

January 9, 2006
Canaan Historic District Commission
Senior Center, 7:00 PM

Members present: John Bergeron, chairman; Kris Burnett; Rainie Kelly; Mary Noordsy, secretary.

Minutes to the 12/12/05 meeting were read and the following corrections made:
Treadwell is an abutter to the east of the Robbins property; Hobstetter is an abutter to the west of the Robbins.

Kris made as motion to accept the minutes with the changes, Mary seconded, the motion passed with all in favor.

7:15 We opened the continued public hearing on the Rich application. John had received a call from Marty Davis of Domus. They have requested that we continue the meeting until February 13, 2006. We will resume the hearing at 7:15 PM on 2/13/06.

Kris talked about her conversation with Jeff Majewski regarding his replacement of garage doors. Jeff does not think he needs to make a formal application because the old doors did not move easily and he thought it was a fire hazard. The commission feels that because the doors do not match what had previously been there (a change was made in the door style) that an application should be made. John looked for an old application that was referenced, which was made by a previous owner in 1989. It was agreed that an application by a former owner does not transfer to the new owner. Kris will write a letter to Jeff expressing our concerns.

7:20 PM The continuation of the Gloria and Daryl Robbins application, who reside at 657 Canaan Street. The application applies to property they own at 350 Canaan Street. The Robbins were both in attendance, as well as Dan Smith, an attorney for the Hobstetter's of 356 Canaan Street.

The application is for a single-family residence. The Robbins proposed dwelling location is not specified in the application. They had responded to John's emailed questions with a location of between 150 and 300 feet from the lake. John read a letter from the Hobstetter's stating their objection to the application.

Attorney Smith, representing the Hobstetter's, brought up these points:

- The Hobstetter's purchased their property in 2000, knowing that the lot next to them could not be developed because of size restrictions. They plan to retire to this home and are protected under the law, as there is no law to protect substandard lots such as the one the Robbins's wish to improve.
- The Robbins's can rehab the cottage within the existing dimensions
- To deny the application is not taking away their use of the property
- The lot does not conform for further development. The previous owner received tax abatements because it was a non-conforming, undevelopable lot, and the Robbins's knew this when they purchased the lot.

- The purchase price reflected that the lot is undevelopable
- The Hobstetter's knew the lot next to them was undevelopable when they purchased their lot, and changing this would create an undue annoyance.
- The Hobstetter's expected to rely on the enforcement of the regulations
- The proposed structure would be within 14 feet of the property line, and with grading/fill it would encroach even more
- Waivers cannot be contrary to the law, it is an egregious request
- Quoting Sec. VIII of the regulations; a waiver in this case would create an annoyance and disturb the Hobstetter's privacy
- Case law states that waivers can't be given if it would likely have an adverse effect on a neighboring property
- The commission can consider whether the folks who want the variance created their own hardship by buying a lot that had such restrictions on it
- Apply the regulations as they exist
- It has a camp on it so they can make use of the property
- To grant a waiver would not be equitable or fair to the Hobstetter's
- No towns around here allow development on 50' lots
- It is a rural area and must be protected

Darryl Robbins stated that he knew of the restrictions and tax abatement but felt that similar waivers had been given in the past. The board did not agree that any of the examples he gave were similar as to the scope or nature of the applications.

Mary read the Treadwell's letter of support for the Robbins' application which had been read at the last meeting.

The public hearing was closed at 7:40 PM.

Mary made a motion to accept the application. As there were no seconds, the motion failed.

Kris made a motion to deny the application based on the lack of a 30' setback. Rainie seconded. Kris, Rainie and Mary voted in favor of the motion, John did not vote, the motion passed and the application was denied.

7:55 Jutila shed. Kris has not contacted them yet. Our concerns are the window facing the street; that the building is not on the ground and is tipped slightly; it does not appear to be in the location that was approved, which was to be 30' from the property line. We are disappointed in the shape of the window, which is not traditional and was not in the application, and it appears that it will need to be regraded (or other solutions) around the barn/shed once the ground is workable.

