

**APPROVED MINUTES  
FEBRUARY 1, 2024  
HDC MEETING**

Members        Chair Etoile Holzaepfel, Vice Chair David Myers, Jane Finn, Ruth  
Present:        Zikaras, Guy Stearns and Peter Rice, Alternates

Absent:         Kate Murray

The meeting was held in the Macomber Room. Chair Etoile Holzaepfel called the meeting of the New Castle Historic District Commission to order at 7:01 pm. The Chair advised that anyone who wished to speak should sign in, speak clearly, and to please address the Board. The Chair also advised that Guy Stearns will be voting in Kate Murray's absence.

1.     Public Hearing for Applicant Ben & Candice Stebbins, for 119 Portsmouth Avenue, Map 16 Lot 6, 9.3.5 Activities Subject to Approval by Historic District Commission for double front doors, add solar to roof, add light post up driveway, add generator and repair stone walls, per Zoning Ordinance 9.3.5.1.

Guests: Candice Stebbins, Ben Stebbins, Attorney Hank Stebbins, Curt Springer

Candice and Ben Stebbins advised they would like to get approval for a double door, a generator, to repair stone walls in the front of the property, add light posts up the driveway and install solar panels on the front of the house. The applicants began with their request for double doors and had pictures of their house from Portsmouth Ave and from Laurel Lane. They also had examples of double doors in New Castle, including historic homes on the town website. The applicant had real inspiration from a house on Piscataqua Street, which they thought was similar to their house, a yellow house with a double door.

The Chair commented that the double door was proposed in the original plans back in July and at the time the Board was looking for details on the home to match with the historic neighborhood. The architecture of the pictures presented are homes with porches, whereas the applicants' house has a stoop. Some of the pictures were not of doors in the historic district. Ben Stebbins stated you have to look at the massing of his house because it's big and calls for a double door adding that on the Secretary of the Interior Standards website, there are many examples of double doors with no porches. Stebbins advised the Board if they want to deny the double door, then do so and they will go to the next step, adding that it's too subjective. The Chair thought the house needed a porch with double doors and Stebbins believes the house needs a double door due to its massing. Stebbins claimed the historic district is full of metal roofs, which are not allowed and stated if the Board denies the double doors, he wanted to know why it goes against the historic character. Myers asked what Stebbins meant by "the next step" and the applicant indicated he would file an appeal.

1 The Chair advised that the Board had difficulty discussing the details in July as  
2 Stebbins' dad stood up advising he was an attorney and intimidated the Board.  
3 Holzaepfel stated she understood the applicant had issues in not knowing their  
4 home was in the historic district but the Board also has an obligation to enforce  
5 the ordinances. The Chair stated the Stebbins' home is much larger than any  
6 other home in that part of the historic district and it doesn't have any detail, there  
7 are square posts supporting the covered entry with no trim details. Holzaepful  
8 advised that the Board tried to discuss windows at the hearing last year and the  
9 Stebbins installed windows without muntins. Stebbins retorted that muntins were  
10 not discussed at the meeting the prior year, but the Chair advised not only had  
11 windows been discussed but it's also in the HDC ordinance which Stebbins  
12 claimed to have read.  
13

14 Jane Finn advised that the Board had learned in training that any examples shown  
15 by an applicant which show structures or details before the historic district was  
16 instituted, are not relevant. Candice Stebbins stated she had difficulty with that  
17 because if they're all in the historic district, there's already a precedent.  
18

19 Ben Stebbins read a memo from "In the historic homes of New Castle" which  
20 says: "an understanding of the character defining features not only provide the  
21 Historic District Commission with a means to evaluate if a building has integrity  
22 based on whether it retains a majority of its character defined features and can  
23 also assist homeowners in recognizing such features in their house. Historic  
24 buildings typically have been modified over time but if those changes have  
25 occurred in a historic period and if the character defined elements of those  
26 different periods remain legible then they become part of the building's historic  
27 defined features."  
28

