1		APPROVED MINUTES
2		JULY 6, 2023
3		HDC MEETING
4 5 6	Members Present:	Temporary Chair Jane Finn, Ruth Zikaras, Etoile Holzaepfel, David Myers, and Joseph Cuetara, Alternate
7 8 9	Absent:	Kate Murray and Guy Stearns, Alternate
10 11 12 13 14		The meeting was held in the Macomber Room. Jane Finn, Temporary Chair, called the meeting of the New Castle Historic District Commission to order at 7:00 pm. She advised that three members of the HDC and an alternate had resigned and introduced the new board.
15 16 17 18 19		Jane Finn is a Select Board member and Temporary Chair, Ruth Zikaras was an alternate and is now a member of the Commission, David Myers and Etoile Holzaepfel are new members and Joseph Cuetara, is an alternate. All present will be voting tonight.
20 21 22 23		Finn asked anyone who was going to speak to sign in. She then went over the rules of addressing the board and not each other, asking also that people speak one at a time and when speaking to please state their name and address.
24 25 26 27 28	1.	Public Hearing, for Applicants Ron and Mary Pressman, of 34 Oliver Street, Map 16 Lot 40, (front lot) for an Appeal of Administrative Decision of an approved application by the Historic District Commission on April 6, 2023, and remanded back to the Historic District by the ZBA Notice of Decision on May 23, 2023, to
29		remove existing structure & construct a new home per Zoning Ordinance 9.3.5.1.
30		Finn advised that this application had been beard and approved by the UDC at the
31 32		Finn advised that this application had been heard and approved by the HDC at the April 6, 2023 meeting but it was appealed to the ZBA with regard to the purview
33		from Portsmouth Avenue. The ZBA decided that the HDC must consider the
34		purview from Portsmouth Avenue and remanded the application back to the HDC.
35		Ms. Finn advised that the view from Portsmouth Avenue is the only matter
36		before the HDC tonight with regard to this application.
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38		Guests: Michael Cerbone, Architect, and Attorney Tim Phoenix both
39		representing Ron and Mary Pressman, Ian Moodie, Bill Lomas, and Jim Cerny
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41		Michael Cerbone stated the matter before the HDC is regarding the front lot
42		which was sent back to the HDC from an appeal to view the property from
43		Portsmouth Avenue. Cerbone stated that he started on Oliver Street and went up
44		Portsmouth Avenue and took pictures from between houses on Portsmouth
45		Avenue, which he passed around to Commission members.

Joe Cuetara confirmed that it was the front lot being considered and not the back lot. Etoile Holzaepfel asked Cerbone to point out adjacent houses and where parts of the proposed house, particularly the existing barn, were located and Cerbone pointed out where one may see a glimpse of the house behind the barn. Members asked about the barn and were advised that the barn existed for a number of years and is remaining on the property. Holzaepfel, David Myers and Joe Cuetara looked carefully through the pictures presented by Cerbone and questioned and commented on where the house may possibly be seen. Holzaepfel asked about the height and was informed that the proposed house is 6 ½' feet above the ridge height of the Callahan house. The pictures were then passed to Jane Finn and Ruth Zikaras who also looked at the pictures and questioned Cerbone about placement of the house. Zikaras commented that one might see a gable roofline from the corner of Oliver Street, but the house sits one foot further back from the road than the neighboring Callahan house. There may also be a glimpse of the roofline from Portsmouth Avenue because it is higher than the Callahan home but it's also setback. The existing barn is visible but it will be blocking much of the house.

The public was then welcome to view the photos and some asked Cerbone questions regarding the photos.

Holzaepfel asked Cerbone about the elevation for the house which he showed plans to the new members of the board depicting the main house, connector and garage. Holzaepfel asked where the 6' above the ridgeline of the Callahan house was and Cerbone showed her on the plan. Holzaepfel commented that the gable end of the main house which is 6' above the Callahan house may possibly be seen from Portsmouth Avenue, but other portions of the house are substantially lower. So if anything is seen from Portsmouth Avenue, it was determined that it may be the gable end of the roofline.

