

Town of Amherst, New Hampshire
Historic District Commission
Minutes
July 30, 2015
Special Session

The Amherst Village Historic District Commission met on **Thursday, July 30, 2015 at 7:00 pm** in the Barbara Landry Meeting Room, 2nd floor, in Amherst Town Hall, 2 Main Street, Amherst, NH 03031.

In attendance were Jamie Ramsay, Chair; Tracy Veillette, Vice Chair; Sue Clark, Secretary; Sally Wilkins, Planning Board Representative; Chris Hall, Alternate; Doug Chabinsky; Thomas Grella, Board of Selectmen Representative; Helen Rowe; Alternate; Bruce Fraser; Larry McCoy, Alternate.

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

OLD BUSINESS:

CASE #: PZ6180-052815 – David & April Savino – 5 Foundry Street, PIN #: 017-040-000 – Request to construct a second story addition to the existing ell – continued from June 18, 2015.

David Savino and Tony Hall presented the revisions to the application. D. Savino stated that, when we left two week ago, the one item on the table was the discussion around the two casement windows in the west elevation. At that time, J. Ramsay had suggested reaching out to the Fire Chief and the Building Inspector for alternate solutions to meet egress requirements. The Building Inspector and Fire Chief are allowing a secondary egress through an additional door in the master bedroom rather than through egress windows, so now double hung windows can be used. A revised floor plan was submitted and plans showing that the proposed windows will be wood windows to match the current, 6 over 6, muntins. J. Ramsay asked if they are the same Marvin windows specified before. D. Savino – yes. J. Ramsay – last meeting we had a problem with casement windows on the west side, they have addressed that concern, asked if any Commissioners have comments.

T. Veillette: It is great that you worked to change the windows. Have been struggling with this application. Homeowners moving in, trying to do the right thing, and have hired the top people in the business. We want to work with you, and to preserve history. Our job is to protect Amherst history while working with you to reach your goals to make the house more comfortable for you. You bought a landmark structure. The New Hampshire Preservation Alliance has guidance. Very first item in the guide is “do not destroy history”. Windows, rooflines, etc. If the applicant meets the criteria of the regulations, we can look at the design. (S. Wilkins arrived at 7:15).

T. Veillette: The HDC has been talking about generators, trees, patios. There have been no recent projects of this nature. Your house is the only house in the village with a pyramid hip roof. What you are proposing will cut into the roofline. You are altering the roofline. I walked around the Village,

43 looked at the mockup, looked at the impact on abutters. There is nothing to compare this to in the
44 Village. What I am personally going by – the idea of the barn is fantastic. We do not want to alter the
45 historic house, but want to add on. Can get extra space without hurting the history of the main house.
46 Add on to the history. I am speaking for myself, you are working with the best people. If just the barn
47 would work for you, preserve the hip roof and come back with just the barn.

48

49 L. McCoy: The HDC has to be very careful with this case. He would like to address three points of a
50 factual nature not previously considered as the Commission reviews this case and other upcoming
51 cases before the HDC. The building has been at that site for 200 years. Why was the roof not changed
52 over time? Additions were always along the ground and did not hit into the roof. Could it be because
53 that would compromise the most distinguishing feature? Second point – on procedure. This is a
54 contributing property. Applicants filed a complete application without advice and guidance of HDC.
55 Did not avail themselves of a preliminary conceptual consultation. (L.McCoy read from the regulations
56 the description of a conceptual consultation). A conceptual consultation is recommended but not
57 required.

58

59 L. McCoy: What is the impact of this addition on the roof. Reads from the purpose of the regulation.
60 The goal is to set clear and objective rules. (L. McCoy reads Paragraph F outloud). Structures should
61 only be altered to more closely conform to the original. Features which give a roof historical character
62 should be preserved. The Commission shall have the discretion to waive any condition if criteria are
63 met.

64

65 L.McCoy: What is public interest? Who is the public? The property owner? Taxpayers? Abutters? At
66 the last meeting we talked about the condition of the building – the property owner indicated
67 improvements are needed so that it does not fall into disrepair. He talked to the assessor's office who
68 indicated that their rating of the building is "good plus". (Note: the assessors rating is not based on
69 structural evaluation of the building, it is a visual inspection of the building's finishes). A waiver can be
70 granted if substantial justice would be done. This presupposes that an injustice exists. The role of the
71 HDC is to preserve character and integrity. Projects contrary to the general welfare of the town should
72 not be approved. Should the Commission approve this application, does it then water down the HDC
73 regulations?