29 Ruth Zikaras asked the applicants which of the houses they presented pictures of,  
30 most accurately depicts their house, adding that she thinks the double doors  
31 reflect the style of house and was trying to match the Stebbins' style of house  
32 with any of the pictures. Zikaras described the Stebbins' house as a center house  
33 with 2 ells adding that it's not a four square or Queen Anne, but Stebbins thought  
34 it has a lot of aspects of a four square. Stebbins didn't have an example of the  
35 double doors they wished to install in their packet so Mrs. Stebbins showed  
36 pictures of the proposed doors to the Board from her phone.  
37

38 The Chair asked if the Board had any more questions about the double doors and  
39 again stated that every example the applicants had of double doors in town had a  
40 full porch across the façade, whereas the applicants' doors are under an overhang.  
41 The Stebbins pointed out the town hall, church, and historical society don't have  
42 porches but the Chair advised they are not residences. Mrs. Stebbins stated it is  
43 hard to understand, as a non-architectural person, why something in the historic  
44 district may be OK and something else may not be. The Chair advised the rest of  
45 the detail on the entryway is lacking as there is no trim on the posts, the peak of  
46 the covered entry is not completed, there is no molding and no trim. Stebbins

1 stated “the Board has to realize, if this goes to the next phase and I show this  
2 picture, it’s a pretty good case.”  
3

4 Light posts will be 6 x 6 granite post with an exterior light fixture. There will be  
5 five posts going up the driveway, each being 68” high . One light will be on the  
6 side of the driveway entry, four of the posts will have LED 3000k (kelvin) lights  
7 and one of the posts will contain the house number, so there will be 5 warm white  
8 lights total all of which will be on a timer. The lights on the south side will not be  
9 an issue for the neighbor as the neighbors have flood lights.

10  
11 The applicant was asked about the stone wall they intend to rebuild on the front of  
12 the property. The wall will be rebuilt in kind, using the same stone that was  
13 there. The stone will be laid up loosely, and the wall will be under 18”. The  
14 generator is going to be next to the buried propane tank, adjacent to the property  
15 setback line and will have landscaping in front of it, to hide the generator. The site  
16 plan shows screening around the generator.

17  
18 The Chair asked about the driveway, whether it is asphalt and whether it needed  
19 to be so wide. The Applicant advised they needed a turnaround as people were  
20 driving onto the lawn to turn, including delivery trucks. The Chair stated the  
21 town has made an effort to have less impervious pavement. Stebbins stated they  
22 decreased the impervious surface by 30% but the whole area is ledge so it really  
23 doesn’t matter because if you dig 6”, it’s all ledge and impervious.

24  
25 The Chair asked if the Stebbins were using retaining walls around the entrance to  
26 the house as well. Stebbins advised it is granite curbing, less than 18” high. The  
27 plan indicated the curbing was 2 feet but Stebbins said it would be adjusted to  
28 18”. The Chair commented that the granite was attractive. Guy Stearns wanted to  
29 be sure the lights were soft enough as the posts are going to be 5’8”. He  
30 confirmed they are candle type LED lights.

31  
32 The Chair asked Stebbins to tell the Board about the solar panel plans. The  
33 Applicants’ plan has a heat map indicating the most efficient place to put solar on  
34 the roof. Stebbins stated they cannot be seen from Portsmouth Ave and the  
35 panels are from the same company that just installed Todd Baker’s panels on  
36 Main Street.

37  
38 Guy Stearns asked about the thermal map and was told the darker orange gets less  
39 sun and the lighter color or yellow is warmer as it receives more sunlight. The  
40 Chair advised there is a list of recommendations for solar panels on the HDC  
41 website and one of the primary concerns is maintaining the historic appearance  
42 from the streetscape. This solar array would be very visible from Laurel Lane.  
43 Stebbins answered that the light purple house on Laurel Lane has solar and he  
44 believes it’s very important to get renewable energy and Laurel Lane is not in the  
45 historic district. Stebbins stated you can see the solar panels on Todd Baker’s  
46 house on Main Street, and Riverview has solar that you can see. Stebbins

1 believes his solar arrangement is a lot less visible than either adding that one can  
2 see the whole back side of Baker's house from Lilac Lane and also as you walk  
3 around the corner. Zikaras stated the solar on Baker's house is on the side, it's  
4 not on the front, you cannot see it from Main Street. Stebbins stated their panels  
5 also cannot be seen from the main street as they are on the side of the house,  
6 however, they are extremely visible from Laurel Lane.  
7

