

TOWN OF KINGSTON, NEW HAMPSHIRE
HISTORIC DISTRICT COMMISSION
Tuesday, February 13, 2018
Public Meeting

Members Present:

Virginia Morse, Chair
Charlotte Boutin, V. Chair
Glenn Coppelman, Planning Board representative
Susan Prescott
Stanley Shalett
Stacy Smoyer

Absent: George Korn, Board of Selectmen representative

Other Attendees: Denis and Debbi Couture

Ms. Morse called the meeting to order at 7:01 PM.

Town Board Updates:

HDC: Ms. Morse had no critical correspondence to share.

Ms. Morse asked for omissions, additions, and/or corrections to the transcribed Minutes of the meetings held on November, 14, 2017. Ms. Boutin stated that Richard St. Hilaire put the slabs down, and then the benches were installed by the Lions Club. The town just paid for them. There were no other amendments. Mr. Coppelman moved to accept the minutes as amended. Ms. Prescott seconded this motion. All else in favor, none opposed. Ms. Morse abstained as she was not present at the meeting.

Planning Board and CIP: Mr. Coppelman provided an update on the CIP. It has been finished, and after a hearing to discuss the same, the Planning Board voted unanimously to adopt the plan at last Tuesday's meeting. At the end of 2017 and before its adoption, Mr. Coppelman was invited to present the CIP to the Municipal Budget Committee as it is an advisory document to the Selectmen and the Budget Committee, and this was indeed done.

Mr. Coppelman also provided an update from a recent meeting of the Selectmen. The attorney from All American Assisted Living attended that meeting to provide an update. They are moving forward with all legal paperwork for the land abutting their lot in order to obtain permission to use it as a protected well radius. They also requested permission of the town to complete the required water testing to verify the quantity and quality of the water. They will be doing a pump test. Ms. Morse noted that when Hannaford's intended to develop this land, the Army Corps of Engineers was involved, and she asked if this facility would be required to do the same. Mr. Coppelman was not sure as the site had already been explored by the Hannaford's team. Mr. Shalett also asked about the wetland situation with Hannaford's as the NH Supreme Court overturned a decision

regarding wetlands on the site. Ms. Morse stated that this design is different with the proposed septic system being located in the front of the property. She clarified that even though the building size and placement is similar to that of the proposed Hannaford's project, in this case the septic is located in a different spot on the lot.

Mr. Coppelman also shared with the Commission that the Planning Board heard a hearing on a proposed self-storage facility at the intersection of routes 107 and 125 on Marshall Road near Carriage Town Plaza. The exact address will be 7 Marshall Road, the first property on right. This is a fairly substantial storage facility that is to be shielded by vegetation, but it does abut several residential properties. The proposed facility has requested two access ways onto 125 in addition to the one at 107, requiring state DOT permits. The town will comment on this issue with the DOT. This proposed facility is due to be discussed again in March, he believes March 20th.

Board of Selectmen: No update provided.

Heritage Commission: No update provided.

ZBA: No update provided.

Denis and Debbi Couture

Application for New Store at the Old Country Store Location

Ms. Morse stated she received a late call from a couple who is interested in using the old Country Store location for their business. Mr. and Mrs. Couture were invited to attend this meeting for a preliminary discussion.

Mr. Couture now addressed the Board. He stated he wanted to open up a store in the old Country Store location. It will sell refinished furniture and will be an eclectic artisan store. Most of products will be locally made. Ms. Couture stated she has had ventures with other local artisans, and they are now trying to start their own business. The couple currently lives in Manchester. They would get vendors to bring in their wares as well. The Coutures support buying local. Ms. Couture stated she spoke with the two building owners already. They would paint and would be in by May to late June and have a soft grand opening around July 4th.

Ms. Morse informed the Coutures that the HDC is a land use board, and their goal is to maintain the appearance of the Historic District: The period, the siding, the windows, the sign. She informed them that any changes will need approval by the HDC and directed them to the ordinances on the town's web site. She also informed them of the limits of signage and added they would need to provide specific details on the application. A parking plan would also need to be provided. Ms. Morse stated that the interior design is up to them as long as it does not change the outward appearance of the property.

Mr. Coppelman added that for any new commercial activity coming into Historic District, the Planning Board wants the HDC to approve the plan first before completing the site plan review. He provided the Coutures with detailed information regarding where the

Planning Board office is located as well as Ellen's hours. He added that this store's space has limited parking.

Mrs. Couture stated that Mr. Couture already put together some of this information and provided it to Ms. Morse.

Mr. Coppelman asked if they would be renting or buying the property. Mrs. Couture stated they would be renting. She and her husband already spoke with the Sweats, who own the building, and they were very gracious to work with. The Coutures would sign a one-year lease.

Mr. Coppelman stated that this property has a long history with the town. Mrs. Couture stated she appreciates this as well. He also gave some information about the many businesses that were housed in that location over the years. Ms. Prescott stated that she believes it may have been vacant for the past two years or so and that the last owner sold food. Mr. Coppelman also shared that when the high school was close to the Plains, the area was considerably busier, which supported a busy convenience store at that location.

