

**TOWN OF KINGSTON, NEW HAMPSHIRE
HISTORIC DISTRICT COMMISSION
Tuesday, October 11, 2022
Public Meeting and Hearing**

Members Present:

Susan Prescott, Chair
Virginia Morse, Vice Chair
Glenn Coppelman, Planning Board representative
Kevin St. James, Board of Selectmen representative
Stanley Shalett

Member Absent: Madelynn Ouellette

Other Attendees: Brian Bouchard, Esq., Sheehan Phinney
Frank Cousins, Treasurer, Housing Support, Inc.
Clarissa Finks, applicant
Robert Morse, abutter
Paula Newcomb, Executive Director, Housing Support, Inc.
Chris Novelli, architect, n3 Architecture
Jeff Robie, abutter

Susan called the public meeting to order at 7:00 p.m

TOWN BOARD UPDATES:

HDC: Acceptance of Minutes: Susan asked for omissions, additions, and/or corrections to the transcribed minutes of the meeting held on 8/9/22. **MM&S: Glenn moved to accept the minutes as written. Seconded by Kevin. All in favor.**

Critical Correspondence: None.

Planning Board and CIP: Glenn advised there is nothing pertaining to HDC.

Board of Selectmen: Kevin advised there is nothing pertaining to HDC.

Heritage Commission: Virginia noted the HC is still working on fundraising for the stained glass renovation project. She is working with Ernie Landry to finalize the plaque design for properties on the National Register. She added that the celebration for the listing of the Plains Cemetery on the National Register has been postponed to allow some site work to be done.

CLARISSA FINKS, 159 MAIN STREET
WINDOW REPLACEMENT

Clarissa Finks now approached the HDC. She stated she is requesting approval to replace the first-floor windows. She brought a brochure and pictures from the manufacturer's website. She stated she intends to have the same windows installed in the future on the 2nd floor. She intends to have all windows match. They will be 2-over-1 style with exterior mullions. The exterior trim will be maintained. She noted there is one window on the side of the house that does not match the rest of the windows; the replacement window for this will match those of the rest of the first floor. The rear windows do not match but will be replaced with matching windows. Most rear windows are along the driveway and are visible from the street. There is one rear window that is not visible but will also be replaced to match; this window is sized 27x36 and will be replaced with a picture window and 2 double-hung windows on each side. Clarissa noted they will also be replacing the 2 doors with new vinyl doors. The storm doors are in good shape and will remain in place, and there will be no change to the exterior trim for these doors. The existing doors and some of the windows are painted black, but all of the replacement ones will be white. Since the manufacturer's brochure does not have a picture of the windows Clarissa will be using, she printed pictures from the website.

Virginia noted the doors need replacing and felt the consistency of the new windows will be a good improvement.

MM&S: Virginia made a motion to accept this application as presented with no conditions. A Certificate of Approval will be granted. Seconded by Glenn. All in favor.

Virginia explained the process moving forward and confirmed Clarissa's address. She was advised that any changes in material must be run by the HDC before they are made. It was explained that the Certificate is good for 2 years, and the upstairs window replacement will need to be a separate application.

>>Begin public hearing, 7:30 p.m.<<

HOUSING SUPPORT, INC, 186 MAIN STREET
RENOVATION OF PROPERTY

As Virginia is an abutter, she recused herself from this discussion.

Susan read the application aloud. In summary, Housing Support, Inc. (HSI) is requesting replacement of windows, removal of the side entrances, and the addition of an access to the rear of the home that will not be visible from the street. The application also details maintenance plans for roof replacement, paint, and barn stabilization and repair.

Also included in the application was an overview of HSI: The organization is a 501(c)(3) nonprofit established on 9/10/1990 to address community needs for affordable housing. This will be their first project in NH. The majority of past projects are historic properties. All management of the property is done through HSI. On-site expenses are paid from the operating income of the development. The project will be in compliance with NHHFA rehabilitation standards as well as state and local codes. In order to ensure adequate funding to maintain the property, HSI will capitalize a replacement reserve and contribute to the fund quarterly. Daily management consists of regular visits by staff and reports from residents. Repairs are categorized by urgency and performed accordingly. Routine repairs are performed during normal business hours; emergencies during non-working hours are reported to off-property management staff and may be handled by outside contractors. HSI has a Board of Directors with wide expertise and experience.

Susan encouraged members of the public to use the sign-up sheet to participate in the discussion. She reminded attendees of the rules and procedures to participate in the hearing.

Paula Newcomb now approached the HDC. She stated this home was the W.C. Patten House built in 1850. She introduced Chris Novelli of n3 Architecture and HSI's attorney, Brian Bouchard, and treasurer, Frank Cousins.

