

Kingston Historic District Commission
April 12, 2016
Public Hearing

Members present:

Virginia Morse, Chair
Charlotte Boutin, V. Chair

Glenn Coppelman, PB rep.
Stacy Smoyer

Ms. Morse called the meeting to order at 7:05 PM.

Absent: George Korn, BOS rep., Susan Prescott

Commission Business:

Correspondence

Ms. Morse stated that there was no new correspondence adding that she did get her appointment paperwork signed. Mr. Shalett is going forward to become a full HDC member instead of a Planning Board alternate to the HDC.

MM&S to approve the March 15, 2016 minutes as presented. (Motion by Mr. Coppelman, second by Ms. Boutin) **PUNA**

Ms. Morse stated that she was pleased to announce that Mr. Coppelman was the Planning Board's representative to the HDC again this year.

Committee Updates:

CIP: Mr. Coppelman said nothing was new for CIP; Board members will be elected a little later.

Planning Board: Mr. Coppelman said that Board elections were done at the last meeting with him being elected Board chairperson and Adam Pope as Vice Chair. He added that one other person on the Board was interested in being on the HDC but the HDC schedule did not match her availability so he was elected as the representative to the HDC.

Heritage Commission: Ms. Morse said the planning for the charrette is moving forward; the Selectmen have been kept up-to-date.

First Congregational Church of Kingston
Addition to the Primary Structure
6 Church Street
Tax Map U10 Lot 20 and 21

Scott Woodmansee introduced himself as a trustee of the FCC; he introduced the trustee chair, Amy Leach, and vice-chair, Clovis Leach. They were presenting the possibility of adding on approximately 16 feet to the front of the sanctuary; he stressed that this was simply a possibility as it had not yet been approved by the congregation. Mr.

Woodmansee explained that the photograph that had been submitted was a good rendition of what it would look like. He reviewed previous work that had been approved. He said the granite foundation would remain the same either by using existing stone or using a process to “age” new granite. He brought samples of the vinyl siding used on the front of the sanctuary; the addition would use this siding; moldings to be used were also brought for the committee’s review.

Mr. Coppelman asked about the front exposure, above the return ends as it looked like it is not clapboard there now. Mr. Woodmansee explained that there is boards and batten; he intends to keep the look to as close as possible to what is currently there now and replace it with the vinyl if not cost prohibitive and addressed additional possibilities. Mr. Woodmansee did see at one point that there was a very small shed roof over the front door and he may return to the Commission concerning that possibility sometime in the future.

Mr. Woodmansee confirmed that all the pieces being reviewed by the Commission were “plastic” wood; the commercial name is Azak; he reviewed the styles available and brochures for the product. He said that the pieces being reviewed were examples of what he will use which was also what he put on the front of the church two years ago. Mr. Woodmansee reviewed the past decision by the Board; the front of the church has the “vinyl” siding but the top has real wood; there are three options concerning the steeple and the option has not been decided yet; they will have to return to the Commission unless a basement is just being repaired and will look the same. Mr. Coppelman said a basement being put in is not seen from the outside so would not fall under the purview of the Commission. Mr. Woodmansee reviewed the options: foundation only under the existing sanctuary, add a 15 foot addition and building a new bell tower, and the third option is the entire sanctuary lifted, moved forward and the 15 feet added to the back so the entire front would stay intact and just move the whole building 15 feet forward. They are leaving the choices to the contractor for the safest and economically best way to do the project.

Ms. Morse said that she did research on churches of this vintage and the steeple does sit in the front, not in the middle. She said that rebuilding the steeple and changing materials would need to be part of the proposal as it is currently all wood. Mr. Woodmansee did say that there are some small structural issues and some cosmetic issues with the steeple. The “windowsill” is rotted in several places and need to be replaced or wrapped with aluminum; the water is causing structural damage because the water is getting inside onto the frame. Mr. Woodmansee confirmed that the steeple currently is 100% trim with no siding; all wood trim. Ms. Boutin said that if replacing the steeple, they would need to come back to the Commission. Mr. Woodmansee said that the repair would be wood; if they came back he would make up a sample using the vinyl product; he says it would eventually need to be sanded and painted but not in our lifetime.