8 The solar company analyzes where to put solar to make it efficient and advised  
9 it's not worth putting solar on other sides because it's not economically prudent.  
10 The Chair thought it would be very disruptive to the historic streetscape, adding  
11 that it's not that the Board doesn't want to be considerate of solar, and the HDC in  
12 the past has approved solar, but this plan is so visible. Candace Stebbins stated to  
13 the Chair she believed because her house looks directly at the Stebbins' house,  
14 she didn't think the Chair was unbiased and felt the Chair was targeting them.  
15 David Myers asked about the roof color and Stebbins said they had chosen a  
16 color roof tile to match the panels and the panels are the slimmest possible, only 1  
17 ¼", so they hug the roof. Zikaras stated the roof on Riverview is dark and the  
18 panels blend right in and that the Stebbins' roof is not as dark and asked if the  
19 solar panels were lighter to match their roof. Stebbins showed the color of their  
20 roof and a picture from the solar company of a roof which was the same color  
21 with panels.  
22

23 Zikaras asked how big the main portion of the house is and Stebbins estimated  
24 30', however there will be a break in the middle of the panels as the fire chief  
25 requires room so firemen can walk up. The roof is about 30' wide, the panels will  
26 be approximately 15' on either side and the roof is about a 10 pitch. It's the  
27 largest expanse of solar that would be seen in the historic district. Peter Rice  
28 stated he understands where the Chair is coming from but this is an issue that will  
29 come before the Board over and over. This is a lot of roof with a lot of panels but  
30 there has to be some compromise as to the amount of paneling that goes up and  
31 this issue is going to repeat itself over and over. This large house is going to  
32 require a lot of energy. Stearns stated this is a big roof and very visible and that's  
33 the concern, and wondered what can be done to accommodate solar panels that  
34 will work on that house. Candace Stebbins stated they would love to make them  
35 not visible, they are an eyesore but at the same time, her children are going to  
36 grow up in this world adding that residents cannot even get off the island in a  
37 storm. The Chair asked about the panels and whether they will be up against each  
38 other and was advised the panels will be two solid sheets of a fairly large expanse  
39 of panels. The Chair stated she would like to see a picture of how the array is  
40 going to be placed on the roof, along with the color, how it will be broken up and  
41 what it will look like and Peter Rice agreed, indicating the guidelines on the  
42 website call for that and it's hard to tell from a picture. The Chair advised the  
43 applicant to provide a simulated picture with an illustration of what the roof  
44 would look like with the panels in place, and to provide a sample of the roofing  
45 material and panel. Stearns counseled that the panels need to blend into the roof  
46 as much as possible. The Chair asked Stebbins if he had reviewed the HDC

1 guidelines for solar and Ben Stebbins had reviewed how it must be laid out but  
2 the Chair indicated he should also review what needs to be submitted for the  
3 hearing. Zikaras asked if the applicants should come back to the next meeting  
4 with regard to the solar panels.  
5

6 The Chair opened the hearing to the public at 7:48 pm.  
7

8 Curt Springer stated the regulations are on the website as the Board voted in  
9 December, 2017 to put them on the website but they didn't vote to submit them to  
10 the town clerk. Springer advised that the regulations need to be voted to submit to  
11 the town clerk.  
12

13 Attorney Stebbins of 24 Ducks Head spoke stating that the history of this  
14 conversation with the HDC is applicable to what is happening here tonight. The  
15 original house was subject to a fire and had to be taken down, adding that none of  
16 the renovations required HDC approval. If you look at the description in the  
17 historic district ordinance, it says the district ends at the beginning of the  
18 intersection of Oliver Street. Attorney Stebbins believes the map is incorrect and  
19 that the wording of the ordinance is controlling as that is what people voted on.  
20 Attorney Stebbins stated that this property is not in the historic district. The size  
21 of the structure, was approved at the first meeting, specifically the square  
22 footage, size and location was approved. He believes the Board is now punishing  
23 the applicants for building a house that was approved. There is conversation all  
24 over town that it's a big house. The applicants are now asking the Board to  
25 consider minor things and Stebbins didn't think there should be any objection to  
26 lamp posts, generator, and the stone wall. The size of the house has established  
27 the opinion that people have, particularly the Chairman. To punish them now,  
28 and say they cannot have solar panels, and there are solar panels in the historic  
29 district, or cannot have double doors when throughout the historic district there  
30 are double doors, is a constitutional violation. The question is whether the  
31 Chairman should recuse herself because she has made her bias perfectly clear.  
32 We are talking about solar panels that will not be visible from the historic district  
33 but will be visible on Laurel Lane and are like many of the solar panels that have  
34 been approved. "If we have to go to court, I will make you all look like you are  
35 discriminating against these people and that is unconstitutional."  
36