8:10 Discussion of regulation of generators. Noise may be an issue; we would like to find out more information about the noise level and its impact on the neighborhood.

8:32 PM Discussion of driveway regulations- it has been suggested to us that we need to consider regulating placement of and improvement of driveways. Should the 30' set back apply to driveways? This warrants more discussion and research.

9:00 PM Mark Kremzner has resigned his position as a selectmen, we will ask the selectmen to appoint another representative to the HDC.

John presented a letter from the State of NH related to the watershed of Canaan Street Lake. The watershed letter summarized protection of drinking water. Any water that makes its way into Canaan St Lake shall be protected from pollution.

9:10 There being no further business, the meeting was adjourned by unanimous consent.

Respectfully submitted,
Mary Noordsy, Secretary

Feb13, 2006
Senior Center
7pm

Members attending: John Bergeron, chairman; Kris Burnett; Rainie Kelly; Scott Borthwick, selectmen's rep; Mary Noordsy, secretary.

Minutes of Jan 8, 2006 were read. Strike "situated 300 feet back from the lakeshore" from minutes (regarding Robbins application). Motion by Rainie to accept the minutes with the changes; Kris seconded the motion, the minutes were approved unanimously.

7:15 Opened continued public hearing for Rich, 520 Canaan St. The representative from Domus builders called to ask for a continuance of their hearing until our regular March meeting. The public meeting was continued to 7:15 PM at our March 13, 2006 meeting.

7:20 Historic District brochure. Kris passed around a brochure she is working on about the HD. John suggested adding the website address. Rainie will proofread it and if she finds it doesn't have any errors, Kris will take a copy to our new neighbors, Mark Dove and Family, who have purchased the former Kremzner house.

7:30 Generators. John spoke with a noise consultant to get information on noise levels of generators. The generator that we have been requested to review produces sound of 71 dBA at seven meters. It will be in the range of noise allowed in a general neighborhood sound ordinance. Shielded by shrubbery or other shielding (behind a building) the noise level should be reduced. A solid mass fence (stone wall) higher than the generator will further reduce noise. (Rainie noted that at 85 dBA you should wear ear protection.) A majority on the board feels that a generator is a "structure" (on a slab and secured down) and thus an application is required.

7:40 Driveways/30 ft setback regulations: Section VIII B of the regulations states, "no new construction or addition shall be placed any closer than 30' to the lot line." We discussed structure setback vs. driveway rules. Break apart the two issues. Should we regulate the distance of driveways from the lot line? The State of NH regulates where new cuts can be placed along Canaan Street, a state highway. The Canaan Planning Board subdivision regulations state as a guide for driveway placement that "the traveled way of a driveway shall be ten feet from the lot line." The Canaan Planning Board is beginning to draft a driveway regulation. Should we add this to the HDC regulations? We could add a separate paragraph with this information after a public hearing at some point in the future.

7:50 Rules of procedure- State requires a rule of procedure, the "nitty-gritty" of how we run our meetings. The document we are working with has been modified from the town of Bedford, NH by John. We reviewed Article 7. Section seven looks OK as is. John will check with the Planning Board to see how they handle the notification process.

8:10 Jutila shed. Kris got a response to the letter she sent to the Jutila's. Elizabeth responded by email. John read the email into the record. The grading will be done, the

window will be replaced. She asked for our patience and said it will be straightened out this summer.

8:15 Historic District activity without application.

Majewski/ Donovan/Sheehy - garage doors, we asked Jeff Majewski to file an after the fact application, for consistency sake. Mary will contact Jeff and Carol and see if she can help in this process.

8:25 Historic District bounds petition Warrant article reads, "To see if the town will vote to request that the planning board look into the question of amending the boundaries of the Historic District." We discussed the presumed reasons behind the petition and how to approach resolving it. Mary stated that she was disappointed that the people who circulated the petition had not approached the HDC to get feedback or input. We feel that such a change to the boundaries of the district would have grave consequences for preserving the historic integrity of the district.

