

TOWN OF AMHERST
Historic District Commission

December 17, 2020

APPROVED

In attendance: Jamie Ramsay – Chair, Chris Hall – Vice Chair, Chris Buchanan, Doug Chabinsky, Bill Rapf, and Tom Grella – Ex-Officio.
Staff present Natasha Kypfer – Town Planner, and Kristan Patenaude – Minute Taker.

Jamie Ramsay called the meeting to order at 7:00 p.m. Natasha Kypfer read the following statement: I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor’s Emergency Order #12 pursuant to Executive Order 2020-04, as extended by various Executive Orders, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor’s Emergency Order.

However, in accordance with the Emergency Order, I am confirming that we are: Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:

We are utilizing Zoom for this electronic meeting.

All members of the Commission have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone #312-626-6799 and password 873 8461 0362, or by clicking on the following website address: <https://zoom.us/j/87384610362> that was included in the public notice of this meeting.

Providing public notice of the necessary information for accessing the meeting:

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the Planning Board at: www.amherstnh.gov.

Providing a mechanism for the public to alert the public body during the meeting if there are problems with access: If anybody has a problem, please call 603-341-5290.

Adjourning the meeting if the public is unable to access the meeting:

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that all votes that are taken during this meeting shall be done by roll call vote.

Let’s start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to- Know law.

Roll call attendance: Chris Buchanan, Jamie Ramsay, Tom Grella, Doug Chabinsky, Bill Rapf, and Chris Hall; all alone and present.

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45 **CONCEPTUAL DISCUSSION:**

- 46 **1. CASE #: PZ13451-120420 – Tara Syverson (Owner & Applicant), 12 Main Street,**
47 **PIN #: 017-006-000 – Conceptual discussion request concerning the construction of**
48 **a new 26'x30' long garage with shed dormer and storage above.**

49 James Zona and Tara Syverson presented the case.

50

51 James Zona explained that the proposal is to construct an additional two car garage at the end of
52 the existing driveway. The absolute biggest this structure would be is 26'x30'. He explained that
53 the application will need a variance from the Zoning Board of Adjustment (ZBA) and that they
54 intend to be before the ZBA next month. He stated that the application as proposed, with transom
55 lights above each door as part of the design, is preferred. He stated that the exact windows have
56 not yet been chosen, but they will be all wood, with true divided lights, and wood separators.

57

58 In response to a question from Jamie Ramsay, James Zona stated that they will be before the
59 ZBA due to a request for setback relief from the property line. The setback is normally 20', but
60 the applicants will be requesting a 10' setback instead. James Zona explained that the most
61 recent survey of the lot he could find was from 1985. He is having difficulty finding the property
62 markers referenced on the survey but hopes to continue work on locating these points.

63

64 Chris Buchanan stated that Article 7 of the regulations deals with new construction in the
65 Historic District. He stated that it is fairly common for structures to be added to existing homes
66 in the Historic District. In terms of deciding the size, width, and height of the structure, he
67 pointed the applicant toward Article 7 for details.

68

69 Chris Hall stated that the proposed application shows a modestly designed garage. He explained
70 that the Commission will want to see specifics for all of the doors, windows, and materials, as
71 the application moves forward.

72

73 In response to a question from Jamie Ramsay, James Zona stated that the proposed garage is not
74 attached, as there is an existing patio in between the house/garage and the proposed location of
75 the new garage, which they do not want to disturb. James Zona stated that there are no plans to
76 attach the proposed garage to the existing structure even into the future.

77

78 In response to a question from Bill Rapf, James Zona explained that the existing house/garage
79 and proposed garage are at right angles to each other. The entrance to the proposed garage will
80 be approximately 20' from the existing garage. There will be space to park a car in front of the
81 new garage and not impede the existing garage.

82

83 Doug Chabinsky stated that he believes some of the massing is proportionally off between the
84 existing building and the proposed garage. He suggested that shrinking the massing of the
85 proposed structure slightly might help. He also suggested that the applicants talk with their
86 neighbors about the proposal.

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Jamie Ramsay stated that the foundation must have 8" of exposed concrete to meet current building code.

James Zona stated that they would be okay to reduce the overall size of the proposed structure by a bit.

Jamie Ramsay explained that the garage dormer wall height, from the subfloor to the plate, can be 6-8' and still allow for code legal head room in the room above. He suggested diminishing the height a bit to make it more appropriate with the existing home.

In response to a question from Jamie Ramsay, James Zona stated that the proposed siding is clapboard and that he likes the look of the transom lights over the garage doors.