74

75 D. Chabinsky stated that he has been thinking about this application a lot, has read the regulations.
76 The purpose of the regulation is to make buildings livable, to maintain them and to keep them up.
77 While this is the only pyramid hip roof in the village- does that make it a landmark? T. Veillette- this is
78 the second courthouse. It is a landmark. Every structure listed on the national register is a landmark.
79 D. Chabinsky stated that, by that reasoning, no building should be touched. The proposed plan
80 includes architectural details that are appropriate, tasteful and are keeping in character while making
81 the building livable for a family. There needs to be a balance. At the last meeting the applicant
82 indicated that the roof needs additional work. The work will preserve those other features. D.
83 Chabinsky: it is ultimately counter productive to deny this application.

84

85 S. Wilkins stated that she has two points to bring up. It was interesting during the last meeting when
86 pictures were presented of various buildings with additions off the back ell. In no case did those

87 additions impact the roof line of the front house. All intersected below the eave. The examples served
88 to suggest that the proposed addition is in appropriate. S. Wilkins reminded the Commission of a
89 previous application to raise the roof of a house on Boston Post Road because the ceilings were low.
90 The Commission denied that application because it was inappropriate to raise the roof. There is now a
91 new owner of that home who has made a number of additions and modifications that are in keeping
92 with the existing architecture.

93
94 C. Hall stated that we are all searching for an unemotional way to pass judgement on a submission that
95 is before us. We can either embrace change or not embrace change. Looking for guidance on the
96 historic building and hearing roofline is an issue. If we deny this application we need to make it crystal
97 clear in our regulations that rooflines are not to be altered under any circumstance. He is altering the
98 roofline on the north side to a very small percent. B. Fraser stated that there have been additions to
99 this property in the past (circa 1976-77). This was prior to the HDC. Originally the property had a two
100 door entrance, now only a single door. What if they go back to a two door entrance? S. Wilkins – that
101 type of change would be in compliance with the regulation. B. Fraser – there are abutters on the right
102 with no objection and abutters across the street with no objection. Abutters on left and to rear have
103 an objection to the application. B. Fraser does not see how this proposed project impacts property
104 values of abutting properties.

105
106 C. Hall: The HDC is not looking at an example of a pristine house that has been untouched. It has bene
107 toughed and altered and that must be considered in reviewing the application.

108
109 H. Rowe stated that every one of us here lives in an old house and has made modifications. It is a
110 balancing act. We love these old houses and want to preserve them, but do not want to see the village
111 change drastically. H. Rowe remembers when the village was not a place you would want to live.
112 Houses were run down, Spaulding house looked like a witch's house. The HDC needs to weight the fact
113 that we want people to come in to preserve the houses, to love them and care for them the way they
114 need to be cared for. We have made mistakes over the years and have tried to correct them. It is a
115 balancing act.

116
117 S. Clark: I have voiced my opinion in the last few meetings. I have owned three homes in the district.
118 We did not alter the first one. The second one, we added a dormer to a cape. In current home, have
119 made significant improvements and changes to make it livable. To preserve these homes, we need to
120 live in them. To live in them comfortably and have families that grow, there needs to be a balance.
121 The concern is that, down the road, if changes are not allowed, this will be a ghost town. It is our job
122 to preserve this village. The Savinos have done everything the HDC has asked of them: keeping double
123 hung windows, mockup of roofline. Some abutters have voiced positive feedback, some are opposed.
124 Looking at the mockup, if this moves forward, in 20 years you will never know there had been an
125 alteration. This has not been done without thought.

126
127 T. Grella stated that great points have been brought up. This is no longer the courthouse, does that
128 change our perspective on what the building is not vs. a historical perspective. Membership on this
129 board changes and there are different opinions. Abutters have received approvals from HDC. In this
130 case, we are looking at changing the roof line. There has been work and expense invested by the

131 Applicant. It is a very difficult decision. The Commission needs to be fair to abutters and to the
132 applicant. There is no clear cut answer, no matter what, people will be disappointed. The HDC needs
133 to make a decision.
134

135 J. Ramsay asked if there were any members of the public present to speak. Bill Dunlap read a
136 statement he had prepared (attached hereto).
137