Ms. Morse shared that the town now has Envision Kingston II to plan growth for the center of town and also informed the Coutures about the town's upcoming anniversary celebration in 2019. She is happy to see a potential new business at that location.

Ms. Morse informed the Coutures that she made some notations on Mr. Couture's paperwork regarding the new proposed sign for the business. They may use these notations as guidance for their final application.

Mrs. Couture asked if there was already lighting on the exterior of the building. Mr. Couture said there was. She asked if the existing lighting could be used for the new sign and if that required approval. Ms. Morse said if that is the case, this would need to be noted on the application.

Ms. Morse asked if the Coutures were planning on changing the physical appearance of the building. Mr. Couture said no, that he likes the existing exterior of the building.

Ms. Morse asked if only the main building would be rented. Mr. Coppelman mentioned there were 3 units aside from apartment access. The Coutures confirmed that they will be renting the main store part and the closest unit to that as well.

Mr. Coppelman asked if there would be any other activity other than sales. Ms. Couture stated they will setup a work area for sanding and hand painting only. Mr. Coppelman mentioned that this would come up when discussing this proposed business with the Planning Board. Mrs. Couture clarified there would be no stripping, just sanding and refinishing. There would be no oil-based finishes or vapors per Mr. Couture.

Ms. Morse reiterated that the application needs more detail regarding the sign, and the business would be considered a change of use which requires a fee. Although no exterior

work is planned, she advised that the application include a sketch or a snapshot of the front of the building with hand-drawn markings of any changes and the proposed signage.

Mrs. Couture asked if they could add a sign on the Depot Road side of the building and if that would need approval. Mr. Coppelman confirmed that this is likely allowed but wanted to research the detail further.

Ms. Morse stated that in the past, handicap access was an issue since there is no ramp. She noted that another business facing this issue had a sign stating one could stay in the car and blow his/her horn for handicap attention. Mr. Couture stated he plans on adding a ramp, especially since Mrs. Couture's father is handicapped and needs this as well. He stated the owner is aware of this and expects something to be built. Ms. Morse stated this piece of information is important for the Planning Board. Ms. Prescott asked if the ramp design would need to be brought to the Board. Ms. Morse stated since the Coutures were only renting, they should discuss if the owners may need to install the ramp rather than them, and she confirmed that the ramp design would indeed need to come before the Board. Mrs. Couture asked if the Board has a design in mind. Ms. Prescott stated that the design changes the appearance of property and will need to come before the Board for approval. Ms. Morse stated she would add this to her notes. Mr. Coppelman stated that the town requires that the building inspector provide a Certificate of Occupancy after a site inspection. He provided the Coutures with Robert Steward's name and encouraged them to discuss ADA compliance with him.

Mr. Coppelman now shared that the building sign has a maximum square footage, and if a business wants to split this between 2 signs, that has been acceptable in the past. Ms. Morse stated the proposed sign is only 6 feet by 2.5 feet, well below the maximum footage allowed of 24 square feet. Ms. Smoyer stated she thought this came up with the proposed assisted living facility as well, and Mr. Coppelman clarified that the sign in that case is freestanding, which is different than what the Coutures are proposing.

Ms. Morse reiterated that they discuss the ADA compliance with Robert Steward. If all paperwork is received in a timely manner, they could be added on the agenda for next month's meeting. Ms. Morse asked Mr. Coppelman if the Coutures could go to the Planning Board now and let them know that the HDC is working on this, but Mr. Coppelman stated that Ellen may not put it on the agenda unless more information is available. He recommended that the outstanding issues be researched and all paperwork prepared before approaching Ellen to be added to the agenda for a meeting.

Mr. Couture asked if they could provide the required information now about the sign, but Ms. Morse stated it shouldn't be discussed until all information is available. She informed him that the next meeting will be held on March 14, and she will put them on the agenda if the detailed paperwork is filed.

Mrs. Couture asked for clarification on what is needed. Ms. Morse stated they will need the ADA information as well as detailed sign information.

Discussion of Improvements to the Application Process

Ms. Morse wanted to discuss various improvements to the application process.

She began by bringing up the importance of early receipt of applications so that Board members can review the application before the meeting itself. Mr. Coppelman added that this process should remain open and public, and this is difficult if a last-minute application is received.

She would also like to discuss the application itself as well as holding public hearings versus public meetings.

Ms. Morse handed out some paperwork to the Board members.

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Ms. Morse ran through some dates of future HDC meetings.

Ms. Morse now handed out copies of the Regulations to the present members.

Ms. Morse also handed out the existing Certificate of Approval. She stated there are areas that need some work. One of these areas concerns the definition of "Change of Use." If a store changes what it sells, the signage would change and therefore is considered a Change of Use. Ms. Smoyer thought every application received would be charged a fee regardless of a usage change for the property. Various Board members now discussed recent applications that have been received and the time needed to resolve any outstanding issues for these applications, ranging from simple to complex. The members agreed that the more time-consuming applications warrant a higher fee whereas simpler applications may be charged a lesser fee. Ms. Morse stated on-the-spot decisions can be difficult to make during a meeting, and consistency is required. Ms. Smoyer suggested a list could be made. A list of reasons for an application and their associated fees was created.

