

TOWN OF KINGSTON, NEW HAMPSHIRE
HISTORIC DISTRICT COMMISSION
Tuesday, August 14, 2018
Public Meeting

Members Present:

Virginia Morse, Chair
Susan Prescott, Vice Chair
Glenn Coppelman, Planning Board representative
George Korn, Board of Selectmen representative
Madelynn Ouellette
Stanley Shalett

Absent: Nancy Pratt
Stacy Smoyer

Other Attendees: Carol Croteau
Karen Olsen
Layla Whitby

Ms. Morse called the meeting to order.

Town Board Updates:

HDC: Critical Correspondence: Ms. Morse stated that the September HDC meeting is currently scheduled for Tuesday, September 11, but that is primary day. This meeting will be rescheduled at a date and time TBD.

Acceptance of Minutes: Ms. Morse asked for omissions, additions, and/or corrections to the transcribed Minutes of the meeting held on July 10, 2018. Mr. Coppelman stated that under the section "Town Board Updates", subsection "Acceptance of Minutes," the fines for Mr. Whitby will be held "in abeyance" until August 20, not in "advance." Ms. Ouellette also asked for clarification regarding the possibility of Mr. Korn utilizing umbrellas with his restaurant's logo. Ms. Morse clarified that she believes Mr. Korn will not be doing this, which is also reflected in the application that was submitted. Mr. Coppelman believes this warrants a correction to the minutes. Ms. Ouellette made a motion to approve the minutes as amended. Ms. Prescott seconded this. All in favor, none opposed, one abstention by Mr. Korn.

The Board now discussed the amended minutes from June 12, 2018. In reference to the extension application submitted by Mr. Whitby, the motion should have read that the extension request was denied, not accepted. At the June HDC meeting, this motion to deny the request was originally made by Mr. Coppelman and seconded by Mr. Korn. Mr. Coppelman now made a motion to accept the amended minutes, reflecting that the request for extension by Mr. Whitby is indeed denied by the Board, and Ms. Prescott seconded this motion. All were in favor of accepting the amended minutes, none opposed, and none abstained.

Planning Board and CIP: The CIP process is underway. Mr. Coppelman mentioned at the July Planning Board meeting, the Cultural and Historic Resources Chapter of the Master Plan was adopted; it is now a formal chapter of the master plan.

Board of Selectmen: Mr. Korn had nothing to report.

Heritage Commission: Ms. Prescott had nothing to report.

Ms. Morse stated the HDC is a member of the New Hampshire Preservation Alliance. In the recent newsletter, there is a public policy update regarding SB132, a bill that became law encouraging New Hampshire to inventory historic burial grounds and cemeteries for preservation purposes. Ms. Morse stated this is a worthwhile exercise for the Heritage Commission to participate in and that grant money may be available for this purpose.

ZBA: Ms. Morse stated the ZBA is hearing Nancy Pratt's application for an accessory dwelling unit.

Phil and Layla Whitby, Shed at 190 Main Street

Denial of Extension to Application, Submission of New Application

Ms. Whitby asked for a medical sabbatical as Mr. Whitby is going through aggressive cancer treatments, possibly for 6 months. She also stated she had issues having copies made of the plans due to transportation issues. She has submitted an application to move the shed.

Ms. Ouellette and Ms. Morse recused themselves as they are abutters to the Whitby property. Ms. Prescott now took over the facilitation of this discussion.

Ms. Whitby stated she does not like the plan of moving the shed. She would rather plant shrubberies but first needs a tree professional to come in and take down some trees. Then, there would be more room for improvements.

Ms. Prescott asked for comments from the Board. Mr. Coppelman stated that it sounds like Ms. Whitby would like to change the submitted plan. She clarified that she would like input from the Board on what is preferred. Mr. Coppelman explained that the Board can only comment on what is submitted. Ms. Whitby explained she has not had the time to have a tree professional come and look at the trees to be taken down, which affects this plan.

Mr. Shalett asked if Ms. Whitby intends to move the shed behind the other shed on the property. She stated they would like to move the shed so it is not visible from the road. She also explained that the shed is more noticeable as the house has been painted more recently than the shed, so the shed stands out more than it could if it was repainted.

Ms. Prescott stated that the most recent application to the HDC requested an appeal of the denial of the extension. Mr. Coppelman explained that although the original request for

an appeal should have been delivered to the ZBA, the Whitbys instead appealed to the Board of Selectmen, who later made the ruling to give them until August 20 to come back to the HDC with a possible solution. The Whitbys are now due to go back to the Board of Selectmen by August 20 with this solution.

