

Canaan Historic District Commission (HDC) Meeting Minutes
September 7, 2010
Canaan Town Meeting House, Canaan, NH 03741

Members present: John Bergeron (JB), Michael Roy (MR), Scott Borthwick (SB), Dan Fleetham, (DH)

Alternate Members present: Charles (Skip) Baldwin (CB), Pete Cummings (PC)
Charles Baldwin was appointed as an active voting member for the meeting.

Members of the public present: J Miller, J. Majewski, Mark Simon, Jack and Evangeline Grove

7:03 PM - Meeting called to order

7:05PM- The August 16th minutes were approved with corrections on a motion by SB and second by MR.

7:08 PM - JB opened the hearing and reviewed Jack Grove's comprehensive remodeling plans for the Grove house at 525 Canaan Street with the help of Mr. Grove providing clarification to the HDC and public on specific issues. JB then discussed the 30' set back verbal approval given by Mark Simon regarding Mr. Grove's encroachment of the set-back area at the August 16th meeting still required regulatory confirmation. JB then asked Mr. Grove to explain the hardships that will result if sure variance is not granted.

Mr. Grove indicated the following hardships:

1. Floor Space: Usage of the 1 and the 2nd floor is not tied in sufficiently; the current floor space is not usable and the space is difficult to incorporate for family usage and the roof leaks; therefore creating a structural deficiency whereby the fix is to enhance the house with more floor space.

2. Structural Issue/Blocked Foundation: This situation has created a hardship to the property and can be remedied with an architectural design change that will be more please to view and accommodate stairs that need to run the length...there is no other option.

JB closed the public hearing for HDC discussion and a vote. Without further questions or discussion by the HDC a motion by SB and second by MR, Mr. Grove's application passed.

JB will send approval letters out to the appropriate parties.

7:35PM -JB opened the hearing for the Simon application.

Mark Simon summarized his proposal by indicating that he wanted to extend and repair one deck on his property and put a new deck on his garage. Mark provided the necessary material for a complete review by the HDC and the public in attendance.

The proposal included the following:

1) The garage (barn) proposed deck.

The height will be +/- 4'6" off the ground matching the use of the sliding door that already exists..by the 35'6 +/- length of the building by 10' wide.

The materials used will be the same as those found / used on the existing deck on the back of his house. Wood or composite decking, railings to match existing on the house porch. The deck sits approximately 2 to 3 feet from the Grove property line.

2) The existing porch on the house will need new footings that will fall within the 30' setback.

They are located on a retaining wall and must be moved off to a ground location away from the wall approximately 3' from their present location putting them approximately 10' from the Berry property line.

All materials and design will match the existing as close as possible; with the possible exception (should they decide) of the use of composite decking. This existing deck is approximately 3' from the Berry property line. (This request must conform to regulatory approval even though verbal approval was given by Mr. Grove at the August 16th meeting)

Mark stated the hardship...The two buildings (house and barn) sit within the 30' property setback. There is no choice to place them elsewhere because of the location of the existing structures hence the deck's locations. The stair problem - the porch needs a new deck along with stairs for the barn ...the house is ok and has its own stairs.

Mark indicated that he will add lattice that will be 10' on all sides and the lattice work will continue on the house at 10' and also be installed on both the North & South sides.

Mark asked the HDC to give him a range of 0' to 6' for post deployment in the case of an underground obstruction.'

7:55PM -JB closed the public hearing for additional discussion from the HDC (there were none) and a motion was made by SB, seconded by MR that the Simon proposal be approved with modifications. The motion passed.

8:00PM – The minutes of the August 22nd meeting were read and approved with corrections on a motion by SB and a second by JB.

8:05 PM-JB opened a discussion on the HDC sign regulations and SB stated that he had spoken to the Town manager about sign ordinances and thought that political signs were exempted from regulation, but further research would be needed by the manager to exact clarification for this type of signage. Scott further indicated that within the HD there are signs currently beyond political signs (real estate, names of property, names of individuals, church signs, etc. that do not conform to the HD Regulation. Scott said that we need to know more if and when we act on the signage issue for the Historic District.

JB indicated that signs do not trump zoning and provided commentary on a Supreme Court ruling about content independence and SR 664-17 that talks about where political signs...where they can be place and when they must come down, but it does not discuss appearance.

SB further stated that we have an option to change the HDC regulation if we so choose to act.

Mark Simon said, 'that we should consider "freedom of speech".

Other on the HDC provided their opinions, with a consensus to not to do anything hastily, but do complete more research.

JB closed discussion and indicated that he would welcome more research and reconvene a signage review at a future meeting.

Other public comments included:

Jim Miller stating that he hoped he HDC would require applicants to submit complete plans with their applications to facilitate a decision.

Jeff Majewski asked about our Rules and Procedures document relative to changing the rear of houses within the Historic District. JB explained that the rear of the Houses in the District are treated the same as the front and thus would require approval from the HDC for modification.

Jeff also asked if we were going to vote on the proposed changes to the HDC Regulations this evening and was told by JB that at the August 23rd meeting the proposed changes to the HDC Regulations were voted on and passed.

8:22 PM -SB made a motion for adjournment with a second by DF.

Respectfully submitted,

Michael F. Roy
Secretary

The next meeting is tentatively scheduled for September 20th assuming that the landowner will provide the HDC with proper documentation to act upon their request. Otherwise, the next meeting will be held on October 18th in the Senior Center at 7:00PM. Please advise JB if you will not attend.