Ms. Morse said she will now enforce that applications be received 30 days prior to the meeting if they are to be discussed. This information is already printed on the application, but it will be enforced going forward.

Mr. Coppelman asked if there is clarity on the application for the amount of required detail, and various Board members discussed and agreed that the application is very clear on this and that applicants must be sure to read the entire application and provide the required detail. He also added that for the Planning Board, a preliminary review of an application occurs beforehand. Ms. Morse stated if applications are submitted 30 days in advance of a meeting, she will review them and make sure all information is provided in the necessary detail for HDC purposes.

Ms. Morse now discussed the holding of public hearings versus public meetings. Public hearings incur additional fees and require abutter notices. She brought a sample

introductory letter that goes along with the application, but this letter does not state when/if a public hearing is necessary. Ellen has a worksheet she uses so an applicant can see what is required. Ms. Morse stated that if a new building is proposed, it should necessitate a public hearing. She also stated if the application is for a building of significance, it should be a public hearing. Holding a public hearing is too expensive to do for every application. Mr. Coppelman asked if abutters should always be notified and discussed the pros and cons of notifying abutters via certified mail. Ms. Prescott stated certified mail is the only way to prove that abutters are notified, and Mr. Coppelman concurred. Mr. Coppelman stated every HDC meeting is a public meeting, and all members of the public are invited to attend and comment, abutter or not. Ms. Smoyer asked for clarification on the difference between a public meeting and a public hearing. Mr. Coppelman stated that a public hearing requires a public notice be issued with lead time ahead of the meeting. A public hearing also requires via state statute that abutters are notified within a certain time frame, usually by certified mail. A public meeting is a meeting open to the public where anyone can speak. Mr. Coppelman stated that HDC Rules and Regulations state the Board has discretion over whether to hold a public hearing, which in the past has been done if a significant change to the District is being proposed.

Ms. Morse then stated that applicants have two years to complete approved work, but there is no process to check properties to make sure this is being adhered to and that no changes are made to the approved construction. She proposes adding a followup/final inspection/final sign-off where one Board member would go to ensure things are being done the way they were approved. Ms. Prescott asked if the building permit includes HDC approval information, but it was decided that Robert Steward does not always have this information and therefore cannot be relied upon to ensure HDC requirements are being met. Ms. Morse stated that after recent events, he is more aware of the HDC approval process and requirements, and he has been more vigilant as a result.

Discussion of Use in the Historic District

Ms. Morse discussed this with Ellen as well. The Planning Board is going to take a look at uses within any district to make sure these are consistent with Ordinances. A couple of years ago, a warrant article changed how properties in the District were noted; this warrant article did not change the properties listed in the District. The tax map was changed as well. This warrant also allowed for the creation of a list of properties in the Historic District. The list created was not complete, and therefore, Ernie Landry and Glenn Greenwood are working on a revised list, which will be finished shortly. Ellen will be sending the list to Ms. Morse. Ms. Morse clarified that this will be a listing change only, not a designation change. Also, no properties will be added.

Update to Master Plan of Historic Resources

Ms. Morse shared that the final meeting is coming up soon, but the specific date has not been set yet. She will notify everyone when the meeting is announced.

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In order to pay for the creation of this master plan, the grant required an in-kind match for volunteer resources. Therefore, we will need a large turnout for this meeting. The meeting will be publicized in the newspaper and on the town's web site, and various town Boards are announcing the meeting as well. The last meeting was held in the library. Mr. Coppelman stated the meeting should be in late March at some point. He explained that for each hour a volunteer works on project, this calculates to \$25/hour. We need to match the grant received from the Division of Historic Resources, and if there is money we do not use, the town will need to pay out of its budget to make up difference. Ms. Smoyer asked about the details of the grant, and Mr. Coppelman stated with the grant, a consultant was hired from Meredith, New Hampshire, and her name is May Williams. She is writing the chapter with input from others in the town. She has been working for about a year on the project. The first draft is done per Mr. Coppelman, and a second draft will be presented at the March meeting. In order to meet the terms of the grant, the final chapter must be done by the fall. Ms. Morse stated she would send the draft document to Ms. Prescott and Ms. Smoyer for their reference. She shared that the Heritage Commission was the applicant for this grant.

Announcement of HDC Next Meeting

Due to the town-wide vote being held on Tuesday, March 13th, the next HDC meeting will be held on Wednesday, March 14th.

NH Preservation Alliance Newsletter

Ms. Morse stated that the HDC budget includes money for subscriptions. Therefore, each member will now receive the NH Preservation Alliance newsletter. She stated there is also some money to buy books. She commended Judy Rubin for being faithful in keeping a copy of each of these newsletters in the library as a periodical. There are also books available that have already been purchased, but in the future, we can look into purchasing more.

MM&S to adjourn at 8:45 PM. Ms. Prescott moved to adjourn the meeting. Ms. Boutin seconded. All other members agreed.