

**TOWN OF KINGSTON, NEW HAMPSHIRE**  
**HISTORIC DISTRICT COMMISSION**  
**Tuesday, June 13, 2023**  
**Public Meeting**

**Members Present:**

Susan Prescott, Chair  
Virginia Morse, Vice Chair  
Glenn Coppelman, Selectboard representative  
Dan Doyle  
Madelynn Ouellette  
Stanley Shalett

**Member Absent:** Rob Tursello, Planning Board representative

**Other Attendees:** Elizabeth Hartnell  
Ernie Landry, Chair, Heritage Commission

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

**TOWN BOARD UPDATES**

**HDC:** Critical Correspondence: None.

Acceptance of Minutes: The minutes of the meeting held on 5/9/23 were discussed. **MM&S:** Glenn made a motion to accept the minutes as written. Seconded by Madelynn. All in agreement.

**Planning Board and CIP:** No updates.

**Selectboard:** Glenn explained the town hired a part-time building inspector, a local resident and business owner Kyle McManus. Mike Dorman was hired as a part-time health inspector; he is also the health inspector in Atkinson. The search for a full-time building inspector/code enforcement officer is on hold due to budget constraints. This will be re-evaluated and monitored by the Selectboard to ensure the needs of the public are being met. Virginia and Glenn emphasized that this job is complex and difficult, and finding someone new will be difficult.

Glenn also noted that there is a monthly Selectboard meeting with department heads, and it was decided to allow discussion from other town boards as well at that meeting.

PFAS remediation is still underway. There are 27 residences that have elevated PFAS levels; 6 have treatment systems, and others are receiving bottled water from the town. The town has applied for state funding to install treatment systems for those without one and reimburse those who installed treatment systems at their own personal expense. The state has deemed the town eligible for this funding, and the final paperwork from the town has been submitted to determine if the town will receive this funding. It is hoped that the town can meet with the state Executive Council at their August meeting.

It was noted the acoustical panels are in the process of being installed to help improve the sound quality for recordings of meetings held in the large meeting room at Town Hall.

**Heritage Commission:** Ernie Landry shared the Friends of the Museum Committee sponsored the 125th anniversary celebration of the Museum. At the event, the Heritage Commission handed out certificates of appreciation for those who sponsored the renovation of stained-glass windows, and the new plaque denoting the status of the Plains Cemetery on the National Register was unveiled. There are other projects in the works. Virginia noted the next big event will be for the Plains Cemetery.

**ELIZABETH HARTNELL, 126 MAIN STREET**  
**BARN RENOVATIONS**

This application pertained to the house next to the entrance of the State Park. A historical picture was provided by the homeowner. Elizabeth explained that portions of the house have been dated from different time periods. She intends to take the original barn doors and reinstall them with an internal hinge apparatus. Behind that, she intends to install alder wood French doors with sidelights for access to the barn inside. She would like to keep the appearance as original and historic as possible. This will allow more light into barn and close the large existing gap between the inside and outside of the barn. She wants to make this appear more as a living space than a barn. The exterior barn doors will be brought down to bare wood. Elizabeth said some of the interior work has been done already. She noted there are hundreds of postcards from the early 20th century that she intends to preserve.

Elizabeth confirmed there will be no change of use of the building.

Virginia said she visited the property, and the sill needs work. She confirmed there is no structure for a rolling barn door. The doors are nailed shut on the inside of the barn right now. She wants to put them on the outside of the frame and hinge them out. The new wooden glass doors will open in. She said the doors are a unique design and appear to be thick tongue-and-groove.

Dan asked if there were any historic easements on the barn for tax purposes; Susan will look into this.

Elizabeth confirmed the glass will be transparent, not frosted. There will be no screens.

Glenn asked about the finish of the barn doors. Elizabeth said they will be left natural to closely match the historical appearance of the barn.

**MM&S:** Virginia made a motion to accept the proposal as presented for repositioning the original barn doors to be hinged and adding French doors on the inside to open into the barn. Seconded by Madelynn. All in favor.

Virginia explained the Certificate of Approval process.

Elizabeth wondered if additional approval is needed in the event that, during construction, it is required that the hinges be moved to the exterior of the barn. Virginia explained if a strap hinge was needed, there should be space to do so. Susan stated as long as it is in keeping with the historical character of the home, this should be fine. Virginia made a note of this for the Certificate of Approval.

## **JOINT PLANNING BOARD AND HDC MEETING PREPARATION**

Susan said a new date has not been arranged yet. Susan explained that the Ordinances (Ord) and Rules/Regulations (Regs) for the HDC need updating, and the Planning Board (PB) provided a list of recommendations. There was a discussion of the importance of aligning the HDC's Ord and Regs with the town's Master Plan and Envision Kingston.

Glenn explained that if the HDC proposes changes to the Ord, the PB would need to put it out on the warrant. He also believes the PB can propose changes as well. Both the Master Plan and Envision Kingston are advisory only and provide a foundation but have no jurisdiction.