Mr. Coppelman does not believe the HDC is in a position to hear an appeal on their own ruling from June as the Regulations clearly state that an appeal must be made to the ZBA. He stated a new proposal can be discussed but not an appeal.

Ms. Prescott stated that the new application does not include specifics, such as the new location of the shed. She believes the application is incomplete. Ms. Whitby stated that she discussed this with Ms. Morse before tonight's meeting, and she was aware that the application was incomplete.

Ms. Whitby asked if she can come back next month with additional information or if she can get feedback from the HDC now on an alternate plan to plant shrubberies and paint the shed rather than move it. She reiterated that the tree removal would be required before anything else is done.

Mr. Shalett stated that the meeting should be continued so that Ms. Whitby can submit a more detailed plan or a new plan.

Ms. Whitby stated the shed cannot go behind the existing shed because of the required excavation as there is a hill in that location. She also stated there is plenty of other space on the property to work with.

She confirmed that she can come up with a better plan, but she needs help, a medical sabbatical if possible. She is working hard to come to a resolution to this issue and is doing her best.

Mr. Coppelman stated there is not anything to take action with at this time. Ms. Prescott was in agreement.

Mr. Coppelman explained that the original application requested a temporary shed that would be removed within 2 years. Now Ms. Whitby is requesting that this shed be permanent, which requires the HDC to approve the exterior design elements of the shed as well as placement. Without a specific plan, this discussion cannot be had.

Mr. Korn stated it appears that Ms. Whitby is attempting to work with the Board but is having difficulty due to Mr. Whitby's illness. He suggested a continuance to give Ms. Whitby time to come up with a new plan. In consideration of the small town environment of Kingston, he would like to show concern and support for those who need extra help. If a continuance is agreed upon, the HDC can notify the Board of Selectmen so the August 20th deadline can be reassessed. He expressed empathy for the situation and stated there are no guidelines on how to deal with a situation like this.

Mr. Coppelman stated if Ms. Whitby would like to make the shed permanent, the HDC can review her application. However, if she wants to appeal the denial of the extension, she must go to the ZBA.

Mr. Korn asked Ms. Whitby if she would like the shed to be permanent. She replied she is asking for that. She stated it could be a longer-term plan such as 5 years. Mr. Korn stated he is not advocating for 5 years but only for a short extension to the August 20th deadline set by the Board of Selectmen.

Ms. Prescott asked for feedback from the Board on the length of the continuance. Mr. Coppelman asked Ms. Whitby when she would be able to come back with a complete plan for HDC consideration. She stated 2 months would be acceptable. Mr. Korn asked if 3 months might be better in consideration of Mr. Whitby's health issues. Ms. Whitby said she should know more about his medical condition within the next 2 months. She asked for clarification from Mr. Korn what the HDC is suggesting. Mr. Korn clarified that the HDC needs a new complete application with details of the proposed renovation/moving of the shed, and he has suggested 3 months, not the 2 requested by Ms. Whitby, so that she can get everything in order to be discussed at the November HDC meeting. Ms. Prescott asked if November would work for a detailed, complete application.

Ms. Whitby now asked if she can have 2 options, one to keep the shed permanent and one to move/renovate it. Mr. Coppelman explained that the HDC already voted to deny the extension. If she desires a reversal to this denial, she will have to discuss the issue with the ZBA.

Mr. Korn clarified that Ms. Whitby can either appeal the denial to the ZBA or bring a new proposal to make the shed a permanent structure to the HDC. She will have to choose one of these options. He emphasized with Ms. Whitby that by granting more time to submit a new application, the Board is going outside of its own rules to be empathetic to the Whitby family's situation.

Ms. Whitby stated she would like the shed to be permanent. Ms. Prescott stated she will put this on the agenda for the November HDC meeting. She encouraged Ms. Whitby to call if she has any questions or needs any guidance. She also stated she will inform the Board of Selectmen of the HDC's decision to give her more time to submit a new plan and that the August 20th deadline can be extended.

Mr. Coppelman requested guidance on what exactly is being continued, the application that has been submitted or a discussion of a new application. Ms. Prescott stated the application as submitted is incomplete. Therefore, rather than continuing a discussion of the submitted application in November, the HDC instead will discuss a new plan if submitted by Ms. Whitby.