Mr. Coppelman asked what the Commission was being asked to do; he said there didn’t seem to be a very specific request at this point. Ms. Boutin said she was wondering the same thing. Mr. Woodmansee explained that the FCC was requesting that the HDC to

build a 15 foot addition to the front of the building; it was the first step and they did not want to go before the entire congregation and ask for financial approval if the HDC will say it is not in keeping with the district. Mr. Coppelman said the Planning Board would also have to be part of the process.

Ms. Morse said that what seems to be missing per the application requirement is a detailed explanation of the proposed work; she said an oral presentation put into the minutes is good but the first work that had previously been done included detail plans that were written out that included the materials that would be used; what the actual request was; she said that proposal wasn't as big a change as this as provided more detailed information. She continued that the Commission had to make sure that they were within the lot line, right-of-way setbacks. Mr. Woodmansee asked if this board had to see that. Ms. Morse answered that they had to keep that as part of the consideration; it would be a final decision of the Planning Board who might deny so they need to watch to make sure that the proposal is not too close to abutters or the road. Ms. Morse explained that this type of information really needed to be written down as part of the application; she took some notes regarding the materials discussed and stated that the information needs to be written down by the applicant so everyone knows the details agreed upon. Ms. Morse re-iterated that page 2 of the application requires this information. Ms. Smoyer said that with the several possibilities being considered, it is difficult to know which is being pursued so she doesn't know which one she should be reviewing specifically. Mr. Woodmansee said they are not moving forward without approval of the construction drawings being made. Ms. Boutin asked if there could be a scaled drawing provided with actual measurements of current and proposed locations and setbacks. Mr. Woodmansee had one copy of a proposal for the commission to review. The Commission reviewed the drawing by "circling" around; there were multiple, simultaneous discussions by the commission members and Mr. Woodmansee.

Mr. Coppelman confirmed that a driveway is considered a structure when it comes to setback requirements. Ms. Morse said that the details submitted should show setbacks and other details for the application. Mr. Woodmansee said that his understanding was that this Commission was the first step, then the Planning Board and then the Building Inspector. The Commission agreed; the processes and requirements were touched upon and reviewed. Mr. Woodmansee said that the details weren't completed by the engineers yet. Mr. Woodmansee asked for the Commission's current opinion. Ms. Morse suggested a straw vote adding that a full approval could not be granted due to the lack of information and details. Ms. Morse said that a continuation of the hearing could occur so the full notice would not have to occur again but opinions and perspective at this point could be given. Mr. Woodmansee said that he was not asking for how people would vote just the general feelings of whether they should continue forward or if it was too much of an uphill battle. Mr. Coppelman suggested not doing a straw vote but just give individual opinions with the understanding that not having the final information makes the information non-binding.

Mr. Coppelman doesn't see any issues as long as it meets lot requirements which would be finally dealt with at the Planning Board; the 16 feet really changes the building and

this is something that the HDC is to look at but does not seem to be detrimental based on the information seen at this point. Ms. Morse said she was at the same point with Mr. Coppelman; she is pleased with the steeple location; she said that the lot line issues look close to the road. Ms. Boutin stated that she is pleased that the church is growing; she added that she is concerned that the measurements have been going back and forth between 15 and 16 feet; she wants to make sure it is setback far enough from the road. Ms. Smoyer said that there needs to be a balance between aging structures and accommodating changes for size and functions; it is a challenge to maintain the features while making it functional in its new time and space; she likes the look but her concern is the multiple possibilities and one may be better than another. She would like to know the direction they were going and work to those specifics. Mr. Woodmansee discussed some of the interior considerations. Ms. Smoyer said the concern is the main features of the building lie in the front with the iconic look; she would like to hear the details before going any further.

Ms. Morse explained that an abutter, Mr. Zotz, had been present who asked some questions while the Commission was reviewing the plan as a group, but has left the hearing.