8:30 Other business

As there was no new business, the meeting was adjourned by unanimous consent.

Respectfully submitted,
Mary Noordsy, secretary

Canaan Historic District Commission
Minutes

March 13, 2006

Senior Center, Canaan NH, 7:00 PM

Members in attendance: John Bergeron, Chairman, Kris Burnett, Rainie Kelly, Acting Secretary

7:05 Informal discussion of the proposed Forbush project (400 Canaan St.) with R.D. Ford, builder, and Jan Forbush, property owner:
Initial discussion focused on owner's need to obtain a septic permit from NH D.E.S. She has the forms to apply for a building permit and will follow-up on the septic-permit issue.

7:15 Continued public hearing for the Rich project (520 Canaan St.) opened:
Since the owners' representative from Domus Builders could not be present, the hearing is continued to our next regular meeting. (Monday, April 10, 2006 at 7:15PM at the Senior Center.)

7:20 Resumption of informal discussion of Forbush project:
RD Ford presented some elevations for the proposed project and explained changes to the roof line seen from Canaan St. He will prepare elevations for the north and west views to present at the formal hearing for this project. Commission members recommended windows with grids to conform with historic precedent on the street. Other building materials (roof shingles, siding, window trim) will match what has already been used on the house.

7:30 Public hearing for Rowse project at 569 Canaan St.:
The Rowses are seeking approval for the placement of a 12kw residential standby generator on the north side of their garage. Abutters present: Jim Crowell and Helen Pooler, in addition to Commission members, John Bergeron and Kris Burnett.

Mrs. Pooler stated her objection to the project based on the noise level caused by a generator of this size especially during the summer when she uses her porch.

John passed out information about noise levels in the environment, explaining that the proposed generator produces 71 dBA at seven meters. Prior to the meeting he had measured the distance from the proposed site of the generator to abutters' houses and to the street. His information showed that the decibel level at the Pooler house would be 52dBA, comparable to the noise produced in the home by a refrigerator or washing machine. John also shared information about noise ordinances in seven other New Hampshire towns. Average maximum dBAs allowed are 61 during the day and 51 at night. Noise from the Rowse's generator will not exceed the average daytime limit at the street or at abutters' property. If it runs at night, however, it will exceed the average limit of 51dBAs.

Mrs. Pooler withdrew her objection once she understood that the noise would not be as much of a disturbance as she had thought. Jim Crowell has no objection as long as the generator is used only to produce standby power, nor does he object to the 15-minute weekly test.

Canaan Historic District Commission
Minutes

7:55 Public hearing on Rowse project closed.

Kris moved that we approve installation of the proposed generator for emergency use only, with the condition that the Commission will evaluate the generator during operation for compliance with Section VIII C of the HDC regulations. If the Commission determines at that time that noise abatement or other action is required, specific conditions such as a four-foot solid fence on the east and north sides may be imposed as a requirement for continued operation.

Rainie seconded the motion and it passed unanimously. Commission members will invite Mrs. Pooler to be present when it evaluates the noise level of the generator.

8:00 Resumption of discussion of the conceptual plan of the Forbush project:

John observed that the diagram of the front of the house is not to scale and it's difficult to envision the roof lines. Mr. Ford will correct that when he completes the west elevation for the formal hearing on this project. Other topics discussed included the placement of a skylight on the north-side roof. Jan stated that the skylight will be placed where it won't be visible from the street. The formal hearing for this project is scheduled for March 29, 2006. (Time and place to be determined.)

8:25 HDC brochure:

Kris reported that the brochure is now ready to print. She will give John a CD with the file so that he can print copies of the brochure and mail one to all property owners in the historic district. Kris will also leave a supply at the town offices and will mail and/or deliver a copy to the new owners of the Kremzner property (Mark Dove and family).

8:30 Historic District activity without a permit:

Given the absence of Mary Noordsy who was to have contacted Jeff and Carol Majewski regarding the garage doors at the Majewski-Donovan-Sheehy property, discussion of this issue was continued to the next regular meeting.