Mr. Shalett stated a motion should be made for a continuance of this discussion to the November meeting. Mr. Coppelman stated the discussion of the submitted application

will not be continued as the application is incomplete; Ms. Whitby will need to submit a new, complete application for discussion at the November meeting. In his opinion, there is nothing the Board can agree upon at this point other than allowing Ms. Whitby more time to submit a complete application. Ms. Prescott concurred with Mr. Coppelman.

MOTION: Mr. Shalett now made a motion to allow Ms. Whitby more time to submit a new application to the HDC to make the shed a permanent structure, and this new application will be discussed at the November HDC meeting. Mr. Korn seconded this motion.

Members in favor: 4.

Members opposed: None.

Members abstained: None.

Members recused: 2.

Ms. Morse asked Ms. Whitby if she would like the check already submitted with her application returned or held for the November meeting, and Ms. Whitby elected to have the check held for the November meeting.

Ms. Whitby expressed thanks to the Board.

Karen Olsen, 133 Main Street
Repairs to Detached Structure

Ms. Olsen has submitted a full application and drawings to the HDC. She has a detached structure. On the north side of the structure, there is woodpecker damage. Rather than replace the damaged pieces with clapboard, she would like to install cedar shingles on that side of the wall and leave them to age naturally. Also, the hay door is rotted and needs replacement. She would like to replace this with a set of cedar doors. One door would be functional, and the other one would be false and just for uniformity and to be level, and these would be cedar as well and left to age naturally. These repairs would make future replacement easier in the event of more damage.

Mr. Coppelman clarified that the double doors will replace the existing single hay door and that it would be centered below the window above so it would be in line, whereas the existing single door is offset. Ms. Olsen stated this is indeed the case.

Ms. Prescott asked if the top window will be replaced. Ms. Olsen confirmed it will not.

Mr. Coppelman asked about the existing trim, which is white. Ms. Olsen confirmed the trim will remain white since the door trim and the window trim to the left of the door is white, and the gable trim is white as well. She offered to paint the cedar doors white or paint only the trim white to match. She stated none of this work is visible from the main road.

Ms. Morse stated she is neutral with regard to painting the doors white or leave them natural, but she would prefer the trim to match the white trim of the door and window.

Ms. Morse asked for any further feedback from the Board, and Ms. Prescott stated she had no further questions.

MOTION: Ms. Prescott made a motion to approve the application as presented and discussed. Ms. Ouellette seconded this motion.

Members in favor: 6.

Members opposed: None.

Members abstained: None.

Ms. Olsen now asked about historical plaques on houses in town and if there are standards or requirements for uniformity. Mr. Coppelman stated that other historic districts have a set design so everyone has the same style, but Kingston has never done this. He noted there are some houses with a simple white board with the year painted on it. Ms. Morse stated that when Judy Rubin was the Chair of the HDC, she had those made up, but Mr. Coppelman believed this was done years ago. Ms. Prescott suggested this may have been done for the 300th celebration. Ms. Prescott stated that in Exeter, there are signs with more information on them other than simply the year, but that is not mandated in Kingston. Ms. Olsen would like to put up a sign including the historic information of her home. Ms. Prescott suggested she use the number/date plaques as a guideline with a white background and black lettering with a font/script that would fit into the colonial vibe. Ms. Olsen said she agreed with this.

Ms. Morse now explained the process of the receipt and distribution of the Certificate of Approval to Ms. Olsen and steps Ms. Olsen must take before starting the project.

Mr. Coppelman stated he found a business in New Jersey that makes wooden plaques with hand lettering, and he ordered one for his home. He has not received it yet but will bring it in and show the Board members when it arrives.

Compliance Issue: Signage at Couture's Eclectic

Ms. Morse sent a registered letter to the Whitbys and the Coutures, and the Board of Selectmen usually puts the receipt slip in her mailbox, but neither one has been received yet. The Whitbys have confirmed receipt, but she has not heard from the Coutures and has not tracked the letter online yet. She will do this research to find out if the Coutures received the letter.

Ms. Morse confirmed that the Coutures are not in compliance with the application that was approved. The specifics of noncompliance were listed in the letter sent to them including:

1. Lighting is not in compliance with the lighting Ordinance.
2. The sign is not mounted on plywood as it was supposed to be.
3. The wording/lettering on the sign is not the same as on the application.

Ms. Morse will follow up on this. She also needs to discuss with the Coutures how it is hung on the building. Once this is done, the Board can discuss this issue before notifying the Selectmen of this noncompliance issue.

