

HDC MEETING  
APRIL 4, 2019

Members Present: Chair Rodney Rowland, Vice Chair Jeff Hughes, Tom Maher, Elaine Nollet, Judy Groppa, Irene Bush, and Peter Reed.

Absent: Kate Murray

Chair Rowland called the meeting of the New Castle HDC to order at 7:02 pm

The Chair asked that anyone wishing to speak, must please sign in and advised that there was one public hearing on the agenda, that the application had been published, fees paid and abutters notified. Rowland also advised that the board had received emails from abutters just 2 hours prior to the meeting and asked that the public give the commission a few minutes to review them. Rowland, Hughes, Maher, Nollet, and Bush will be voting.

1.Hearing for Randy and Ellen Bryan, 34 Wentworth Road, Map 18, Lot 64 for new garage and other changes.

Guests: Ellen Bryan and Robert Harbeson from Market Square Architects, Derek Durbin, Attorney for Applicant; Mark Lacasse; Martha Kieser

Mr. Harbeson advised that he is not the architect on the project but is providing recommendations as to the historic character of the house. The architect also provided a copy of a letter in support of the project. Mrs. Bryan stated that Bobbie Sweet will be sending an email in support of the project, which the Chair later acknowledged receiving during the meeting.

Harbeson stated the applicants provided material details of the project in the package, as the commission requested at the last work session. Everything will be matching what is on the house now, such as stained cedar shingles, except they will have black doors and black roof shingles, which is different than what is presently on the house. The trim will be Azek, which will be painted white. Many of windows are being reused. The garage door will be an insulated, carriage style and there will be a new front door. The chimneys will be retained as they are in good shape.

The package contains photos of the light fixtures and the type of door being used. There is a picture of another house which shows the vertical columns they intend to use on the open porch being added to the side of the house. There is also information on the fence, which will be red cedar, stained with a clear coat. It will have lattice on the top, similar to the fence on a neighboring property.

The site plan is updated from the last meeting, and clears up questions with regard to the rectangle which is an existing underground element. The next sheet shows the existing elevations and then a three dimensional rendering for understanding of the massing. Next is the

proposed elevations which have not changed since the last meeting except they show the light fixtures.

The last sheet goes through the windows, showing which windows are being reused and where there are new ones. The existing windows are Harvey solid vinyl and they are all in very good shape. They would like to keep the existing windows and will reuse some in different locations so they are not getting rid of perfectly good windows. Harbeson advised the windows are not the type he would recommend for this project, but because they are adding so few windows, they don't want to add something different. The house is set back from the street so the windows are less noticeable. The casings will be painted wood or Azek. Although Harveys are not a window he would recommend for a historic property, eventually when these windows fail, he would recommend replacing them all. The local Harvey distributor did not have a sample so Harbeson circulated a picture of the window.

Chair Rowland stated that because they are retaining so many of the existing windows, he is only concerned that any new windows match what is there. Chair Rowland then asked which board members were present at last month's work session; all members present tonight, except the Chair, attended last month's meeting. Vice Chair Hughes said the Bryans' plans came a long way from the work sessions at the January and February meetings.

Chair Rowland opened the meeting to the public at 7:18 pm and asked if anyone had any questions or comments. Marc Lacasse, who resides across the street and looks directly at the Bryans' house, said he has been watching their plans change and he likes their current plans.

Martha Kieser spoke for Garretson and the Masons, confirming that the board received her clients' emails and they are very concerned about the fence. She asked Harbeson how high the fence will be and he advised it will be 6 feet because they could not find a privacy fence in wood that was only 5'. It is similar to what's on the neighbor's property. Ms. Kieser opined that 6' is quite high and not in keeping with the aesthetics.

Chair Rowland stated that although his packet didn't contain the fence material, his real concern is to know exactly where the fence is going, whether it will sit on grade, or fill, or on a retaining wall, adding that there is considerable concern about the fence.

Mr. Harbeson stated that there is no fill, the fence will not sit on a wall, it will sit on existing grade. Hughes asked him to clarify exactly where the fence is going. Chair Rowland stated the public has a right to know and it hasn't been put out there. He asked what the impact is on the neighbor's house and although Harbeson said the fence will not be on a retaining wall, there are bits and piece of stone wall around the Feder house, and fill has to be brought in for construction.

Rowland stated the board could go forward with the house project and table the fence issue, adding that the commission members may have to go to the site as he really wants to be sure we cover it correctly. All board members agreed. Maher said substantial progress was made on the project but this is a remaining sticking point. The board would like to see in person, with scaled drawings and a plot plan, exactly where the fence is going.

Attorney Derek Durbin appeared for the Bryans stating it is unfortunate the neighbors didn't share their concerns except for two hours before the hearing. Those concerns are the location of the fence but he doesn't believe the location is in the purview of the HDC, stating he believes that just the aesthetics are under the HDC's domain. Durbin stated the fence is going to be an issue no matter where it goes because there is an encroachment onto the Bryan property. He stated they have been discussing an easement resolution so the neighbors can access their home which encroaches on the Bryan property but he doesn't believe these issues are in the purview of this board.

Chair Rowland stated the location of the fence and the impact on the district are one and the same. Mr. Durbin stated they would have to agree to disagree. Tom Maher asked Durbin if he felt the fence was not in the board's purview, why was it on the agenda? Durbin stated the aesthetics are in the board's purview but the location is not. Judy Groppa said the aesthetics are involved because one of the objections is the positioning of the shed so close to the fence.