MM&S to continue the hearing to May 10, 2016 at 7:15. (Motion by Mr. Coppelman, second by Ms. Smoyer) **PUNA**

Rick Korn

Sign Request for 143 Main Street

Ms. Morse said that she did look up previous sign application fees which are \$25. Mr. Korn said that it would be a wooden based sign, shaped like a shield, blue, gold and grey; vinyl on metal and then set into the wooden board; 36 x 30 with a small attachment on the bottom for hours; it will have the same lighting as the previous sign which was a bar with a light on the sign, exterior up-lighting; it will be placed where the other sign was in the front but the other was a free-standing sign, much larger, this one will be smaller and attached to the building – on the front; it will “hang” off the building so you can see it coming down Main Street; the light is on the sign itself and up-lighted so it won’t be very bright. Mr. Korn re-iterated that it is in the same location but the other sign was free-standing, this one will be attached to the building. Mr. Korn noted that the colors of the sign are similar to “Sanborn’s” colors; the hours of operation will be closed on Mondays and possibly Tuesdays in the winter; in the other months will be Tuesday, Wednesday, Thursday from 11 – 9; Friday and Saturday from 11 to 10 and Sunday from 11 – 8. Mr. Korn confirmed that the lights would not be on late at night due to the hours of operation adding that they will be off when they are closed; the sign is 30 inches wide by 36 inches tall. Mr. Coppelman reviewed the sign ordinance and the allotted area in this zone is 24 square feet so this is well below the limit. Ms. Morse confirmed that the proposed size is all set on size. Mr. Coppelman asked about the bracketing; Mr. Korn said that it will be stained wood with chains to hold it; there will also be chains holding a little sign with the hours. Mr. Coppelman asked if he considered having the street address number incorporated into the sign; Mr. Korn agreed that this was a good idea. Mr. Coppelman

noted that fire and emergency services likes to have easily identifiable street numbers and suggested it was something to think about for the sign. The Commission agreed that the sign looked nice; there were no further questions. Mr. Korn said that he is hoping to open by sometime next early next month pending licensing approvals.

MM&S to approve the sign as requested and as discussed. (Motion by Mr. Coppelman, second by Ms. Boutin) **PUNA**

Brian Gallant
181 Main Street

Mr. Gallant appeared before the Board due to his receipt of a letter from the Commission regarding his deck that had been constructed without appearing before the Commission as he thought it was behind the house and did not need to be reviewed by the Commission. He noted he had 6 items to go over; Ms. Morse suggested reviewing the deck first as that was the original issue.

Mr. Gallant said the deck layout was on page 3 in his submission and page 2 had information, page 1 was the parts list; photos were also attached. Mr. Gallant confirmed that the deck was already on the property; it was pressure treated; will be stained some type of brown. Ms. Morse reminded the Board that a letter had been authorized and sent to Mr. Gallant that the deck required a permit. The Board reviewed the application and the pictures. Mr. Coppelman said that most of the deck could not be seen but the stairs and some of the railing could be seen from the street. Mr. Gallant said that the interior was complete and they are now finishing up the exterior. Ms. Morse has looked very hard at the deck and it is very nice but it did require a Certificate of Approval from the HDC and the Building Inspector requires it as well prior to issuing a building permit. Mr. Gallant did pull a building permit pending the HDC review. Ms. Morse has no problem with the deck adding that the HDC has to be consistent in how it deals with properties in the zone. Mr. Coppelman asked when the staining will be applied as it will make the deck blend in even more; Mr. Gallant stated that it is recommended to wait at least a year on the product so he expects to do it sometime between August and October. An application for the deck needs to be completed and given to the Commission.