8:31 Minutes: John Bergeron read the minutes of the meeting of February 12, 2006.

There were no corrections. Rainie moved that the minutes be accepted as printed. Kris seconded the motion and it passed unanimously.

8:35 Other Business

Informal discussion with members of the public in attendance (Dan Fleetham, Sr., Dan Fleetham, Jr., and Elwin Neilly)

Dan Fleetham, Sr. stated that he did not originate the petition calling for the change in the Historic District boundary but does feel that the limits of the district should be the same on both sides of Canaan Street. He also stated that he had discussed his concerns with the Commission last year. Discussion followed about the ramifications of changing the boundary of the district and about noise issues in town.

8:45: As there was no other business the meeting was adjourned by unanimous consent.

Respectfully submitted,

Rainie Kelly, Acting Secretary

Historic District Commission
Special Meeting
March 29, 2006
Senior Center 7:00 PM

Members in attendance: John Bergeron, Chairman: Mary Noordsy, secretary; Bill McDonald, selectmen's representative

Others attending:
Jan Forbush, (and Circe), Dan Forbush, RD Ford

Public hearing on Forbush application opened at 7:00 PM

The application is for an addition to an existing building located at 400 Canaan Street.
The materials and changes specified in the application are:

Cedar clapboards
Shingles to match the existing (architectural green)
Windows will be double hung w/grids, low e
Foundations to match existing
Skylight in roof at rear

John Bergeron asked about septic system— are they complying with state law? Jan Forbush answered that Brent Stevens has submitted an application to the state on behalf of Mrs. Forbush.

The application requests a waiver of 8 inches on the north lot line at the back of the addition. The front of the addition meets the 30-foot setback requirement but because the lot line is at a slight angle, the setback is short by 8 inches of meeting the 30-foot setback.

Mary Noordsy made a motion to accept the application, with grids in the windows, per the drawings included in the application discussed at the meeting. Bill McDonald seconded the motion, all voted in favor. The application was approved. This approval included granting an 8-inch exception to the required 30-foot lot line setback.

The meeting adjourned at 7:45 PM.

Respectfully submitted,
Mary Noordsy, secretary

Historic District Commission

April 10, 2006

Senior Center, 7 pm

Members attending: John Bergeron, chairman; Rainie Kelly; Bill MacDonald, selectmen's rep; Mary Noordsy, secretary.

Others attending: Jonathan Garthwaite, Jeff Majewski

Interview of Mr. Garthwaite for a position on the HDC. He has submitted a letter of interest and answered our questionnaire; he would be interested in either the full time or alternate position.

Matt Dow would also be interested in either position. John received a letter from Tom Oppel giving his support to Matt's candidacy.

Wendy Needham and Mike Fitzgerald have also expressed interest in serving on the commission.

The minutes of March 29, 2006 special meeting were read.

7:15. Continued Public hearing on the Rich property. They are not ready and so the meeting will be continued until May 8, 2006 at 7:15 PM.

We returned our conversation back to discussing candidates.

Dan Fleetham Jr's letter was read and his qualifications noted. The commission has concerns about two members of the same household serving at the same time. Both Fleetham's are certainly qualified, and Dan Fleetham Senior has already been appointed to the commission.

Mary Noordsy nominated Jonathan Garthwaite for the fulltime position. All voted in favor of Jonathan for regular member.

Two positions for alternate:

Mary nominated Matt Dow and Wendy Needham, by consensus all agreed to nominate the people to the selectmen.

7:30 Jeff Majewski attended to discuss changes in appearance to a building he owns. John pointed out examples of "application after the fact" within the district and asked Jeff to consider at least making an application after the fact. Jeff feels that the last owners application for garage doors covers what he is doing and has done. John found an application from 1989 for Chamberlain/Kaliski to replace the garage doors. Jeff wants to find the old owners application; he bought the property in 1994 or '95. We discussed whether the approval of a previous owner carries over to a new owner. We need to research the question as it applies, John will see what he can find out.