Attorney Durbin asked the board what they would like to see when they go visit the property. Maher stated that this fence is going to the corner of someone's home so if they walk out their front door they cannot go around their house in a specific direction. Maher stated he agrees that the Bryans and abutters must come to an agreement, but the idea that this board would approve someone building a fence right to the corner of someone's home, and shutting off access to their backyard, was not in his opinion something the board could agree to.

Mrs. Bryan stated if you look at the Ambit plan, the Masons already have a gate at the back of their house that accesses the Bryans' yard, so they have a gate on one side already. Durbin stated properties are so tight here, you have a fence as an abutting structure. He said he was not trying to be confrontational; land use is his area of law and he has seen these issues come up before other boards and there are concerns. The neighbors have been shifting, stating they like this, and they don't like that but they do have an attorney and could have discussed these issues rather than submit objections at the last minute and cause delays. Durbin suggested the board consult legal counsel as he doesn't believe that rights of access are in the purview of the HDC.

Harbeson asked for some direction for the site visit, from an architectural standpoint, wondering if the board wants an understanding as to where the fence is interacting with other structures on the property and should we flag the location of the fence. Chair Rowland advised that he understood the fence was to go along property lines with the Masons and asked whether the fence was to go along the Feder's property line on the wall or whether that was off the table. Mrs. Bryan stated it will go along the Mason property line down to the corner behind the little shed. Mr. Harbeson stated the thin line with double bars on the plans is where it will be and that it has been pulled back into the property line. He added that he is not the one to be speaking on the fence as he is really advising on the house structure, except to help with whether the fence is historically appropriate. The grade is to remain the same and the fence will be at existing grade. Irene Bush asked where the comparable fence was near the red house and Harbeson indicated its location on the plan. Martha Kieser advised that she has been before the commission 3 or 4 times and her clients have always had the same position regarding the fence. She also stated that her clients didn't know about the hearing until Tuesday, that Christy's father never received notice, and they only received the plans on Wednesday, the day before the hearing. Kieser also

stated she has asked for the plans in advance, however, her clients' position on the fence hasn't changed. She did acknowledge that the plans are a great improvement and her clients appreciate there is no longer a retaining wall, appreciate there is no fill, and also that the garage has been moved. Kieser would be happy to discuss the terms and draft an easement with the applicants' attorney, adding that she has made it clear that her clients need a certain amount of space around the house. The Chair said he could help and be sure to keep Ms. Kieser updated.

Mr. Harbeson asked if there were any other architectural questions. Irene Bush asked about the extra window on the front of the house which was needed to bring more light in, stating she thought the double window really changes the front of the house. Mr. Harbeson advised that the porch was moved over to the side because the commission indicated at past work sessions that the integrity of the front of the house was a high priority, however the light is reduced on that side of the house and there is a focus on the view. The existing home is more or less symmetrical but not visually symmetrical and it's perceptible. It is not uncommon to have unsymmetrical facades and in his opinion, it's appropriate with the look of the house.

Chair Rowland asked if there is a reason the windows are double ganged rather than having three windows evenly spaced. Harbeson stated this was to have more breathing room between the window by the front door and to maintain balance. Elaine Nollet did not see a problem with the front windows. Maher added that given the configuration of shrubs and the light source, he could see an extra window being of value. Harbeson again added that they kept the two windows together because they thought it balanced the house better, stating he believes there is still enough of a symmetrical balance, especially with the porch on the left side.

The Chair closed the public hearing at 7:37 pm and asked if there was further discussion of board members, and if not, he wanted a motion saying this is a vote on the house and the fence will be tabled for next month's meeting.

M/S                    Hughes motioned to approve the plans for the house itself as proposed, but specifically excluding approval or consideration of the proposed fence. Maher seconded.

Peter Reed said that going on a site visit would be very helpful as when looking at the plans, everything is flat and he would like to mark on the plan exactly where the fence is being proposed.

Hughes commented that part of the purview of the HDC is to look at proposed changes within a neighborhood. Any project affecting historic structure must allow dialogue with those that abut the property. He commended the owners for coming to three work sessions and appreciated that they listened to the board's comments, adding that the project has come a long way. The Chair concurred.

P                        All board members voted in favor, including the Chair, who stated you are conditionally approved for the work on the house and we will talk about the fence next month.

Hughes asked Rowland if he would work with the owners about a site visit and he confirmed he would do so.

1. Approve minutes from March 7, 2019

M/S/P Irene Bush motioned to approve the March 7, 2019 minutes as amended; Elaine Nollet seconded. All approved.

The Chair stated the CLG grant has been delayed because the National Park Service has not awarded the funding to the State. Maher stated the Selectmen still have a warrant on it but the message from the Select Board will be that it won't be spent unless we get the grant.

Elaine Nollet stated the Barrys are doing construction and have dug a hole adding that the building inspector said they do not need a permit for a leach field. The Chair clarified that they do not need a permit from the Town, as the State permits leach fields.

Hughes stated his understanding is that the Barrys have a drainage issue, not a sewer issue; they are trying to keep water out of the basement. They are connected to French drains, and connect to cistern. Nollet asked if they need a permit from the State for that. Maher said he would speak with Bill Stewart of the Conservation Commission because he cannot believe they can do that without State permit.

M/S/P Irene Bush motioned to adjourn; Hughes seconded. All approved

Adjourned 7:50 pm

Respectfully submitted,  
Diane L. Cooley, Recording Secretary