MM&S to issue a Certificate of Approval for the deck as presented expecting the stain application to be applied in the future. (CB, SS) **PUNA**

Ms. Morse brought previous applications for the property to the meeting; she had reminded Mr. Gallant that there was a two year completion date on applications. There had been an application for vinyl siding which was to be completed by last September. Ms. Morse said that a new Certificate of Approval would be required as the initial C of A would have expired at this point. Ms. Morse read what had been previously approved as Mr. Gallant was asking that it be extended for another two years. Mr. Gallant said that they are now planning on putting on a front porch but they still haven't narrowed down what they want to do. He is aware that he will have to come back to the Commission for that project. She continued reading the details on the original approval. She read another

approval that expired in August regarding removal of siding, front steps and porch in preparation for the new exterior treatment; she said the two approvals go hand-in-hand. Ms. Morse asked if there was any further discussion about the siding. Mr. Coppelman asked what the siding currently is; Mr. Gallant said that they are asbestos shingles and clapboard underneath and most of the clapboards are rotted; the intent is to take the asbestos siding off and the clapboards and replace with vinyl. Mr. Coppelman said the original C of A was pretty clear but reviewed the interesting architectural detail that would need to remain. Mr. Gallant said the brackets were being removed, cleaned up, painted and replaced; the rotted ones in the front could be replaced with better ones from the back as needed. Ms. Morse asked how the areas near the dormer windows would be dealt with; Mr. Gallant said that they will have to come off, be sanded, repainted and replaced as it is similar to the brackets. Mr. Gallant noted that the roof had been redone; the windows are all new and show in the new pictures provided to the Commission. Ms. Morse said that the word “garage” has been added which was not in the original application. Ms. Morse will need to add to the proposed C of A “house and garage”.

MM&S to renew the Certificate of Approval for siding on the house and garage. (Motion by Mr. Coppelman, second by Ms. Boutin) **PUNA** Mr. Coppelman noted that this also has a two-year completion requirement.

Ms. Morse said the next issue was paving the **driveway**. Mr. Gallant said that it is crushed asphalt currently; there was no change to the width or placement of the driveway; it is at least 20 feet from the lot line to the best of his knowledge. Mr. Coppelman said that the Planning Board approves driveways but delegate the responsibility of permitting them to the Road Agent. Ms. Morse said that a permit for a residential driveway is not within their purview and referred Mr. Gallant to the Road Agent and getting a permit at the Town Hall. Mr. Coppelman described the process including the Road Agent checking the setbacks.

Ms. Morse went to the next items: **lamp post and flower bed**. She said that flowers and a lamp could be done without HDC approval.

Ms. Morse said the last issue was a request to add a shed; Mr. Gallant said that the shed was actually already on the property and pointed it out on a picture he provided. Ms. Morse read the ordinance as the HDC is charged with upholding the ordinances. She read from Article 102.5, number 2 which noted that there can not be more than one additional structure. Ms. Morse noted that there was already a garage that is considered the additional structure which means that the shed is not allowed. Mr. Gallant said that it is on cinder blocks so it is not really a permanent structure. Mr. Coppelman said that the Commission would then need to look at the definition of “structure” on page P2-2 and read the definition including “on” or “in” the ground; he said that these items also require building permits which have recently been applied for and waiting the HDC decision. Ms. Morse noted that the additional structure is not allowed; she asked for other questions or comments from Board members. Mr. Coppelman stated that he did not believe the Commission had a lot of leeway as it is an ordinance, not a regulation; the homeowner could seek relief at the ZBA but that was the recourse. Mr. Gallant asked if

any other resident in the HDC has two outbuildings. Ms. Morse said that she couldn't confirm that no one did but not through approval by the HDC during her tenure; she said there might be structures in existence prior to the ordinance or without approval. She agreed with Mr. Coppelman that the HDC can not grant a variance to an ordinance; if the ordinance states it can't be done, they don't have the authority to ignore it; the ZBA is the board that can grant a variance to an ordinance. Ms. Boutin confirmed that a building permit had not already been issued. Mr. Coppelman said that if they were able to approve the additional structure, there would be questions about the design and look of it as it did not look like the house. Mr. Gallant said it looked like the garage. Mr. Coppelman said there would be discussions about how it looks and fit in with the historic aspects of the design.