7:45 minutes of March 15 meeting; the CORRECT DATE should read March 13. Mary read the minutes aloud. Rainie moved to accept with the date changes. Rainie, John and Mary voted in favor, Bill abstained.

Minutes of March 29 meeting. ADD to the minutes “the waiver was granted” regarding the setback variance for Jan Forbush’s application and approval.

Jeff asked about the generator and why it needed approval. It was explained that it was considered a structure and a potential noise generator.

Stone walls and picket fences---are they also structures that need specific approval?

8:10 Rules of Procedure discussion

The commission is editing the rules of another town to suit the purposes of Canaan Historic District. Postponed until the next meeting.

Kris Burnett told John that she has given the Dove’s the copy of the new HDC brochure. We discussed cost estimates on printing the brochures and means of distribution.

There being no further business, there was a motion to adjourn. All voted in favor. The meeting was adjourned at 8:20

Respectfully submitted,
Mary Noordsy, secretary

Historic District Commission

May 8, 2006

Senior Center, 7 pm

Members attending: John Bergeron, chairman; Dan Fleetham Sr.; Mary Noordsy, secretary.

Others attending: Matt Dow, Jonathon Garthwaite, Wendy Needham, Denise Cypher, Joanne Whalen, Faith Rich, Bill Rich, Marty Davis of Domus Building, Jessica Bishop Grace and Terry Bishop

New members: Matt, Wendy and John have not yet been sworn in. They will attend to this before the next meeting.

7:15. Continued Public hearing on the Rich property at 520 Canaan Street.

Questions from the public regarding moving the barn and the dimensions of the addition that were answered by Marty Davis and the Rich's. Denise and Joanne stated that they appreciate the reduction of height in the roofline and that the barn is being kept in its original location. Denise found inconsistencies of scale on the drawings, which made it difficult to analyze the drawings. One concern that Denise has is that there is still a lot of wall space in proximity to the Whalen house and suggested that perhaps evergreens or other plantings could be put up as a screen, but the Rich house is so close to the property line that planting on their land will be difficult. Joanne would like to know the exact roof height of the addition; Marty will try to get her that information. The public hearing was closed.

Mary made a motion to accept the application per the drawings of May 5th. Dan seconded. Passed unanimously, application was approved.

Joanne Whalen and the Riches will work on trees and screening on an informal, neighborly agreement.

7:45 Conceptual discussion on renovations to the Grace Filfalt property with Jessica Grace Bishop. The home is in need of repairs, from the foundation to the roof. Plans are to remove the shed and replace it as is, but turn it into a bedroom and laundry. Ms. Bishop asked questions about installing a metal roof and vinyl siding. She intends to make long-term investments to the house but is looking for a cost effective way of doing so. The commission discussed the difficulties with vinyl siding and suggested alternatives. As the long-term reliability of Hardi-plank is not yet known, the Commission recommended using wood clapboards that have been primed on both sides. Also, for longevity, asphalt shingles are now available with a fifty-year warranty; these may be more effective in the long term than a metal roof. The Commission commends the efforts of Ms. Bishop to preserve and restore the home. If they repair the building replacing existing materials with like materials (asphalt shingles, wood clapboards) then a HDC application is not necessary. Changing windows, window placement or materials does require an HDC application and approval. Applications should be received at least two weeks

prior to the meeting.

8:36 minutes of prior meeting the minutes of April 10, 2006 meeting were read. John made a motion to accept them, Mary seconded, all voted in favor.

8:40 recent district activity without application: Majewski/Donovan Sheehy. After doing research based on information obtained at the last meeting, John was able to obtain a copy of a 1988 HDC approval to Chamberlain to "add a center post between the garage doors" for support. In 1989, there was an application to move the garage doors to the exterior of the building (to be hung outside rather than inside) with the stipulation that "the barn doors are to duplicate the original if they have to be replaced". John could not find any documentation after 1989. If Jeff feels that such documentation exists, it is his responsibility to find it and present it to the commission. John will write a letter asking Jeff to submit an application. For consistency sake we must try to enforce the regulations fair-handedly, and since there has been a change in appearance to the garage doors, an application is necessary.