The discussion began by asking Ernie for his opinion on aligning the HDC's Ord and Regs to the Master Plan and Envision Kingston plan. Ernie believes the PB should be familiar with the Master Plan and its impact on the HD. He requested time to review the potential changes in light of Envision Kingston. Glenn discussed many of the larger projects proposed in the Envision Kingston plan, and Virginia noted that the Age-Friendly Community Survey hit on many of these proposals as well. She added there have been many changes since that time. She did not believe any of the HDC's Ord were in conflict with either Envision Kingston or the Master Plan.

There was a discussion about the emphasis on alternative housing options including ADUs, and Susan noted these are now allowed.

Susan noted Lynne Merrill, the Chair of the PB, suggested the following:

- Review sign Ord for clarity, consolidate language
- Change language to reflect guidance from town counsel regarding the jurisdiction of the HDC of the impact of change of use, not the change of use itself
- Consider language regarding fire escapes: Virginia noted the PB is worried about the denial of applications due to fire escapes. She explained if it is code, it must be followed, and the HDC is only concerned with the visual impact.

Virginia noted the language is inconsistent at times and does not match state regulation. She agreed the Ord and Regs should be reviewed for specificity and clarity.

Glenn added clarification should be made on the definition of "residence" as an allowed use. There are multiple forms of residences.

Madelynn reviewed her suggestions to update the Ord:

- *Definition of "residence"*: Madelynn's language reflected consistency with that in other Zoning Ord. There was a discussion of the definition of an apartment. There was a discussion of the meaning of "incidental use." Susan noted the definition of an apartment is important in light of the proposed Sanborn Seminary project. Madelynn noted a variance may be needed for the renovation of the Sanborn Seminary building itself. She shared she read an article by the NH Preservation Alliance warning that there is a new trend regarding eliminating single-family residential zoning in light of the housing shortage.
- *Ord 102.5 regarding the number of structures on a property*: Madelynn is concerned there could be multiple houses on one property. Virginia noted that 102.5(A)(3) clarifies there can only be one business at a property, and there was a general discussion where members agreed that there may be instances where there is more than one business at a property, but the property does not visibly appear as such. Virginia added that 102.5(A)(2) is ambiguous as an ADU is a

dwelling but is allowed to be a detached structure in Ord 206 regarding ADUs. Glenn explained an ADU can be contained in another structure without approval if there is no visual change, but if it changes the footprint or is a detached structure, the PB needs to approve a conditional use permit.

- *Ord 102.4, suggested language change from “mobile” to “manufactured” home:* This change was suggested by the PB, and Glenn believes this reflects current terminology. It was noted the town does not have a definition for manufactured home, so that would need to be added. Glenn believes pre-manufactured homes are also included as “manufactured.” There was a discussion about the existence of a foundation signaling a permanent structure.
- *Ord 102.5(B), description of HDII:* Glenn noted that HDI is not an overlay district, and he was unsure about HDII. Madelynn did not believe it was after looking at the map, but this will be verified. The language in this Ord points to HDII as an overlay district over single family residential agricultural. It was agreed that the language and the map need to be consistent. Furthermore, the language of Ord 105.1 is not consistent with 102.5(B). Glenn suggested the PB can be asked to provide guidance on that discrepancy.
- *Ord 102.6, add language to cross-reference town’s overall sign Ord:* Madelynn added language directing readers to Ord. 303.3.
- *Ord 102.8, application procedure:* Madelynn suggested language directing readers to HDC Reg 1202.5. There was a discussion of the challenge of the monthly meeting schedule and the 45-day response deadline. It was decided that it is clear in the HDC’s Reg 1202.5 that an application is not considered filed until it is complete. Virginia added that the application also notes it is not considered filed until it is complete.
- *Ord 102.8 listed in duplicate as “Procedure” and “Public Hearings”:* Madelynn suggested including “Public Hearings” as a subheading of “Procedure” to avoid having to re-number the rest of the following Ord.
- *Ord 102.9, Guidelines:* This Ord includes the new language regarding the reasons for denial. Madelynn re-casted this Ord to have the new language follow (A), (B), and (C) and also include it under Ord 102.10 (Denial and Appeal). She also requested removal of the language “...shall not be subjective or based on opinion or speculation.” She believes it is prejudicial. She also added a new section (D) regarding the usage of materials to maintain the character of entire district. Members agreed this sounded clearer.
- *Ord 102.12, added regarding nonconforming uses:* Glenn suggested this new section should be consistent with and reference other town Ord. Susan noted there is no definition of “nonconforming” in Preamble P2-1. She added that the usage of this word is consistent with NH RSAs.
- *Ord 102.13, added a conflicts clause:* This will make the HDC consistent with the PB in enacting the more stringent requirement in the event of a conflict.

Madelynn and Virginia also reviewed the Regs and will forward their feedback to Susan for review.

It was confirmed that any proposed language changes are reviewed by town counsel.

#### **DISCUSSION OF ATTORNEY GRANDY’S HDC GUIDANCE**

**MM&S:** Glenn made a motion at 8:58 p.m. to go into non-public section citing RSA 91-A(3)(ii)(L), for consideration of legal advice provided by legal counsel. Seconded by Virginia. All in agreement.

***\*\*These minutes were voted as final without amendment on 8/8/23\*\****