Chris Novelli now addressed the HDC. He explained it will be a complete renovation of the property, not piecemeal. He provided a brief overview of the project:

- Chimneys will remain and be repointed with mortar to match the existing mortar.
- Roofing will be replaced with asphalt shingles. Glenn requested clarification regarding metal roofing over the porch; Chris confirmed this will be black to match the rest of the roof. The rest will be asphalt shingles.
- Wood siding and trim will remain and be scraped, sanded, restored, and replaced as needed to match existing siding.
- Exterior colors will not change.
- Windows will be upgraded to Marvin windows with simulated divided lights. He noted the applicant prefers black windows but is open to discussion. They are fiberglass exterior with wood interior.
- Foundation is stone and will have exterior pointing done. The windows will be 6-over-6.
- Driveway will be extended to the rear of the property.
- Landscaping will be done as planned by a landscaping professional.
- The existing small rear doors will not be needed, so the proposal is to remove and replace these with windows that match the size and appearance of adjacent windows.
- As the front porch is elevated from the ground, guardrails will need to be installed to be compliant with code. The proposal is to utilize black rod iron to fit the character of the house but provide protection for residents. The railings will match.
- A rear addition is proposed to provide a rear entrance. It will not be visible from the street. It will have a low-profile roof and will match the rest of the house as best as possible.
- Any additional parking is in the rear. The plan is to extend the driveway and install a concrete sidewalk to the new entry.
- Proposed new lighting consists of low-voltage landscape lighting only in a historically-appropriate style.
- The doors will be repainted, not replaced.

Stanley asked about the size of the proposed rear entrance. Chris noted it is about 14 feet and will stick out about 12 feet with a deck landing. It will have wood siding, wood trim, and windows to match the rest of the home.

Susan read letters she received from 3 abutters:

- *Jeff and Julie Robie, 184 Main Street:* They are concerned about the legality of allowing 7 unrelated individuals to live in one home and do not feel this is allowed under the town's Ordinances, Rules, and Regulations. They are also concerned about code enforcement as in the past, there was a concern about lead paint on the property. They also observed digging around the septic tank cover and the possible laying of PVC pipe. They have contacted the building inspector already about these concerns but have not received a response yet.
- *Scott and Madelynn Ouellette, 189 Main Street:* They are concerned that this plan is not in accordance with the Ordinances, Rules, and Regulations. They believe this project calls for a proposal for change of use of the property. The home is going from 6 bedrooms, 2-1/2 baths, and 2 kitchens to 7 apartments, each with a bathroom. They noted this will require 7 individual leases. They expressed concern that this

is a threshold for future changes to the District and will undermine the preservation and character of the District. They are concerned about parking and lighting and the fact that the property will not be occupied by the owner.

- *Robert and Virginia Morse, 188 Main Street:* They are concerned about the change of use and also questioned the definition of home occupancy by unrelated persons.

Members of the public now addressed attendees:

- *Robert Morse, 188 Main Street:* He noted the improvements done so far to the property look great, and the interactions have been positive. He expressed concern about parking, traffic, and snow removal in light of the location of his home's well. He hopes the PB considers these concerns in addition to lighting and potential property line issues.
- *Jeff Robie, 184 Main Street:* He echoed the concerns listed in his letter to the HDC. He is concerned about the change of use of the building as well as professional remediation of toxic substances such as lead paint. He also expressed he is worried about the driveway possibly being hot-topped and how that could change water flow onto his property. He stated he is not opposed to improvements overall but just wants to make sure all work is done with compliance to town Regulations.
- *Virginia Morse, 188 Main Street:* As a procedural matter, she inquired if abutters would be able to address attendees again if the applicant brings new information to light. Susan stated they will have the chance to rebut.

Attorney Brian Bouchard now addressed attendees. He explained that he worked with the BOS, and it was decided that the use being proposed is permitted. He stated some of the issues being brought up at this hearing are not under the jurisdiction of the HDC. He then turned the floor over to Chris to respond to the questions regarding lighting. Chris noted the 2 existing lights on the front of the house will remain. The new back porch will have new fixtures similar to those in the front of the home. The rest will be low-voltage landscape lighting.

Susan now gave abutters the chance to rebut:

- *Virginia Morse, 188 Main Street:* She noted that the HDC is acting under its purview and disagreed with Attorney Bouchard. She noted that the matter could be referred to the ZBA for review.

Susan reviewed and summarized the information brought to light during this hearing.