37 Guy Stearns stated he didn't understand how Attorney Stebbins could say the  
38 Board is holding the size of the house against them and advised he took offense to  
39 that. We are looking at the solar panels and the size of the roof, it's a big array.  
40 Attorney Stebbins stated his point is that double doors are on the HDC website as  
41 being historically appropriate and now saying the applicant cannot have double  
42 doors is discriminatory. He stated when he speaks to people in town, they believe  
43 the Chair is upset because she doesn't like the size of the house.  
44

45 Vice Chair Myers advised Ben Stebbins that he needs to work on his presentation  
46 skills as when the 3<sup>rd</sup> sentence of his presentation is 'if you don't approve, we're

1 going to sue you', the Vice Chair and members of the Board take offense. Myers  
2 added that he has no problem with the lamp posts, generator, or rebuilding the  
3 stone wall and wasn't even sure the double doors were inappropriate, however  
4 Myers didn't like the solar panel array. The Vice Chair also stated that Stebbins  
5 made a comment 'the board needs to realize' to which he advised Stebbins he  
6 didn't need him to tell the Board what we have to realize and advised he go back  
7 and read the minutes adding he did not think the Board was discriminating against  
8 anyone.

9  
10 Peter Rice stated he strenuously objects to the comments of our Chairman being  
11 biased.

12  
13 The Chair asked if anyone else in the public had any more comments and there  
14 being none, the public hearing was closed at 7:58 pm

15  
16 The Chair asked where do we stand on the application and should we vote each  
17 change individually. Zikaras suggested the Board speak about them individually  
18 and possibly bundle into a vote.

19  
20 Jane Finn stated she agreed with Myers on the double doors, advising she didn't  
21 have a real problem with the doors based on the photograph. The lamp posts, the  
22 stone wall and generator are all fine, however, she thought it would be helpful to  
23 see the color of the roof. Guy Stearns stated the doors seem to fit with the house  
24 and windows adding that he is also happy with the lamp posts. The solar panel is  
25 a large array and we want to do whatever possible to minimize the impact and see  
26 how it will blend. Zikaras said for the size of the overhang, a double door is  
27 appropriate. Zikaras was also fine with the generator and lights, and advised that  
28 she asked about the size of the house as she was trying to get a perspective of the  
29 size of the solar display because the Board does care about precedent.

30  
31 M/S/P Zikaras motioned to approve the application of Ben & Candice Stebbins, 119  
32 Portsmouth Avenue, Map 16 Lot 6, to install double front doors, add 5 driveway  
33 light posts, add a generator and repair the stone walls as shown on the site plan  
34 and described in the application. This decision is based on a finding of fact that  
35 this application meets zoning code 9.3.6. and the review criteria specifically,  
36 because the exterior design, architectural components, and materials proposed to  
37 be used in relation to existing structures and their setting are compatible to those  
38 within in the district.  
39 Guy Stearns seconded; the vote was four in favor, one abstention. The motion  
40 carried.