Tim Phoenix spoke on behalf of the applicants, commenting that there are some former board members and some new members and he wanted to refresh everyone's memory that the important point is that this home has been approved by the HDC but is back for rehearing because the Commission was under the mistaken impression that the views were only relevant from streets within the historic district. The application was remanded back by the ZBA for consideration with regard to the view from Portsmouth Avenue. Phoenix stated that he drove down Portsmouth Avenue, and the front of the house may be seen down Oliver Street from the corner, but in general, it's pretty tough to see from Portsmouth Avenue and he submitted there should be no change in the Commission's approval.

Ian Moodie stated he made an appeal to the ZBA because the HDC was interpreting the ordinance incorrectly. The application was remanded back for rehearing before the HDC with no limit as to what can be discussed. Moodie stated that this is an awkward lot, and a house of this size would be appropriate on a lot

this size if it was a regular lot. Moodie opined that this house is crowding neighboring houses and he has been trying to make a point of the mass of the house even though it's allowed per the zoning ordinance. Moodie believes this house is massive and affects other properties and diminishes the value of other properties. Moodie stated that the ordinances were painstakingly written by residents of this island and the Commission's purpose is to make sure that wasn't in vain. Nothing has happened yet, no excavators have hit the ground, and the purview of the master plan is to slow down build up. It's maxed out on its size and maxed out on its lot. Moodie asked that the Commission reconsider this application.

Bill Lomas of 54 Portsmouth Ave abuts the property at the rear of the lot where the existing house is. Lomas stated he is relatively new to town although his parents have resided in New Castle since 1977. Lomas' understanding was that the Commission was to look at one specific issue, as the massing has already been addressed. Lomas understood that the Commission is to consider how the property looks from Portsmouth Avenue. Lomas stated he has walked by, driven by and ridden his bicycle by the property and around the neighborhood, looking at it from different angles. Lomas advised he is 100% behind having this property built as is, that the house is a beautiful home as is the one on the back lot, which is certainly better than the tear down. The Pressmans purchased the property and got a subdivision approved. They have two homes which don't need any variances and have designed them to historic standards of the HDC and they are going to bring new taxes to the town.

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Jim Cerny of 44 Portsmouth Avenue is an abutter to the back lot, his property being two houses removed from Ian Moodie and Bill Lomas. Cerny stated he agrees with everything said by Lomas and has attended the meetings and the site walk. The problem is that one abutter doesn't like it and knows the town boards and how they work and is raising flags. The applicant's attorney, Tim Phoenix went through the definition of massing at the ZBA hearing and Chair Baker sent the matter back to this board to affirm the view from Portsmouth Avenue only, not to re-hear the entire application.

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Tim Phoenix read the notice of decision from the ZBA which determined that the HDC improperly did not consider views from Portsmouth Avenue and therefore the ZBA voted 4 to 1 to remand to the HDC to apply the ordinance criteria of visibility from ANY street. The house has already been considered from every street in the historic district so the Commission need only to consider the view from Portsmouth Avenue.

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Finn said she spoke to the town attorney on massing and feels comfortable with the volume issue. Joe Cuetara stated he is persuaded by Attorney Phoenix's letter of May 23rd adding that it seems that one person has a problem with this project and no one else does. Finn confirmed that the only issue before the HDC is to judge the view from Portsmouth Avenue. Holzaepfel lives near the property and

walks Oliver Street and Portsmouth Avenue daily and viewed the lot carefully. She does not see any significant adverse impact looking at it from Portsmouth Avenue. Holzaepfel commented that she had not seen the elevations relative to the Callahan house prior to tonight, and doesn't believe it's a negative view, it is a traditional view of the peak and it's attractive and not detrimental to the historic district.

David Myers said he is new to the board but spoke to prior members. He also walked the street and the neighborhood and cannot find any impact and is not quite sure why the ZBA remanded it back to the HDC. Finn commented that it was because the Commission had interpreted the ordinance incorrectly. Ruth Zikaras agreed with Finn.