NEW BUSINESS:

- 2. CASE #: PZ13450-120420 – Daniel Lynch (Owner & Applicant), 9 Carriage Road, PIN #: 017-020-000 – Request for approval for the renovations and additions to existing house and to add a new detached garage.**

Dan Lynch, Owner & Applicant; Patrick Ahearn and Ben Salling, architects, presented the case.

Dan Lynch stated that he, his wife, and two sons do not currently reside in New Hampshire, but that he was a long-time resident of Bedford, and has owned a local business for 30 years. He explained that the family purchased the property in the spring. The property is aged and has not been properly maintained; he believes it is in need of an historically accurate restoration. He has made an effort to speak to his neighbors and received some positive and negative feedback from them on the proposal.

Patrick Ahearn explained that this proposal is to restore the existing house and barn structures on the lot. All of the lots on this road run very deep and there are many neighbors that have offset structures. The history of the New England vernacular through the Village shows that properties were added onto over time. The existing house is a Greek revival farmhouse with a barn. The structures have been modified over time, but the massing has remained consistent. The applicant is proposing to restore the main house, with no changes to the primary façade. The façade will look the same from the streetscape, aside from added window boxes, and materials will be replaced in kind. He explained that, as the house has grown to the rear of the property, a connector, barn, and screened porch area were added. This is a narrow lot with 20' side setbacks required, per the Zoning Ordinance. The applicant would also like to construct a picket fence and enhance the landscaping. The barn will mirror the window configurations of the house.

Patrick Ahearn explained that the applicant is proposing to extend the second floor of the rear barn structure, which won't be able to be seen from the street. There will be no change to the footprint of the structure, but the extension will be used to create a roof over the porch. From the driveway side of this structure, the elevation or current window configuration will remain the same. Window boxes will be added, and two gable dormers will be added on the second floor.

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The connector building has a shed dormer proposed, which will not raise the ridge of the roof, but allow for extra light to be let into the space.

Patrick Ahearn stated that the site shows no changes to the footprint of the house, so ZBA approval will not be needed for this aspect. The setbacks on this lot dictate the design of the proposed garage. The applicant could consider moving the proposed garage 6-10' forward and reduce its size slightly, in order to address some abutter concerns.

Patrick Ahearn stated that the new proposed picket fence will be consistent with the homes on either side. The carriage house will be set back from the public way and will take its roof pitches from the existing house and barn. It is proposed to be 22' tall, as allowed by zoning. The driveway is proposed to be a crushed pea stone, rolled into aggregate. The barn can be occupied for living space, with a master bedroom on the second floor, and a family room on the first floor. The barn structure opens into the back of the property, affording the applicant privacy with a garden area.

Patrick Ahearn reviewed the proposed materials with the Commission, including a red cedar wood roof, and Pella Reserve all-wood windows with proper shutters, pins, and holdbacks.

Patrick Ahearn stated that the proposed garage is consistent with other outbuildings in the area, per its scale and height. It is consistent with a New England vernacular. Again, the applicant is willing to move the proposed structure slightly forward and shrink it by about 6", to further accommodate abutter concerns. However, the zoning code really dictates the location of the structure on site.

Patrick Ahearn explained that the plot survey shows that 7 Carriage Road's lot has a corner that sits on the Lynch property. It also has a two-car garage. 5 Carriage Road also has a two-car garage. He noted that the owners of 13 Carriage Road have stated that they are comfortable with the application as presented. He explained that anyone's view into someone else's backyard is not guaranteed to be a certain way, nor is it by right. He believes it is important for the applicant to comply with zoning and keep the historic integrity of the property. He stated that he believes this renovation and construction will greatly enhance the values of the surrounding properties. He explained that the scale and mass of structures on abutting properties are significantly larger with greater footprints than what's being proposed for this property.

Dan Lynch clarified that he spoke to the owners of 11 Carriage Road, who had no objections to the proposal, but hasn't yet spoken to the owners of 13 Carriage Road.

Chris Hall noted that he understands the uniqueness of the properties in this area. He understands the concerns of the abutters in regard to their privacy. He explained that the Commission looks to be sympathetic and understanding to abutters' concerns. He stated that the proposed restoration to the main structures looks phenomenal and will certainly increase the property value of surrounding properties. There are concerns on behalf of the abutters regarding resale value due to privacy concerns of the proposed new garage construction. He noted that the Commission hasn't

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yet had a site walk of the property. Every person's backyard is unique, and the Commission takes into consideration protecting the enjoyment of others' uses of their properties.