41  
42 M/S/P Zikaras motioned to continue the application for Ben & Candice Stebbins, 119  
43 Portsmouth Ave, Map 16, Lot 6 regarding the addition of solar panels to allow the  
44 applicants to provide samples of existing roofing material and a sample of the  
45 solar panel, to view how the panels blend with the roof, and to provide a diagram  
46 with the dimensions of the solar panel placement on the roof. The hearing will be

1 continued to the March meeting. The Board would like to see the color of the  
2 panels in relation to the roof tiles.  
3 Jane Finn seconded; all in favor, including the Chair.  
4

5 The Chair advised Attorney Stebbins that she resented his characterization of her  
6 participation as Chairman of the Board adding that he was putting words in her  
7 mouth that were inaccurate. Attorney Stebbins stated if spoke falsely, he  
8 apologized but he understood the Chair had a position about the massing.  
9

10 2. Public Hearing, for Applicant Doug Palardy, for 33 Walbach Street, Map 18, Lot  
11 72, 9.3.5 Activities Subject to Approval by Historic District Commission to  
12 remove and rebuild a garage (on the same footprint) with a second floor per  
13 Zoning Ordinance 9.3.5.1.  
14

15 Guests: Doug Palardy, Marilyn Walker, Dave Severance  
16

17 Doug Palardy stated that he appeared before the Board eight years ago and was  
18 originally going to renovate the existing garage. They get water from Walbach  
19 Street into the garage and the last 13 months there have also been waves  
20 slamming against the back side. The concrete pad is severely undermined and  
21 needs to be replaced. Palardy spoke to the Building Inspector and the garage  
22 needs a 4' frost foundation. The height of the structure is not changing but he is  
23 required to raise the garage 18" due to the water. He often has to contact  
24 maintenance to clean out 2 drains because they get clogged and overflow. The  
25 entire garage has to be torn down as it is structurally unsound and beyond its life.  
26

27 Palardy stated its virtually the same design as was approved in 2016 but after  
28 living in the house for 8 years, he felt that adding two dormers on the street side  
29 that has the garage door, marries it to the house and makes it consistent. Before  
30 it looked back heavy and it now looks more balanced. The second change is  
31 because this is so close to water, he would like to use Hardie board and not have  
32 to deal with re-siding the garage. The roof will be wood, the same shingles as on  
33 the house. The Chair stated she likes the dormers on the garage. Palardy stated  
34 the dormers marry the garage to the 300 year old house, but the garage is only 80  
35 years old. Stearns stated the minutes of 2016 spoke about a pull down to the  
36 second floor, which it currently has. Palardy would like to replace the pull down  
37 with a small staircase inside; the footprint of the garage will remain the same.  
38 There is no plumbing, it's just studio space.  
39

40 The Chair stated the windows are attractive and inquired if the windows in the  
41 office space on the back side are casement windows. However Stearns pointed  
42 out there is other egress at the balcony door. The shutters will be the same  
43 shutters with the historic clasp, the lights are the same but they are not LED  
44 lightbulbs as Palardy prefers incandescent. The Chair liked the bracket under the  
45 balcony deck and asked if Palardy was using Azek ballisters.  
46

1 In 2016, Board members asked that he install Azek on the house deck to look like  
2 wood but the deck on the back of the house has the cable style, however there's  
3 no point in putting string wiring on the small deck. Palardy stated he will use  
4 Azek on the balcony deck. Zikaras pointed out the posts on the deck on the house  
5 have square caps and Palardy confirmed he will put square cap on the balcony  
6 deck.  
7

8 The Chair said the overall design is very nice and the presentation is easy to  
9 understand. She likes the addition of dormers on the front. Guy Stearns asked  
10 whether dormers on the street side of the house and dormers on the garage will be  
11 the same, however the garage will be slightly different because the pitch of the  
12 roof is different. Lisa DeStefano did these plans, the company is now Mangel  
13 DeStefano.  
14

15 The garage door will be made of some sort of composite that looks like wood.  
16 The current door is white and has multi-panels and Palardy is not changing the  
17 look except he will use a more durable material. There will be no glass windows  
18 on the door as they are not needed with the windows on the side of the garage.  
19

20 Peter Rice stated he has gone by this house many times and the way the water just  
21 rolls down to it, it's like a pond. Palardy stated the property has no soil left on the  
22 back of the property, it's going to be all large rocks soon; nothing grows there any  
23 more.  
24

25 The Chair opened the hearing to the public at 8:27 pm.  
26

27 David Severance stated he had no opinion on the project but advised Palardy to  
28 watch out for Hardie board around water. The Chair stated if it looks like wood,  
29 the board would be supportive. The main house is wood clapboard.  
30