M/S/P

Ruth Zikaras motioned with regard to 34 Oliver Street, Map 16, Lot 40 front lot, regarding the appeal of the administrative decision of approval of HDC of April 6, 2023 which was remanded back to the HDC by the ZBA decision of May 23, 2023 for new construction per ordinance 9.3.5.1, to approve this new construction based on the fact that the scale and general size of new construction in relation to streetscapes is compatible with other houses in the historic district. Zikaras added that most of the Commission members have walked the street and neighborhood and agree that there is no negative impact on the streetscape. Dave Myers seconded; all in favor.

2. Public Hearing, continuation from the June 1, 2023, HDC meeting for Applicants, Ellen & Randy Bryan, for 34 Wentworth Road, Map 16 lot 64, constructing a stonewall on his property, with approval by the HDC per Zoning Ordinance 9.3.5.1.

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The applicants withdrew their application.

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3. 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 to rebuild a new home per Zoning Ordinance 9.3.5.1.

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Guests: Ben and Candice Stebbins, Applicants, Hank Stebbins, Phyllis Stibler, Karen and Ed Kinnaly

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Hank Stebbins, an attorney and father of the applicant stated that he has lived in New Castle for seven years, having just had a wonderful tour of the gardens. This lot had 120 Norway maples that were spread over this yard and the underbrush was never cared for. The house needed serious improvements to get rid of rot and unfortunately they recently had a fire. The fire was not so extensive that it burnt the house down, however, the smell was so awful and they could not get the fire and smoke odor out of the house. Their insurance company recommended gutting the house to the studs. Instead of demolishing the house internally, the entire house was taken down. There were three additions to the house over the years,

the most recent being in the 90's. There were two additions in the back and the rooflines were all different. The garage was in the back and you had to go around and enter from the back. An in-law apartment was also added and the additions just made the layout very cut up. After the fire and the amount of damage, and after the removal of trees, they decided to take the structure down and went to the Building Inspector for a demolition permit, which they received.

Two years ago they replaced windows and siding and the prior Building Inspector gave the Stebbins a permit and nothing was said about the house being in the historic district. The applicants recently applied for a demolition permit and received it and again nothing was said about going before the HDC.

The Stebbins then went into town hall for a building permit 4-5 weeks ago and were advised they need approval from the HDC. The 120 Norway maples have been taken out so now the property is visible from the street which is why the Building Inspector said they have to go to the HDC. The property is right on the line, but within the historic district. The applicants are keeping the house way back from the road and landscaping hides much of the house. The 16' driveway is the only way to see the house. They are building a house that fits the neighborhood and you don't see it driving down Portsmouth Avenue. The applicants request that the Commission act promptly because they need a house as they have been renting and have three small children. This property isn't a street front property, as there is narrow frontage on the road and the lot spreads out in back. Attorney Stebbins advised this is a perfect example of an exception, which is what the Commission is required to do.

Chair Finn advised that the Commission's purview is what can be seen from Portsmouth Avenue. Etoile Holzaepfel said it's more than that because it is in the historic district so the architecture of the house needs to be considered pursuant to the historic district ordinance and it has to maintain the character of the historic district. Holzaepfel advised the property is visible from Laurel Lane because of all the trees that have been removed and it is a historic property.

There was discussion and some confusion as to where the historic district ends. Etoile Holzaepfel said she stood at the end of the property and looked over at Oliver Street and also went to the Northwestern corner of the Stebbins' property. She couldn't find a boundary marker but assumed it was the stone wall. Stebbins advised that there's a big rock that depicts their property and the neighbors.

Etoile Holzaepfel asked if they had inquired at Town Hall as to whether they are in the historic district. Stebbins stated that two years ago they got new windows including changing the design of the windows, new siding and a new roof and Ian Moodie, the Building Inspector, told them they were not in the historic district. They also recently received their demolition permit with no one advising that they had to come before the HDC. Stebbins said they didn't study the law or ordinances because of what they were told. Russ Bookholz, the Building

Inspector, said it's not visible from Portsmouth Avenue so they were not required to go before the HDC. Holzaepfel asked Stebbins if they had already removed the trees when they sought the demolition permit and he advised that yes, the trees were already down. Russ Bookholz gave them the permit for demolition. Ruth Zikaras stated that the house can be seen more now with the trees down.