8:50 Activity at Mark Dove/Kathleen Stavaski property. There is a wheelchair/handicap ramp that is being installed at this property without HDC approval. It appears to be made out of aluminum and is located at the front entrance to the house. It is possible that they may be using this as a temporary fix, until they can get an application in to us, which means that there should be a definite time given when it will be removed---30 days? 60 days? This will give them the time to present an application for a ramp that conforms to HDC regulations. It appears to not meet code, which is an ADA regulation that the town or federal government will need to enforce. It will need to be built to NH building codes and ADA law. Jonathan is going to draft a letter asking them to comply with ADA requirements. In 1990 Jan Forbush applied for a handicap ramp, so there is precedent.

Rules of Procedure-postponed due to time limitations to the next meeting.

Other business:

For future discussion: add to the regulations wording about swingsets/play structures and ramps.

Matt Dow has a conflict with meeting times on the second Monday of the month. We discussed changing to the first Monday of the month. We have decided to meet next month on June 5th at 7:00 PM.

Dan Fleetham asked us to look into the history of the sidewalk

There being no further business, there was a motion to adjourn. All voted in favor. The meeting was adjourned at 9:20 PM

Respectfully submitted,
Mary Noordsy, secretary

Minutes of the Canaan Historic District meeting on June 19, 2006

Meeting called to order at 7:03 PM

Members present: Jay Waldner / Jonathan Garthwaite / John Bergeron / Dan Fleetham Sr / Lorraine Kelly / Wendy Needham / Matthew Dow

John Bergeron (chair) designated Matthew Dow to act for absent member Mary Noordsy

Minutes done by: Matthew Dow

The minutes from the May meeting:

There was talk about the wording in reference to the Filfalt project. (changing windows, window placement or materials does require approval) The HDC does not necessarily require a permit if you are only replacing a current window.

Motion to accept by Matthew Dow

Seconded by Lorraine Kelly

Motion passed

John Bergeron handed out copies of the new Canaan Historic District brochure.

There was discussion about getting more information in the minutes regarding lot numbers, map number and full name of the owner.

7:15pm Public hearing for shutters at 392 Canaan St was opened.

Members of the public present:

Larry Kelly

The first item of business was the Roy property lot # 392. (installation of shutters)

The application was read by John Bergeron

7:23pm Public hearing closed:

There was a discussion about the style of shutters being installed

Motion made by Jonathan Garthwaite to accept the application as long as the shutters go with the established patterns in the district or the time period of the house.

Seconded by Matthew Dow

Motion passed

7:32pm Majewski / Donovan / Sheehy Garage door installation (no application)

John Bergeron handed out a list of all of the past applications for changes to these doors and attempts to contact the owners about the present changes that were done without an application. There was a lengthy discussion about the rules and procedures if an application was not submitted to the HDC and how it has been dealt with in the past.

A motion was made by Jonathan Garthwaite to contact the selectmen to be on the agenda for the next select board meeting to discuss the rules and procedures of failure to file an application.

Seconded by Matthew Dow

Motion Passed

Matthew Dow will also talk to Jeff about his failure to file an application for his project to see if he can convince him to file an after the fact application. John Bergeron will also talk to Sam Frank to see if he can talk to Jeff also.

8:03pm Handicap ramps: Dove/Stavaski and Pooler

Jonathan Garthwaite reported that he hand-delivered a letter to Mark Dove and Kathleen Stavaski inviting them to discuss with the HDC issues about the ramp they've installed at their property at 577 Canaan St. After lengthy discussion with them, Jonathan concluded that their position is that they do not need to submit an application for approval of the ramp to the HDC because it does not fit the regulations' definition of a structure.

The ramp was discussed by the members of the HDC and it was agreed upon that the ramp does not fall into the classification of a structure in the HDC rules and therefore does not require an application.