138 J. Ramsay stated that this is the most difficult case that has come before us. This is a pyramid hip roof.
139 It is unique within the historic district. The hip ridges are preserved in this design. The proposed
140 addition ridgeline does interrupt the plane of the original roof, but the mockup was helpful in
141 understanding this a little better. There is not a house in this village that hasn't been altered through
142 time. All of the changes become a part of the history of the house. There have been some changes
143 through the years that are abominations. This is not one of them. It was presented thoughtfully. It is
144 going to become something that becomes part of the fabric of the building and the history. History of
145 these structures does not stand still. J. Ramsay: it is our job to keep the district vibrant. These are
146 thoughtful changes that dovetail with the historic structure. I am comfortable with the design and the
147 solution of not introducing casement windows. A solution to egress has been realized. More than
148 anything, I see this commission as keeping the historic district vibrant. Keeping it inviting to new
149 residents. We should be receptive to thoughtful proposals from applicants. I consider this a thoughtful
150 proposal. Preservation goes hand in hand with keeping the district vibrant.
151

152 S. Wilkins asked how can the HDC sit behind this table and tell someone that they cannot install
153 aluminum clad windows because that would irrevocably degrade the authenticity of the building, but
154 approve an addition like this? S. Wilkins: I do not understand why we continue to meet under the
155 criteria that you just laid out.
156

157 J. Ramsay stated that we are charged with keeping all of this around us vibrant. Modern living may
158 mean that changes have to occur or be carefully considered.
159

160 T. Veillette: I am not saying no changes. There is a proper way to make changes to the house. If they
161 could do just the barn, would that work for living space? No changes should be made to the existing
162 structure.
163

164 D. Savino asked if the Commission believes that this will not be a pyramid hip roof after this change?
165 There are no longer two front doors, but that has not changed the structure so that you do not
166 recognize it as the courthouse any longer. S. Wilkins stated that this is an iconic structure that should
167 not be changed. D. Savino asked if changing the color would change the structure significantly? S.
168 Wilkins stated that the Commission does not regulate color. D. Savino stated that an argument could
169 be made that changing the color of the home would be more of an impact than the proposed addition.
170

171 Amily Moore, abutter, stated that the architecture of the home is unique and distinct. She is not
172 saying no to change at 5 Foundry but is asking for a design that is appropriate. Asked for the
173 Commission to address the points brought up in B. Dunlap's letter.
174

175 C. Hall thanked B. Dunlap for his letter. S. Wilkins said that the ordinance explicitly calls out unique and
176 iconic structures. J. Ramsay stated that this is where the mockup was helpful. Could look at it from all
177 sides. The addition is set back in, the courthouse is distinguishable as the same square structure. From
178 the west side, yes there is an alteration. L. McCoy stated that the courthouse roof has been there 100
179 years.

180
181 L. McCoy stated that the structure is historic and significant. Discussed visual architectural gimmicks
182 and his own property being a gambrel with the roof carried over the garage. If you look at the
183 proposed addition from the north, it looks like a camel's hump. It destroys from the north that
184 courthouse roof look. These architectural tricks are not authentic.

185
186 Tony Hall stated that he would like to address concerns with regard to the roof structure specifically.
187 They set the roof in 1' on the western elevation to maintain the look of the house and the pyramid
188 appearance. He has heard several times the reference to cutting in to the existing roof. Wants to
189 clarify that the existing roof will not be altered. When you go into the attic, the existing structure is
190 being preserved. The new roof is being placed on the top of the existing. From the interior view there
191 will be no change other than a hole in the sheathing to accommodate mechanical equipment. C. Hall-
192 you are not altering the existing roof.

193
194 T. Hall stated that he would like to address Ms. Wilkin's comments regarding the photos shown last
195 month. Many of the photos show roofs coming in and interrupting the existing roof and intersecting
196 just as this proposal illustrates. He discussed the Groton examples he had shown. Two hipped roof
197 houses, one with an addition that does not interrupt the roof, next door an ell that intersects the roof
198 at a higher elevation. This property has an existing condition and first floor elevation. The Savinos do
199 not have a choice to minimize the impact on the roof and that is why this plan is presented.

200
201 A. Moore stated that it is wonderful that the interior of the roof structure will not be disrupted, but the
202 HDC regulates exterior. If the exterior looks like a camel's hump, it is an exterior structural change to
203 their home.

204
205 B. Dunlap – HDC governs exterior façade and appearance. Whether you cut into the roof or graft a
206 roofline onto the exterior of the roof, it is subject to HDC review.

207
208 T. Grella asked if just the garage and barn could be done, and not do the second floor addition. D.
209 Savino, the barn/garage is not connected to the main house. If master bedroom was over the garage,
210 would access main house by stairway in the garage or ell. That design would not work for a family with
211 young children.