>>The public comment portion of the hearing concluded at 8:19 p.m.<<

There was a discussion regarding the purview of the HDC. Selectman Kevin cautioned the Commission to focus on the exterior of the building. Susan concurred and noted the planned use of the building is not part of this application for consideration by the HDC. She added that members of the public are welcome to express their opinions of other matters including the permitted use of the building. Glenn expressed that changes of use are indeed under the purview of the HDC. Susan stated she has done research on this topic, and it is an enforcement issue. A 2-family dwelling is an accepted use in HD1. She reviewed the definition of family in the zoning Ordinances, and 4 unrelated people are allowed in a 2-family dwelling. Once additional people are added, the BOS are responsible for the violation of the ordinances. Stanley feels this project constitutes a rooming house, which is not addressed in the Ordinances; he is not sure if this would need to go out to the town to add this as a permitted use and suggested the ZBA could provide guidance.

Attorney Bouchard reiterated that the BOS agreed the proposed usage is permitted. The BOS agreed that no variance would be required and that the Fair Housing Act requires the town to grant accommodations.

Robert Morse, 188 Main Street: He noted the ZBA should review this issue as they have jurisdiction over zoning.

Although Glenn disagrees with the BOS' decision, he noted that if the BOS determined this is not a change of usage, the HDC would need to follow the direction of the BOS. Kevin noted that the HDC has jurisdiction over the exterior of the building, not the usage or interior; if the HDC denies the application, it will go to the ZBA.

Glenn asked if the extension of the driveway has been addressed with any town board. Paula noted this extension was added after the previous discussion with the HDC to move parking to the rear of the property. Glenn noted that since the driveway extension is new, it will need approval. He directed Paula to discuss this with the PB.

Susan now moved the discussion to the appearance of the building. She read comments received in writing from Madelynn as she was not able to attend the meeting.

- Windows: Madelynn wrote she prefers white mullions instead of black. Susan noted she prefers white windows and mullions, but Paula expressed her strong preference for black windows and mullions. Glenn noted the shutters were removed last year, so the black would provide more contrast. Stanley believes the black windows in the picture look good.
- Landscaping: Susan expressed she particularly likes the landscaping plan and believes all improvements will be beneficial to the appearance of the property.
- Railings: Madelynn prefers white wood railings rather than black rod iron. Chris noted rod iron was very prevalent at the time this house was built. He did not want the railing to stand out so chose the thinner black rod iron. Paula added that she knows the railings were not original and is trying to minimize the appearance. Susan encouraged them to consider white wood or even fiberglass. Paula stated they do not want to use fiberglass products. Chris noted the detail of the proposed railing is in the drawings submitted with the application. He stated the railing is 0.5 inch at 4 inches on center. Susan stated she prefers something that appears more historic. Paula noted she is open to installing white wood, and this change was agreed upon by the applicants.
- Well cap: Madelynn requested information regarding how the new well cap in the front yard will be masked. Paula noted she will install shrubs around the well head.
- Lighting: Madelynn noted Dark Sky compliance is required. Kevin instructed Chris to ensure Dark Sky compliance. Glenn directed Chris to the town's lighting Ordinances. Susan liked the appearance of the outdoor fixtures. Chris confirmed the low-voltage lights will be on a timer rather than motion sensor.
- Air conditioning unit appearance: Madelynn asked for more information regarding the air conditioning unit. Paula noted it will be central air, and the unit will be in the rear of the building.

Virginia Morse, 188 Main Street: She requested more information regarding the addition to the rear of the house that will be handicapped accessible. She assumes the property will be ADA compliant, so she wanted clarification as to how this will appear on this property. Chris now addressed these concerns:

- Means of egress is a building inspector issue.
- Addition will not be seen from the street. It will be an entry vestibule with an 8-foot platform with stairs and an elevator wheelchair lift.
- He clarified this addition goes up into the 2nd story, not the 3rd story.

Robert Morse, 188 Main Street: He reiterated that the usage of the property is changing and is not keeping with the character of the district.

The existing shed will be demolished. Paula noted it is 10x12. It will not be rebuilt. It is not visible from the street, but Paula confirmed she will obtain a demolition permit.

The existing barn will be re-sided and the roof replaced with matching asphalt shingles to the home. The windows will match those of the house. The window dimensions will remain the same but the style will match that of the house.

MM&S: Kevin made a motion to approve the application as amended to include the wooden rails and shrub covering for the well in the front of the property. The window and rail color will be up to the applicant. Glenn added that the applicant must contact the town regarding the driveway extension. Seconded by Susan. All in favor.

Susan explained the process moving forward for the Certificate of Approval. She confirmed the mailing address with Paula.

The meeting was adjourned at 9:33 p.m.

>>These minutes were voted as final without amendment on 11/2/22<<