcement of the town’s ordinances and whether there are funds supporting enforcement.  
120 Jamie stated that he wasn’t aware of any. He said there is a mechanism in place for fines but if it goes  
121 to court, where is the money to pursue that.  
122  
123 Tracy stated that she didn’t know the answer. Larry asked whether it was under the Board of  
124 Selectmen or Town Administrator’s purview. He stated that it needed to be ironed out.  
125  
126 Larry questioned whether it was a legitimate question to bring to the Board of Selectmen. He said the  
127 town runs on tax payer money and that the Board of Selectmen needs to be more proactive.  
128  
129 Sue stated that the Commissioners should schedule discussion at their January meeting. Larry agreed  
130 and stated “don’t mess with town ordinances or you will be fined and we will go after you”.

131

132 Minutes: Sue made a motion to approve the minutes of November 20, 2014 as written, Larry 2<sup>nd</sup>.

133 *VOTE: All in favor.*

134

135 Jamie made a motion to adjourn at 7:45 pm, Sue 2<sup>nd</sup>. *VOTE: All in favor.*

136

137 Respectfully Submitted,

138

139 Debra A. Butcher

140 Recording Secretary

141 Town of Amherst

142 Historic District Commission