212
213 Terry Mayo, abutter, stated that the HDC has before them a request for a statement of findings. Four
214 regulations are cited with questions for each. Asked the Commission to address the findings.

215
216 J. Ramsay read from the letter:
217

218 1. In connection to HDC Regulation II.F, “structures or sites which are architecturally important as
219 unique constructions...should only be altered as to conform more closely to their original or more
220 characteristic appearance”. S. Clark stated that there is nothing original about this house. It was a
221 courthouse, a duplex, it has been moved it has evolved. S. Wilkins: might as well pack your bag and go
222 home. S. Clark: no, this house has changed significantly. The abutting houses were not there when this
223 house located there. There have been many evolutions of this house. S. Wilkins stated that if you
224 applied that reasoning to the Atherton Law Office, it should not have been denied. If this is the
225 interpretation, we should delete the word “original” from the ordinance. J. Ramsay stated that the
226 structure is original, albeit altered through history. L. McCoy: if you alter this it should be only to
227 conform more closely. C. Hall, it is not any more conforming to the 1976 addition, to the garage, to the
228 fence. S. Wilkins – if we are going to waive the requirement, need to show good cause for waiving.
229

230 C. Hall, not waiving requirement, determining that this complies. They are not proposing to use the
231 structure as a courthouse, so anyone who wants to live in this residence needs to make alterations to
232 make it livable. J. Ramsay stated that the proposal does not alter the original structure in such a way
233 to make it indistinguishable from what it is now.
234

235 2. In connection with HDC Regulation III.B, “the distinguishing original qualities... shall not be
236 destroyed”. C. Hall stated that that Commission heard testimony that the roof will not be destroyed,
237 the structure will be preserved and the new roof overlaid. This proposal complies with this regulation.
238

239 3. In connection with HDC Regulation VI.G, “features which give a roof historical character shall be
240 preserved...principal considerations include original roof shape”. J. Ramsay acknowledged that this is
241 an addition to, not even an interruption to the roofline. Four hips are preserved. It is still
242 distinguishable as it is now. The view is altered from the west and north, but not the predominate
243 view. T. Veillette- what about the alteration of the ell. D. Chabinsky stated that the ell is not of
244 historical significance, it was built in the 1970s.
245

246 4. In connection with HDC Regulation X.B, “Significant historic...features should be preserved... the
247 design of an addition on a primary elevation or other character defining elevation must not materially
248 obscure, damage, diminish or otherwise negatively impact character defining features” J. Ramsay
249 stated that the defining characteristic is the main house, not the ell. The predominant view from the
250 longest duration is if traveling from Boston Post Road toward Davis. He is not convinced that the shape
251 of the original house is being altered in such a way as to obscure what it is. It will still be
252 distinguishable as it is today.
253

254 J. Ramsay asked for a motion. D. Chabinsky moved to approve, seconded by B. Fraser based upon the
255 four findings as presented. Additional findings:
256 - This is a contributing property, #40 on the register.
257 - This has a significant public view.
258 - Proposes appropriate materials.
259 - Design is in keeping with other similar designs throughout the village.
260 - Massing is appropriate to the existing structure.
261 - Only discussing the 2nd floor addition. The proposed garage still must be presented to the HDC.

262 Vote: Application approved as presented. S. Wilkins and T. Veillette opposed.

263
264
265 **Case #: PZ6293-02415 – John Bement – 9 Courthouse Road, PIN #: 017-109-000 – Request to allow**
266 **replacement of siding and trim and the replacement of three windows and front door.**

267
268 John Bement and Jesse Maust presented the proposed window and door specifications. The windows
269 will be identical to what is there now. This addresses the problems with the windows there today and
270 makes them uniform. Replacing three windows and the door. The door is being replaced in kind. A
271 lot of rot has been found and will be fixed. The big windows will not be touched. That is a project for
272 next year, they will be repaired and reglazed. The current application is repairing work done in the
273 1950s and 1960s. J. Ramsay asked if the windows are simulated divided light? Yes.

274
275 Findings:

- 276 - This is a contributing property, #109 in the inventory
- 277 - Visible from the street
- 278 - Siding and door being replaced in kind in an addition to the original structure.

279
280 D. Chabinsky moved to approve the application as presented, T. Grella 2nd. *VOTE: All in favor.*

281
282 Adjournment: D. Chabinsky moved to adjourn at 8:45PM, T. Veillette 2nd. *VOTE: All in favor.*

283
284 Respectfully Submitted,
285 Colleen P. Mailloux
286
287