Phyllis Stibbler stated that she shares a boundary with the applicants and is supportive of their plan. The applicants have shared landscape plans and building plans with Stibbler and she is very confident that what they are doing is appropriate to the neighborhood. Stibbler stated they are a young, wonderful family to welcome into our town.

Joe Cuetara commented that if they went to the Building Inspector and sought a demo permit and the trees were down, the Stebbins were acting in good faith. They weren't trying to evade the process.

Holzaepfel stated that we cannot change what has happened but we are looking at new construction in the historic district and the plans are hard to read because of the scale so it is difficult to make a determination as to architectural details. Stebbins stated they are using the same footprint as the former house, adding that there's lots of ledge and the driveway goes all the way around and it's all impervious so there is no place for the rain to penetrate. They are removing the impervious material, decreasing it by 5,000 SF. The biggest change is that they have moved the garage to the front of the lot. Stebbins advised that the elevation you will see most is the east elevation, which is if you are looking straight down the driveway.

Etoile Holzaepfel said the Commission really needs to see the architectural details. She then asked Stebbins if they had replaced windows a couple years back with 6 over 6 and he advised that not all the windows were 6 over 6, just the ones you can see from Portsmouth Ave.

The applicants did not request a work session because of time constraints as the family is without a home and they have concrete ready to pour. David Myers asked if their proposal was for a metal roof and Stebbins advised that yes on the lower roof, but if the Commission doesn't like metal roofs, they will do asphalt shingles. It was advised that metal roofs are not historic and Stebbins agreed but pointed out that the prior house was vinyl siding and vinyl windows, so there wasn't much historic about the house.

Ruth Zikaras wanted to confirm that they are using hardy board for the clapboard, and the plans look as though there are also shingles. Stebbins confirmed they will use hardy board shingles on the sides and clapboard on the front.

Karen & Ed Kinnaly, 26 Laurel Lane stated they share a long property line with the applicants and wanted to know how tall the house will be. Stebbins stated the

previous house was 21.1 feet and the new construction will be 29.9 feet to the ridgeline. Karen Kinnaly was concerned because the Stebbins' property is higher than the Kinnaly property and it's now going to be a two story home. The elevation of the new house is two and a half stories and zoning allows 32'. The third floor will not be finished. Stebbins advised that the basement is below water table so the house will be on a slab on grade. Their sump pump is working all the time, so storage that was in the basement is now going in the attic.

Zikaras again asked Stebbins to clarify the height of the prior home, which was 21.1 feet; Holzaepfel contended the other end of the prior home was not the same height (18'4") and the center portion was somewhere in between. Stebbins advised that because of several additions, the rooflines were all different. The plans presented by the Stebbins showed the prior house on the top and the proposed house on the bottom for each elevation.

The driveway is 30' long. The new house will be the same as the old footprint; however, where the screened-in porch was, the garage will now be built so they can remove the driveway and impervious surface. One of the members of the Commission asked about the square footage of the house. The new house will be 6,200 SF as compared to the old house which was 3,348 SF. Stebbins stated there was a three car garage and they took one garage and made it into living space. The lot size is 30,320 SF and there are no variances required for construction.

When asked about the windows, the Stebbins stated they chose 4 over 1 because neighbors on Oliver Street have them. Holzaepfel advised that she needs to see the architectural details to make a decision and Finn stated the Commission also needs elevations and views, stating that the architect on the prior hearing had large plans of every side of the house. Holzaepfel stated that the scale is part of the issue because it's hard to determine on the drawings presented. She also commented that when the Stebbins made changes to the home, they used the same design of windows. However, Stebbins said there were different sizes and the ones seen from the street were 6 over 6 but in the back of the house were casement windows.