31 Marilyn Walker of 32 Walbach Street has no objection to the application.  
32

33 The Chair closed the public hearing at 8:29 pm  
34

35 David Myers commented that Palardy's house is one of the most iconic houses in  
36 New Castle and thought the plan was good. The Chair seconded Myers comment  
37 stating Palardy put forward a very attractive plan. Finn agreed.  
38

39 M/S/P

Jane Finn moved to approve the application for Doug Palardy to remove and  
rebuild a garage on the same footprint, consistent with the plans submitted. This  
decision is based on finding of fact that this application meets Zoning code  
requirement 9.3.6 and specifically the architecture is consistent with the existing  
house in exterior design, architectural components and materials as well as other  
existing structures in the district.

44 Myers seconded. All in favor including the Chair.  
45  
46

1 Palardy commented to the Board that he understands the challenges with solar  
2 panels, but every year will get better. Shingles will come, and we may have to  
3 live with panels until someone comes up with something better. The panels will  
4 not last forever, adding that if he was on the Board, he would approve them  
5

6 3. Work Session, for Applicant Dave Severance, for 24 Elm Court, Tax Map 17, Lot  
7 43, for an addition, per Zoning Ordinance 9.3.5.1.  
8

9 Guests: Dave Severance, Samantha Fuller and Deb Schulte.

10  
11 Severance stated he comes from a building materials background and he doesn't  
12 like Hardie board as it has many claims and issues, adding that the Omni Hotel up  
13 north has it and they have a man who spends majority of his time all year putting  
14 and maintaining it.  
15

16 Severance will use cedar clapboards, pvc trim, and Azek or Versatex, all of which  
17 are composite trim board, and cedar shakes; western red cedar for clapboards and  
18 white cedar for the shingles. Severance stated he will provide a materials list for  
19 the hearing. The windows will be Marvin fiberglass Elevate, that were used on  
20 the second story when two windows were moved with the Board's prior approval.  
21 The windows have mullions that are non-removable. Severance presented a  
22 picture of Elm Court, which is a dead end, showing the property line, and also  
23 where the town road ends and then becomes a shared driveway. It's not a survey  
24 but a representation of where the property line starts and ends.  
25

26 Severance stated there is no zoning relief needed and they are adding a bedroom,  
27 bathroom and kitchen on the first floor. He was cognizant of Patty Payne's house  
28 behind him and maintaining her view, which proved a little difficult in trying to  
29 get rooflines correct. Payne has an upstairs bedroom window that can view the  
30 river; her driveway is on the main road and sits back off Main Street. Severance  
31 stated it was pretty hard to get 12 pitch design elements without pushing further  
32 back on the property but he wants to be a good neighbor. David Myers  
33 commented there are 11 different roof lines and it's going to be complicated to  
34 build.  
35

36 Severance started with a review of the rooflines on page A-1.2. There are 4 12  
37 pitch, then 12 12 pitch going around to mirror the existing house. There was  
38 much discussion on the 4 12 pitch and 12 12 pitch of the roof. Severance is  
39 changing the roofline on the existing bumpout, which will remain. Everyone on  
40 the street has a river in their basement which Severance is trying to remedy with  
41 some foundation work.  
42

43 At the back of the house, the dormer matches the top dormer and the windows for  
44 the bedroom are casement for egress. The members went through the plans with  
45 Severance. A new entrance is being made as they currently walk right into the  
46 house onto hardwood floors. The driveway is permeable material and goes to

1 non-permeable where it slopes. The addition is 10' out from the current house on  
2 the driveway side and also sits farther up Elm Court.

3  
4 The Chair stated materials and rooflines blend with the existing home and even  
5 though the roof is the same pitch, the side that faces the water, the short piece on  
6 the end has an awkward look. Severance stated they played around with the  
7 design and rooflines, trying to put an eave onto the existing bumpout and the  
8 alternative would create funny angles. They set the upper story back and made it  
9 smaller to preserve views. The Chair asked about square footage fitting into  
10 maximums permitted on the lot and Severance stated there will not be any  
11 variances required.