In response to a question from Chris Hall, Dan Lynch stated that there will be a bedroom on the second floor of the proposed new garage that his adult son will live in, when not at college. For the vast majority of the time, this space will be a quasi-office for Dan Lynch to use.

In response to a question from Chris Hall, Patrick Ahearn explained that the property will still be 3-bedroom/3-bathroom and will keep the same septic design. The restored structure will become the family's primary residence. The family appreciated the Village lifestyle.

Patrick Ahearn stated that the Town's zoning code is not sensitive to the Village's scale. He stated that he believes the zoning code is more similar to a suburban code than a Village. He explained that the zoning dictates the design of this proposed structure. He suggested that the current zoning code may not match with the Commission's goals and objectives. He explained that the applicant is amenable to moving the proposed garage forward about 10' in order to open the neighbor's view into the backyard. If the applicant were to move the structure any further forward, it would require a side setback variance. He stated that he doesn't believe it is fair or reasonable to tell someone they cannot build a garage on their land. He explained that there are many structures located in the open space of neighboring properties, including things like pools and sheds. He suggested that the applicant stake out the proposed locations for the structure on the property and invite the Commission and any interested parties to come and have a discussion.

In response to a question from Doug Chabinsky, Dan Lynch stated that, if there were no setbacks to consider, he would like the proposed garage to be closer to the existing structure with a proper turnaround to exit from. However, with the existing structure where it is and the required zoning setbacks, this location would be difficult, as would be a proper turnaround. Ben Salling noted that moving the proposed garage closer to the structure would also move it closer to 7 Carriage Road, the owners of which have concerns about the structure. The lot is 75' at its widest. Dan Lynch noted that, while the lot is narrow, it isn't very small in size; there are only two lots larger than it on Carriage Road.

Patrick Ahearn suggested that the Commission look into petitioning the ZBA to create different side yard setbacks in the Village.

Ben Salling noted that the Lynch family plans to landscape the lot very nicely and that any view from the neighbors' houses would be improved by this.

Chris Buchanan stated that the proposed work on the main structure seems very straightforward. It is consistent with the regulations and will significantly improve the upkeep of the building. He is also impressed with the natural materials proposed to be used, as per Article VII, Section 8.3. He also believes the proposed work on the main structure will help protect the historic value of the original property, as per Article V, Section C. He stated that the proposed renovations will not detract from the original structure and will remain consistent with the character of the

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original structure. He noted that the Commission does not judge applications based on aesthetic or interior details. Items such as privacy and retail value are not mentioned in the regulations. However, the Commission does try to be sensitive to neighbors' and the community's needs. While there is controversy over the position and massing of the proposed garage structure, he doesn't believe the proposal is inconsistent with the regulations. He suggested that, if the applicant wants to be a good neighbor, he should possibly look into some options to make the abutters happier with the proposal. He agreed with the recommendation to mark some of the proposed locations for the garage to have a site walk that the abutters are invited to. He noted that, if the applicant is willing to work with his neighbors, this would be recognized by the Commission, and well received by the ZBA as part of any application to that group.

Chris Hall noted that the Commission does not look at applications as precedent setting. The Commission looks at each application as unique and rules on each individually. He stated that Article X, Section D discusses new additions in regard to the proximity and surroundings. He explained that one concern might be that this structure will be used for living space.

Public Comment:

Istvan Vamos, 7 Carriage Road, stated that he would like to address some falsehoods made by the applicant. He explained that the previous owner of 9 Carriage Road lived there for 68 years and would have concerns with this application. Istvan Vamos noted that the applicant stated that he was trying to minimize abutters' privacy issues; however, there are currently 20 proposed new windows that face 7 Carriage Road. Istvan Vamos believes that, while the law may state that the applicant can do this, the applicant is clearly not trying to minimize privacy issues. He also noted that the applicant states that there is no garage currently on the 9 Carriage Road property, but there is, in fact a 1-car garage. Istvan Vamos explained that 1-car garages are common in the area and is actually what he has on his property. He noted that all of the existing garages in the area are attached to the main house structures and sit near the front of the house, unlike this proposal. Istvan Vamos noted that the applicant mentioned that the proposed placement of this garage is due to the zoning code and, while that might be true for the proposed 3-car garage, Istvan Vamos believes that a 2-car garage could occupy the space of the current 1-car garage with no issues. He stated that he can live with everything else being proposed, except for the new garage, as it will leave him looking at driveways on the right, left, and in front of his house, and a 3-car garage to the back. He is upset over the misrepresentations made by the applicant. As a compromise, he suggested that he would ask the Commission to approve the same exact 3-car garage to be placed in his backyard; he could then put an Airbnb space on the second floor. He noted that the proposed garage is not historically accurate and is not okay in his mind.

