

**Kingston Historic District Commission  
March 15, 2016**

**APR 04 2016**

Members present:

Virginia Morse, Chair  
Charlotte Boutin, V. Chair  
Susan Prescott  
George Korn, BOS rep.

Glenn Coppelman, PB rep.  
Stacy Smoyer

Also in attendance: Stan Shalett (alternate)

Ms. Morse called the meeting to order at 7:00 PM.

**MM&S to accept the February 17, 2016 minutes as written with a correction to the applicant's name.** (Motion by Mr. Coppelman, second by Ms. Boutin) **Motion carries 4-0-2** with Ms. Smoyer and Mr. Korn abstaining.

**Board Business:**

Board Updates

Planning Board: Mr. Coppelman said that there is nothing at the PB level of interest to the HDC except that two incumbents were displaced by two new members so there will be a different make-up of the Board which does have impact on Mr. Shalett as he is no longer a PB member. There is a meeting scheduled for March 29<sup>th</sup> which will include elections and appointments to committees including CIP.

CIP: Mr. Coppelman re-iterated information from the previous meeting that this has been finalized and approved.

BOS: Mr. Korn said that they met with the Library Trustees and addressed some small items within the court document and they have been resolved and should have the final signatures shortly to proceed to court and move forward to it being a Town building. Ms. Morse said that part of the Town funds was to support the Nichols building; the budget passes, so it looks like it will move forward. Mr. Korn stated that assuming that it is going to be a Town property, it will move forward but as yet that is not completed although it is now about 90% completed and hope it will be finalized shortly. He continued that the Town will really not be spending any money on the building until the documents are ready to go to court to become a Town property but he expects that to happen shortly.

ZBA: In regards to the election, questioned multiple membership of Planning Board and ZBA members. Mr. Coppelman explained that there can only be one Planning Board

member on another land use board and that already exists so any individual elected to both boards at the past election would have to make a choice and can't sit on both.

Heritage Commission: Mr. Coppelman reported that the Town was awarded a PlanNH design charrette – there is a steering committee which is happy to have any new members if anyone is interested. He reviewed the upcoming meeting dates and the previous meeting stressing the need for community involvement. He reviewed activity done on this behalf at the election and items needed for the upcoming event. This event will be entitled “Envision Kingston II”.

#### Election of Officers:

Ms. Morse stated that the BOS invited her to be re-appointed to a 3 yr. term as she was the only member up for re-appointment; she agreed to the re-appointment. She said the Board needed a Chair and a Vice-Chair.

**MM&S to re-appoint the current slate of officers** (Ms. Morse as Chair and Ms. Boutin as Vice-chair). Motion by Mr. Korn, second by Ms. Smoyer. Discussion: Mr. Coppelman asked if the nominees wanted the positions. Ms. Morse said she was comfortable with that for this year but her goal is to make sure that not only one person can be chair and would like to appoint new members as she believes that the Board can take two more people. Ms. Boutin said she was fine with it.

**Vote on the Motion: PUNA** Mr. Coppelman thanked Ms. Morse for the wonderful job she has done and will continue to do.

Ms. Morse said that since Mr. Shalett had not been re-elected to his position on the Planning Board but was an alternate to the HDC, he could continue as an alternate and vote when someone else was not in attendance. She continued that now that he was not on the Planning Board he could continue as a full voting member; he could become a full voting member to fill one of the open positions or he could continue as an alternate member depending on his preference; if interested in becoming a full member, he would have to apply to the Board of Selectmen for appointment.

First Congregational Church update: Ms. Morse stated that she heard from the applicant's representative and they will have the application in to her by Monday leaving enough time to do a public hearing on April 12<sup>th</sup>, the Board's next meeting. Mr. Coppelman confirmed that this would be a full hearing with abutter notification and hearing notice. The plan, abutter information and required fees will be in to Ms. Morse by Monday; so next month will be a public hearing not just a public meeting. Ms. Prescott will not be available for that hearing; she was instructed to provide any specific questions she might have for the Board to ask on her behalf.

Ordinance Infractions: Ms. Morse asked for clarification on a couple of questions including “what do you need a permit for”. She had reviewed the ordinance and her understanding had been that if a temporary structure is erected, a permit is not required but it doesn't actually say that in the ordinance. A house near Ms. Morse has added a

storage shed beside his garage on cinder blocks. Mr. Coppelman asked if it had received a permit from the building inspector; Ms. Morse did not have that information. Ms. Morse confirmed that she had just looked in the HDC ordinances; Mr. Coppelman said the information might be in the sections pertinent to the whole town. Mr. Coppelman will try to review the ordinances at this time.