12  
13 The shingles will match the existing house, the deck railing will be a composite  
14 closest to wood, and it will have square balusters. The applicant would like to  
15 replace some vinyl windows with the Marvin windows and may throw a window  
16 schedule for the existing house into the application if he can fit into the budget.

17  
18 Guy Stearns stated he likes the way the addition fits into the existing structure.  
19 The Chair asked Severance if he was going to retain the lattice from the front  
20 porch under the deck. Severance advised it exists under the deck and he may  
21 replace it in kind. The Chair stated the lattice keeps the period of the home and  
22 coordinates with the posts and trim. Stearns asked if there will be a low head  
23 space basement under the addition; Severance would like a full basement as he  
24 would like more room but will probably hit ledge.

25  
26 The Chair opened the work session to the public at 9:06 pm

27  
28 Samantha Fuller of 23 Elm Court stated she has lived on Elm Court most of her  
29 life. She rented the house for years and bought the house in 2021 and stated her  
30 basement has the worst flooding on the street. When she moved to the house  
31 there was one sump pump that went off twice a year; last spring she had to install  
32 three sump pumps in her basement; because of the topography changing, pipes  
33 running underground, and people exhumed from the cemetery, it causes water to  
34 run to her basement. Fuller asked how she can get assurances that any blasting or  
35 digging will not traumatize her side of the road or her home. Fuller had no  
36 objection to the addition but was concerned about the common driveway, the  
37 construction vehicles with constant turning of wheels, heavy weight on a very old  
38 driveway and the flow of water if all of that land is going to be dug out. The Vice  
39 Chair advised that the town doesn't have liability in any of that. David Severance  
40 said blasting of ledge is all done by professionals, there is insurance on cracked  
41 foundations and it's possible there may not be any blasting at all. Severance also  
42 stated that he looked forward to putting together an operating agreement with  
43 Fuller regarding the driveway, as it's deeded to both of them.

44  
45 Fuller thinks water is coming from the land and if the land is scooped away it has  
46 to find a new path. The Building Inspector informed her that it's the

1 responsibility of the person doing the digging, to help direct the water so it's not  
2 going to the path of least resistance. The Vice Chair stated it is not in the Board's  
3 purview but the Chair believed the town has some say in water flowing from one  
4 property not increasing the flow onto the property of an abutter. The Chair  
5 advised Fuller to speak with the Building Inspector and the road crew but it is  
6 something to take care of between the two parties, it is not in the HDC purview.  
7

8 Deb Schulte of 20 Elm Court stated the little house next to the Severance property  
9 has been in her family since 1840's and they also have a water problem and she  
10 hadn't thought about the possibility of water being diverted from blasting.  
11 Schulte said she appreciates the work Severance has put into the design and is  
12 thankful that he has pushed it back, it doesn't go the full height of the house and  
13 that it goes perpendicular rather than continuing down her driveway. He has been  
14 a good neighbor and it looks like a really nice project.  
15

16 The work session was closed at 9:19 pm  
17

18 The Vice Chair advised Severance he appreciated the plans and his coming to a  
19 work session. The Chair stated this is what should happen with new construction.  
20 Stearns stated it looks good and advised to keep working with his neighbors.  
21

22 Severance advised that Kelly Larue is the architect and because Larue knew the  
23 property, he pulled her out of retirement as she did the first changes to the house.  
24

25 Severance advised the Board there are a couple of inconsistencies on the town  
26 website: in one place it asks for 11 x 17 plans and another asks for 1/4" scale  
27 documents. Also the work session application says apply the week before and  
28 then another place says submit a month prior. Severance highlighted the  
29 discrepancies and gave to the administrative assistant at town hall. The Chair  
30 believes the requirement should be more a matter of scale of the project for what  
31 size of plans should be submitted.  
32

33 4. Approve minutes from January 4, 2024.  
34

35 M/S/P Myers moved to approve the minutes of January 4, 2024 as amended; Zikaras  
36 seconded. All approved, including the Chair.  
37

38 M/S/P Myers moved to adjourn; Jane Finn seconded. All approved, including the Chair.  
39

40 Adjourned at 9:35 pm  
41 Diane L. Cooley Recording Secretary