Expiration of Certificate of Approval: Mari Eggleston

As Ms. Smoyer is not in attendance, there is no update pertaining to Mari Eggleston's expired application in reference to confirmation that the work was completed.

Discussion Regarding Sign Ordinance/Regulation Review

Ms. Ouellette followed up on the information provided by Mr. Coppelman and researched the wording of sign ordinances for other towns. Ms. Prescott made copies of this research for Board members and distributed them.

Ms. Morse liked the pictorial examples in some of these towns' ordinances. Something like this could be added to the Design Guidelines, as there already are pictures of different styles of homes around town in this document. The styles are labeled and are referenced in the text. It is cost effective for the town to review the information already available from other towns rather than hiring a consultant. She thanked Mr. Coppelman and Ms. Ouellette for their work on this project.

In her research, Ms. Ouellette found that many towns only include pictures of properties within the town, but she feels it is better to include pictures of preferred signs regardless of which town they are in. Ms. Morse stated she already has some research and pictures from the proposed Hannaford's store that wanted to move into town; in this research, there are pictures from in-town and out-of-town signage.

Ms. Morse stated that the Ordinances do not currently have any pictures. Mr. Coppelman stated pictures are usually in the Regulations or in an appendix to the Regulations, such as the Design Guidelines. Ms. Morse offered that they can provide references in the Ordinances instead. Mr. Coppelman sees this project as part of Regulations, not Ordinances. He suggested a Board member talk with Glenn Greenwood to seek his advice.

Ms. Morse stated she talked with Mr. Greenwood today, and he knows about this project and is pleased the HDC is discussing this. Right now, the Ordinances have the details, but the Regulations provide references to other documents. She wondered if it would be best to bring the details to Mr. Greenwood and discuss it with him. Mr. Coppelman stated a change might need to be made to the Ordinances, which would need to go to Town Warrant. This could require a change to the Ordinances and potentially Regulations as well, but Mr. Greenwood can provide guidance here on how to structure the changes.

Ms. Ouellette asked if each member of the Board should discuss this research in detail at tonight's meeting. She added that when doing this research, she found that many towns utilized the same language, providing proof that towns are borrowing language from each other. Ms. Morse felt this review could be done individually and rediscussed at a later time. Then, this can be discussed with Mr. Greenwood. She also suggested Board members can start to take pictures of preferred signs and those that would be problematic. Ms. Morse will put this issue on the agenda next month.

Carol Croteau, a member of the public, now approached the Board. She stated there were a number of forums regarding agriculture in the town, and she, Mr. Coppelman, and Glenn Greenwood are on a subcommittee with the Planning Board to work on this project. It came up that some of the people involved in agriculture in town wanted to have temporary signs to sell for the growing season. At the meeting in July, these temporary signs were discussed, and she wanted to make the Board aware of this issue on behalf of those selling produce in town. These sellers should have guidance on their signage, even if the signs are temporary.

Ms. Prescott stated that the Board is looking at this issue for signs in front of houses or businesses, not for those up the street or around the corner. Ms. Croteau stated these signs are usually not allowed in town. Mr. Coppelman stated temporary signs, outside of political signs, are not allowed, but the discussions he is having with Ms. Croteau and Mr. Greenwood are done with the intent of bringing this issue to the voters next March. Therefore, the Planning Board is preparing public hearings in the fall. Currently, off-site signs are not allowed, but they are trying to provide flexibility while maintaining rules for such.

Ms. Morse asked about looking at the town of Exeter and referenced the permanent Apple Annie's sign, among others. Ms. Croteau stated in some instances, the town does not allow such signs but looks the other way. Ms. Croteau stated their intent is to be friendly toward the farmers in town and help them be more successful.

Mr. Coppelman stated he encouraged Ms. Croteau to come to tonight's meeting to keep communication open. There will be public meetings to discuss this issue as well, but he thought it important to share this information with the HDC.

Ms. Morse stated that the issue of temporary seasonal signs and directional signs will be considered.

Mr. Coppelman and Ms. Croteau also shared that they are also looking at agritourism to allow a farm to have activities like weddings, hayrides, etc. that are not directly agriculture-related to attract visitors and tourists to the farm for the experience.

MM&S to adjourn at 8:23 PM. Mr. Korn moved to adjourn the meeting. Mr. Coppelman seconded. All other members agreed.