Stebbins again advised that they did not know the home was in the historic district and spent \$60,000.00 to prepare plans and applied for a permit and that is when they found out they were in the historic district. Finn asked if the architect had any input about making it more historic. The Stebbins had not asked the architect, Amy Dutton, who has done a couple houses in New Castle, to change the plans. Holzaepfel asked the applicants if they were willing to have a work session and they advised that they want a vote and were willing to make it conditional on aspects of the house such as the windows and other materials. They have a year rental, time is running out and their family has no place to live. Stebbins stated that if the Commission wants more detail on windows or doors, they are happy to provide those details but they would like to get a foundation poured as the Building Inspector won't let them pour anything until it is approved. Stebbins

requested approval of the foundation, which will be the same footprint as the prior house and the Commission can make it conditional upon review and approval of windows, doors, siding, etc. Stebbins advised that if the Commission approves the foundation, the footprint is the same even though the size of the house has increased, partly due to the angles of the previous roof pitch. Holzaepfel stated the previous home was not a full 2 stories but Mrs. Stebbins stated it was two stories in the back, advising that the additions were more square footage than the original small house. The original house was approximately 600 SF and then several additions were added.

Phyllis Stibler stated she has lived there for 30 years and advised that the house was never well maintained. Stibler stated she has gone through 2 years of the Stebbins making changes to make the house better and she doesn't want to deal with two more years of construction. Stibler knows the character of the neighborhood and believes the new construction is actually an improvement.

Joe Cuetara stated please correct me if I'm wrong but using the prior Brady Bunch house as a basis for this property doesn't make sense and asked how many two story houses are on Laurel Lane or Portsmouth Ave. Holzaepfel said most houses on Laurel Lane are capes. Cuetara stated to use a former house that had no integrity as a baseline, doesn't make any sense. Myers stated we are not using the former house as a baseline, we are using architectural historic standards as a baseline. The plans were not made in accordance with architectural standards of the historic district because the architect didn't know it was in the historic district.

Mr. Stebbins stated the plans have no historic precedence because the architect was not asked to design a home for a historic district, however the architect is familiar with the historic ordinances. Mrs. Stebbins asked the Commission to state what doesn't go with the historic ordinances and to talk about those. Mr. Stebbins stated he has done some development in the past and you can't be stuck in 1600, 1700, 1800 as we are building a house in 2023. It is set back, it encourages the character of the neighborhood and we would like to move our family into a house. The fact that we cannot move forward on at least pouring a foundation on logistical splitting of hairs of where the line of the historic district is, is very frustrating. Stebbins stated that multiple decisions have been made on this property as well as renovations with no mention of being in the historic district and now here we are, it doesn't make any sense that now we are in the historic district. He asked that whatever the Commission needed to do to make a vote, please just do so.

Ruth Zikaras attempted to clarify specifics about the new construction and confirmed that the previous house was 21.1 feet high and the new construction will be 29.9 feet high and the square footage of the prior house was 3,348 SF with 6,200 SF for the new construction; they are taking what was a screened porch and turning it into a garage. There will be hardy board shingles on the gable ends and the center will be hardy board clapboards. Metal roofing is not allowed in the

 historic district, so it was agreed that asphalt shingles will be used for the roof. Myers stated it is historically accurate to have clapboards on the center and shingles on the gable ends.

The Commission had questions about the front entry and whether it was double doors along with additional questions about the prior house and the new construction which Stebbins informed once again that it will be the same footprint but the new construction will now be all two story. It was asked if the lot line is going to be the same or whether it is moving back or forward and Stebbins informed that no, the lot lines remain the same, the house is on the same footprint and the distance between houses and properties is the same. The only change is the garage being moved to the front and that the entire house is on a slab instead of a foundation.

Etoile Holzaepfel asked if they would consider revising the entry to a single door and it was agreed as well as revising the roof material used over the garage from metal to asphalt architectural shingles. However, Stebbins wanted to point out that they are happy to do a single door but reminded the Commission that the only part of the house you are able to see from the road is the edge of the garage. The photo of the front entry is when you walk 20-30 feet onto the property and it's at an angle.

Cuetara advised that as matter of precedence, his backyard cannot be seen from Vennard Court or Main St and therefore the HDC allowed a Juliette balcony because it was not visible. Stebbins agreed that the ordinance stated "and is visible from any street".

Etoile Holzaepfel said she can look directly across and see their property coming and going on Laurel Lane. Holzaepfel mentioned she is in a traditional cape with 6 over 6 windows although she is not in the historic district. Stebbins said their home is closer to Laurel Lane than Portsmouth Ave. Finn confirmed that the HDC purview is the view from any street.