Her second question involved property at 181 Main Street. The property owner had come to the HDC twice and given certificates of approval which was supposed to have been finished by September, 2015 as the approvals were given in 2013. After review of both approvals, there were no approvals for a deck and a deck is now on the building and would be considered a permanent structure. Mr. Korn asked if it was visible in the zone. Ms. Morse said it was not in the front but it was visible coming and going. Mr. Coppelman said that it should come before the HDC even if the Board determines that it can't be seen and therefore not an issue. Ms. Morse wanted a decision from the Commission as to whether to send him a letter inviting him to a meeting to show the Commission what he has done; have him take a picture and fill out an application so that is on record. She continued that it is behind the house and you can see it, which is how she noticed it. There was discussion as to whether this should have also required a building permit and whether he had one. Ms. Morse said the BOS office has been terrific about requiring HDC approval prior to issuing permits and is unsure how this slipped by; there was a suggestion that perhaps there wasn't a permit for this.

**MM&S to authorize the Chair to send a letter to the Brian Gallant of 181 Main Street with a request to come before the Board with an application for the deck already constructed on the property.** (Motion by Mr. Coppelman, second by Ms. Boutin) **Motion carries 5-0-1** with Mr. Korn abstaining. Mr. Korn stated that he abstained in case this became an enforcement issue before the Board of Selectmen.

Mr. Shalett commented on the previous issue saying that the storage shed appears to be out of character from the rest of the building due its color. Ms. Smoyer asked what the concern was regarding the shed. Ms. Morse clarified that she was unsure if it needed a permit or not as it was on cinder blocks. Ms. Prescott said that they had a hen house on cinder blocks and it appeared on the tax card so the Town considers it a permanent structure and they were taxed on it. Mr. Korn suspects that the shed probably didn't have a building permit. Ms. Morse will start with a little research and see if there was a building permit issued for it and re-visit the question after speaking with the Building Inspector. Mr. Korn said that the Building Inspector always sends the applicant applying for a permit to the HDC so agrees with speaking with the Building Inspector about a permit or lack of a permit.

Ms. Morse commented on the positive results of the Dosti property. Mr. Korn suggested sending a letter of appreciation to the property owner; Ms. Morse said that she had thought of the same idea. Consistency of adherence to the ordinances was mentioned.

Mr. Coppelman read from Article 1201 – HDC rules and regulations explaining that it talks about new buildings and structures and breaks it out between new construction and

existing buildings; so in this case it could be considered new construction in which case it is something that needs to come before the HDC for a certificate of approval. Mr. Coppelman said that checking with the BOS office for a building permit first is probably advisable. Ms. Smoyer reviewed Article 102.5 – description of permitted uses speaks to every building lot in HD I that has a dwelling thereon shall not have more than one additional structure for use as permitted; she says that it sounds like there was already an additional structure with the detached garage. Mr. Coppelman stated that this sounds like it might get complicated so a little more research is wise; Ms. Morse agreed with the need for a little more homework and research as it is important for the Commission to not be adversarial but also important for the Commission to be consistent in the enforcement of the Ordinances and requirements.

Mr. Coppelman suggested the Commission review the definitions in the Ordinances; on P2-2 is the definition of a structure which he read for the members which included garages, screen houses and tool sheds and other accessory storage buildings whether stationary or portable. He says that anything in the ordinances referencing structure, unless otherwise stated in the ordinance, refers back to these definitions to determine whether something is a structure. He believes that the item being discussed meets this definition. Ms. Morse will re-check the ordinances noted this evening and do some additional research for the Commission to make a decision.

Grace Daley House: Ms. Smoyer attended a meeting held with the BOS about the Grace Daley house and didn't know if the Commission had been updated about this. Ms. Morse asked to hear about it. Ms. Smoyer said there were members of the Heritage Commission, Ellen Faulconer and a representative from Isaiah 58, the group interested in the Grace Daley house. She said there were movements going forward to see if it will be feasible to use the house for transitional housing; there are a few challenges that may be able to overcome and actually be able to use the house. She continued that a reprieve for the demolition of the house has been put on hold to pursue this option. Ms. Smoyer confirmed that office space downstairs was still a possibility with the housing upstairs. Ms. Morse said this was good news. Ms. Smoyer said that a representative said that a family from need in Kingston will be given preference.

Mr. Shalett asked about the warrant article to demolish the Seminary building; Ms. Morse confirmed that the article to tear down the building failed.

**MM&S to adjourn at 7:47 PM.** (Motion by Mr. Korn, second by Mr. Coppelman)  
**PUNA**