

1 Town of Amherst, New Hampshire
2 **Historic District Commission**
3 **Minutes**
4 **Saturday, November 14, 2015**

5
6 The Amherst Village Historic District Commission met on **Saturday, November 14, 2015 at 9:30 am** in
7 the Barbara Landry Meeting Room, 2nd floor, Amherst Town Hall, 2 Main Street, Amherst, NH 03031.

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9 In attendance were Jamie Ramsay, *Chair*; Sue Clark, *Secretary*; Tom Grella, *Board of Selectmen*
10 *Representative*; Helen Rowe, *Alternate*; Doug Chabinsky; Bruce Fraser

11
12 Jamie called the meeting to order at 9:32 am and stated that the HDC rescheduled their regular
13 monthly meeting from Thursday, November 19, 2015 to Saturday, November 14, 2015 to
14 accommodate the applicants who are unable to meet during the week due to their work schedules. He
15 said that this was the only agenda item for their November meeting.

16
17 **NEW BUSINESS**

18
19 **Case #: PZ6517-082015** – Susan & Bill Durling – 16 Main Street – PIN #: 017-008-000 – Request to
20 approve the replacement of a broken window and snap-in grids. *Work has been completed – tabled*
21 *from October 15, 2015.*

22
23 Present: Susan & Bill Durling

24
25 Doug motioned to un-table Case #PZ6517, Tom 2nd. *VOTE: All in Favor.*

26
27 Jamie began discussion by stating that the window that was installed at 16 Main Street is considered to
28 be non-compliant in accordance with HDC guidelines. He stated that it was observed during their site
29 walk that the home has been painted. He provided a sample window for the applicant to view that
30 was considered a true divided light window according to HDC guidelines. Jamie questioned the
31 applicants if they knew who the window manufacturer was. Sue stated that the window was replaced
32 prior to the home being painted last winter.

33
34 Mr. Durling stated that it was necessary to replace his failing kitchen window with a wood window with
35 snap-in grids. He said he has lived in the Village for over 25 years and thought he was replacing his
36 window as a one-to-one replacement. He told the Commissioners that he never attempted to
37 intentionally dupe them and thought he was complying with the ordinance. Mrs. Durling insisted that
38 the replaced window was not noticeable. Mr. Durling stated that it couldn't be seen when the window
39 was cranked out.

40
41 Jamie stated that it was indeed noticed and brought to the attention of the Historic Commission. Sue
42 stated that it was noticed when the house was painted. Doug disagreed with Mr. Durling and said that

43 when the window was cranked open, it was noticeable to him. He said there were no grills on the
44 inside and outside. Mr. Durling stated that the side of the house is covered by lilac bushes and strongly
45 believed that the window could not be seen.

46
47 Jamie said that there were strong opinions on both sides of the issue. He said it was the HDC's side that
48 the window was non-compliant and needed to be addressed by the Commissioners. He told the
49 applicants that if there was any doubt with them, they should approach the Zoning Board of
50 Adjustment for their ruling.

51
52 Mr. Durling cited two different sections of the HDC guidelines to support his application and read them
53 into the record:

54
55 Article VI, Section 6 – “Existing historical windows shall be retained and repaired whenever possible.
56 Where replacement is essential, new windows should match the originals or be in character with the
57 building as may be reasonably achievable. The original window type (hung sash, casement, pivot, etc.)
58 should be retained as should the configuration of the individual panes of glass formed by the muntin
59 grid.”

60
61 Article III, Section 3.B – “All buildings, structures, and sites shall be recognized as products of their own
62 time. Alterations that have no historical basis and which seek to create an earlier appearance shall be
63 discouraged.”

64
65 Mr. Durling concluded that based on the ordinance, they matched what was there. Discussion
66 followed regarding the HDC ordinance Mr. Durling cited.

67
68 Helen questioned whether the other windows were all the same in the room? Mrs. Durling stated
69 “yes” and that they were all on the same side of the house in the same room. She agreed with her
70 husband that they didn't think they were breaking any HDC rules. Jamie asked again who the
71 manufacturer was. Mr. Durling thought it was Pella but wasn't sure and asked why Jamie was
72 interested in knowing.

73
74 Jamie stated that they may wish to contact the manufacturer to explore whether they could alter the
75 window to get a simulated divided light sash and swap out the hardware so it would be a true divided
76 light or simulated divided light window. Mr. Durling responded and said that if they were to replace a
77 true historic window, they would but they didn't replace a historic window.

78
79 Helen stated that since the applicant's other windows were all the same, a “mish mash” of windows
80 would be worse if made to replace it. Mr. Durling stated that they were committed to the District and
81 indicated that he served as a Commissioner in the past. He said he would never do anything to
82 compromise that, however, his interpretation of the ordinance is that they were in compliance.

83
84 Sue felt that his interpretation is not incorrect in what they are saying from their standpoint when the
85 ordinance was read. Jamie agreed. Sue stated that they can't call this an upgrade because it is a non-
86 compliant replacement.

87 Discussion followed concerning the negative public perception with the HDC and the difficulties in
88 obtaining approvals for general maintenance and improvements to homes in the District. Mrs. Durling
89 stated that she has heard many horror stories from folks in town that indicated that the HDC was hard
90 to work with. Jamie stated that HDC members were committed in maintaining the character and
91 beauty of the Village and that it was never meant to be a “you vs. us” relationship. He insisted that it
92 was more of an “us with you” relationship and that members strive to keep the Village as attractive as
93 possible.

94
95 Hearing no other comments or concerns, Jamie called for findings to this Case.

96
97 FINDINGS:

- 98 1. Non original/Non historic window.
- 99 2. Contributing property.
- 100 3. Limited visibility.
- 101 4. After the fact deliberation.

102
103 MOTION:

104 Bruce motioned to accept the application and acknowledged that there is a “gray” area subject to a
105 different interpretation of the regulations, Sue 2nd. VOTE: Voting in favor of the application were
106 Jamie, Bruce, Helen, Sue & Tom. Doug abstained. The motion passed.

107
108 MINUTES:

109 Doug motioned to approve the minutes of October 15, 2015 as written, Tom 2nd. VOTE: All in Favor.

110
111 ADJOURNMENT:

112 Doug motioned to adjourn at 10:15 am, Jamie 2nd. VOTE: All in Favor.

113
114 Respectfully Submitted,
115 Debra A. Butcher