Dan Lynch stated that he has met Istvan's wife, Susan, and communicated with her via email about the project. He noted that there are actually several standalone garages in the Village, including at 16 Main Street and 10 Foundry Street. He also noted that there are, in fact, several 2-car garages, and even some 3-car garages, in the neighborhood. He believes that many of Istvan Vamos' sarcastic comments are unfortunate.

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Marti Warren, 5 Carriage Road, explained that the proposed architectural drawings shown by the applicant are lovely, but that they do not give the feel of what this proposal will look like from neighbor's houses. She noted that she does have a 2-car garage, but that she cannot park her car inside of it. She believes that many other neighbors with larger garages also don't park their cars in them. She wondered if the applicant has located the septic system for the property, as hers was found under the Vamos' driveway.

Sally Hooper, 10 Foundry Street, stated that she is a direct abutter. She has an old, freestanding shed on her property that has been there for 43 years that will eventually need to be replaced. If the applicant agrees to move the proposed garage approximately 10' closer to the house and make it slightly smaller, this could meet her approval. She also noted that the number of proposed windows facing toward her property is a very large change.

Doug Chabinsky agreed with staking out the possible locations for the proposed garage for the Commission and abutters to review.

Doug Chabinsky asked the applicant if he would prefer the Commission to approve the proposed renovations to the main structure, separately from the proposed new garage. Dan Lynch noted that construction is not going to be immediate, and so he does not need separate approvals. Chris Buchanan agreed with separating the two items. Jamie Ramsay did not agree with separating the two items. Chris Hall did not agree with separating the two items.

Jamie Ramsay stated that the Town's zoning ordinance does not shackle the dimensions of a proposed structure. He explained that the ZBA exists to work with applicants on proposals. He noted that all of the structures mentioned by the applicant, including sheds, garages, and chain-link fences, are preexisting conditions and not proposals for improvements of these properties. He explained that the neighbor's view is not a legal right, but it is a considerable courtesy. He does not want the applicant to discount the importance of this to life in the Village. He explained that open space on a property does not dictate that it must be improved by an inappropriate structure. He believes it is a bit prescriptive to say that a downside of the zoning ordinance is that it hinders the community from growth.

Patrick Ahearn stated that zoning is in place to protect communities and for the ZBA to say how it feels people should live. However, in this case, the 20' setbacks for this Village scale area runs counter to creating a close-knit community. He noted that the applicant can ask for a variance if necessary, but he believes most communities like that to be avoided, if possible.

In response to a question from Dan Lynch, Jamie Ramsay stated that the Commission will benefit from a site walk, even if abutters choose not to attend. Jamie Ramsay also noted that he would recommend that abutters do attend. Natasha Kypfer stated that a site walk will be noticed as a public meeting.

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Jamie Ramsay suggested that the applicant consider going before the ZBA for a variance, if necessary. The ZBA will understand the applicant's position in the Historic District and will take that into consideration.

Chris Hall moved to table this application to January 21, 2021, at 7pm via Zoom, until such a time that the Historic District Commission can hold a site walk to view the possible garage location options with any interested abutters. Doug Chabinsky seconded.

Roll call: Chris Buchanan – aye; Jamie Ramsay – aye; Tom Grella – aye; Doug Chabinsky – aye; Bill Rapf – aye; and Chris Hall – aye. Motion carried unanimously.

The Commission agreed to try to hold the site walk on January 9, 2021; if that date is not possible, the site walk will be held on January 16, 2021.

OTHER BUSINESS:

3. Minutes: November 19, 2020

Doug Chabinsky moved to accept the minutes as presented. Chris Hall seconded.

Roll call: Chris Buchanan – abstain; Jamie Ramsay – abstain; Tom Grella – aye; Doug Chabinsky – aye; Bill Rapf – aye; and Chris Hall – aye. 4-0-2; motion carried.

4. Any other business

Chris Buchanan suggested that he submit options for materials to pave the small parking area next to Town Hall to DPW Director, Eric Hahn, for his consideration. The Commission discussed possible options that could be included. Chris Buchanan stated that he will compile the options and submit them to DPW Director Hahn.

Tom Grella moved to adjourn at 9:06pm. Bill Rapf seconded.

Roll call: Chris Buchanan – aye; Jamie Ramsay – aye; Tom Grella – aye; Doug Chabinsky – aye; Bill Rapf – aye; and Chris Hall – aye. Motion carried unanimously.

Respectfully submitted,
Kristan Patenaude

Minutes approved: Approved on January 21, 2021