MM&S to deny the request for the additional shed as it would be the second additional structure on the property and is not allowed by ordinance 102.5 A (2).
(Motion by Mr. Coppelman, second by Ms. Smoyer) **PUNA**

Ms. Morse will send Mr. Gallant the approvals and the denial. She explained that after receiving the denial he can decide on whether to apply to the ZBA.

Phil and Layla Whitby

Ms. Morse explained that the Commission sent them a letter as there was an additional outbuilding. Ms. Morse recused herself at this point as she is an abutter. Ms. Boutin took over running the meeting at this point. Ms. Boutin asked to confirm the number of structures on the property. Mr. Whitby stated that he had a house attached to a foundation and a garage attached to a foundation. He said that he had a temporary building on skids; he answered that he did not have a building permit for the additional structure. Ms. Boutin asked about the rules for the structure. Mr. Coppelman referenced the definition of structure previously read at the meeting. Ms. Smoyer read 102.5 (A) 2 regarding not having more than one additional structure. Mr. Whitby asked who made the complaint; he questioned whether it was the Building Inspector. Mr. Coppelman asked if he had a building permit; Mr. Whitby said he was not interested with dealing with the building inspector. Mr. Coppelman said it was not the matter of dealing with the inspector; it was the matter of doing what was required. Mr. Whitby said that the place where he bought it said he didn't need a building permit as it was on "skids". Mr. Coppelman read the definition of structures including "temporary" sheds and requires a building permit; he said it also means that as an additional structure in HD I there can only be one additional structure and there is already a garage making this a second structure; similar to the previous discussion in the meeting; as with the previous discussion, this is an ordinance and any relief would need to be granted by the ZBA; it is not something the HDC has the ability to waive or adjust. Mr. Coppelman continued that the property has a house and an additional structure of the garage and now there is an additional structure. There was discussion as to how this issue came to the Town. Mr. Coppelman said that a violation notification could come from residents as well as Town Officials; he said the Board has certain obligations and this item is before them and they have to deal with it. He said that the people who sold it were incorrect and if they had

gone to the building inspector they would have been referred to the HDC first. Mr. Coppelman said there wasn't an application before the HDC; he explained to Mr. Whitby that structures and activities in the Historic District needed to come before the HDC for approval prior to adding the structure explaining that it is part of the deal of living in the Historic District. Ms. Boutin asked if there was anyone Mr. Whitby could speak with about the shed. Mr. Coppelman said that he is in the same situation although he could speak with Mr. Stewart about requiring a building permit; he said that the Commission did not have an application before them currently. Mr. Whitby said that he didn't apply for anything as he didn't think he needed a permit. Ms. Smoyer said this seemed like an honest mistake but he was given inaccurate information from the seller of the shed. Ms. Whitby said their interpretation of the ordinance was a temporary building did not need a permit; she said that the shed was only being used temporarily while they do repairs on the garage stating that the items from the garage would be moved to the shed during the repairs. Ms. Whitby stated that once the garage was repaired, the shed would go away. Ms. Whitby said that the shed is temporary and does not have a timeline while waiting for the people to work on the garage. Mr. Whitby said it is like parking a trailer on the site temporarily for storage. Mr. Coppelman said that they needed to speak with the Building Inspector first regarding a temporary building for storage and the permitting process for something of this nature. Mr. Coppelman said they needed to complete the application and apply to be added to the agenda; Ms. Whitby said there was information needed for the application that they don't have this evening. Mr. Coppelman suggested that they contact the Building Inspector regarding the permitting process and they needed to complete an application and return it to the HDC so they can take formal action as there is currently no application before them. Ms. Boutin asked them to include a picture with the application. Ms. Morse noted that the next meeting was May 10th. Ms. Boutin suggested following through on the items mentioned during the meeting to get this addressed; the temporary nature of the structure was discussed and information for the application was reviewed. The Whitby's said they would try to comply and they will be back.

Ms. Morse returned to the Board at the end of the discussion with the Whitby's.

MM&S to adjourn at 9:00. (Motion by Mr. Coppelman, second by Ms. Boutin) **PUNA**