Jack Stebbins advised the Commission that if they have specific details they are concerned about, the applicant is willing to change them. The reason we are here is that this family doesn't have a place to live and they were told to go ahead with demolition. We would like to find a way to get the approval we need to start the foundation and then work with you on windows and doors, but waiting will bring the applicants into a different season for construction. They are willing to be compliant with your recommendations.

Mr. Kinnaly stated he is incredibly empathetic to their situation. The Kinnalys wanted to learn what the Stebbins were proposing, adding that it is the first time they are seeing the plans. Kinnaly stated the Stebbins may face economic hardship if there is any major change or if they cannot begin construction adding

that it doesn't feel fair as they've been told to go go go and now to stop. Kinnaly stated that he supports their application.

Finn stated the difficult part is the house was designed before they knew it was in the historic district. Jack Stebbins again stated the Commission can make approval subject to the Commission's review and approval of windows and doors as the Stebbins will be back at the next meeting with more detailed plans.

Myers stated we are all terribly empathetic with your situation adding that he would like to see the roof material changed, and also the front door needs to be changed for the historic district. Stebbins asked what era are we dealing with. Myers advised that it's not an era, as that is one of the questions Myers asked when he got on the board was what are we trying to be true to here. Mrs. Stebbins asked if there is a front door downtown that sticks in any board member's mind that they should emulate.

There was some discussion between members whether the Commission has purview of those items not visible from the street. Myers stated the commission is in charge if they can see any portion of it. Finn stated we are comfortable making a motion as to the foundation subject to approval of architectural design.

Stebbins confirmed that the Commission wants more detail and architectural information; Atty Stebbins suggested to make a motion for issuance of a certificate of approval granted subject to further review of the architectural details such as windows, doors, roofing material, and front entrance.

Etoile Holzaepfel stated the motion should state the Commission is agreeing to the mass and footprint of the proposed new construction subject to further review of the architectural materials and details such as windows, doors, roof and siding materials.

The Commission mentioned the possibility of having a special session so they would not have to wait any longer for approval.

Etoile Holzaepfel moved that the Commission grant a certificate of approval for the massing and the footprint of the proposed new structure at 119 Portsmouth Avenue, Map 16, Lot 6, subject to further review and acceptance of potential changes to windows, doors, materials including windows, roofing and siding, at a future meeting of the HDC. David Myers seconded. All in favor.

The Stebbins were advised the Commission would consider having another meeting this month and not wait for a regular meeting so they could get their approvals. The applicants were advised to look at windows, roofing, and the front door and also at homes in town to see what you like for doors. Stebbins asked about 6 over 6 windows and whether that is what the Commission wanted. Myers replied that if this was a 1700s house, we would want to see 6 over 6. But that is

1		not your house, so depends on the types of homes in your neighborhood. If the windows are consistent with windows in your neighborhood, we would
2 3		potentially approve them.
4		potentially approve them.
5	4.	Approve minutes June 1, 2023
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7	M/S/P	Ruth Zikaras motioned to approve the minutes of June 1, 2023 as amended; Jane
8		Finn seconded. Approved.
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10	5.	Any New Business
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12		The board needs to understand what their purview is and David Myers doesn't
13		agree that purview is from the street only. This is a question for the town
14		attorney.
15 16	M/S/P	David Myara mationed to appoint Etaila Halzaanfal as Chair, Myara stated ha
17	NI/S/F	David Myers motioned to appoint Etoile Holzaepfel as Chair; Myers stated he would be chair next year but not this year. Finn seconded; all approved. Ruth
18		Zikaras nominated David Myers as Vice Chair. Etoile Holzaepfel seconded. All
19		in favor.
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21		Jane Finn stated she will follow up with the town attorney. Carrie Ann Roman is
22		the town attorney and Finn will ask if Roman would meet with the entire board as
23		they have lots of questions.
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25		David Myers moved to adjourn; Etoile Holzaepfel seconded. All approved
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27		Adjourned 9:07 pm.
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29		Respectfully submitted,
30		Diane L. Cooley, Recording Secretary