8:30pm Pooler handicap ramp:

There was a discussion about the definition of a temporary handicap ramp and how we should add a description to the rules and regulations of HDC. Matthew Dow will talk to Ernie about the status of the ramp at the Pooler house.

8:54pm Kelly project 539 Canaan St

Larry Kelly talk about the windows and doors they would like to replace on the back side of the house and a rail on the side of the house. The windows and doors they would like to replace are presently plexi-glass ones. This area would become usable heated living space for use as an entry from the garage to the house. The railing would replace the temporary one that was installed last year. The HDC asked the Kellys for window and door specs and a railing style before the project would receive final approval .The Kellys also asked about the need for an application if they wanted to replace the windows on the front of the house and the garage door. The HDC said that there is no application needed as long as you do not change the style or size of the windows and garage door.

9:20pm Election of officers

John Bergeron was nominated for the Chair

Motion passed

Lorraine Kelly was nominated for the Secretary

Motion passed

9:22pm meeting adjourned

Respectfully submitted by, Matthew T Dow

Historic District Commission
Town of Canaan, NH
Minutes of Special Meeting: July 31, 2006
Senior Center

Members in attendance: John Bergeron, chairman; Jay Waldner, representative from the Selectboard; Dan Fleetham, alternate serving as voting member; Rainie Kelly, secretary

Also in attendance: Jeff Majewski, Mark Simon, Michael Paine

7:00: meeting opened for the purpose of revising the draft document of the HDC Rules of Procedure. (Changes agreed to by members present are incorporated into the 8.1.06 draft of the document.)

Tasks remaining:

1. Rainie will research procedures followed by other towns in order to do research and inventory properties and buildings within the district.(see section 2.6) She will also contact Ellie Davis regarding policies followed by the Budget Committee for removal of members for lack of attendance at meetings.
2. John will check with Dana about the following sections: 4.5 (releasing the meeting minutes in draft form within 6 days of a public meeting), 5.2 (finances) and 6.6 (quorum issues, as well as what members may discuss when there is no quorum). John will also write a paragraph to replace 8.3 (action on applications) which reflects present practice in Canaan.

9:30: working session of meeting ended; public discussion followed with comments and suggestions for changes to the document.

10:00 Meeting adjourned until August 14, 2006 at 7:00 for the purpose of completing revisions to the HDC Rules of Procedure.

Next regular meeting of the Historic District Commission: August 21, 2006 at 7:00

Respectfully submitted,
Rainie Kelly, Secretary

Canaan Historic District Commission (HDC) Special-Meeting Minutes
8/14/2006
Senior Center, Canaan, NH

Members Present: John Bergeron (JB), Chairman; Jay Waldner (JW), ex officio; Rainie Kelly (RK), Secretary; Dan Fleetham (DF), alternate voting in place of regular member

Members of the Public in Attendance: none

7:00 Meeting called to order by JB.

7:01 Minutes of July 31, 2006 meeting read.

- Suggestion to identify JW as “ex officio” member in future minutes
- Suggestion to add phrase: “Draft of minutes subject to Approval by the HDC at a future meeting” to future drafts
- Motion to approve as printed (DF)
- Second (JW)
- Motion passed

7:05 Work continued on 8/1/06 draft of the HDC Rules of Procedure (attachment of draft to follow)

John and Rainie presented results of research on issues raised at the last special meeting (see minutes of 7/31/06). JW also added suggestions for improvement of the document.. Appropriate changes were incorporated into latest draft of the HDC Rules of Procedure.

Tasks remaining:

1. Section 9.1 paragraph 2: **JB** will research question of time allowed before notice of each decision is made available for public inspection (3 days or 3 business days).
2. **RK** will proofread document for punctuation and clarity
3. Section 3.1, paragraph II: **JW** will call Steve Halleran in Plainfield regarding the question of US citizenship being required for HDC members

9:35 Special meeting adjourned until August 28, 2006 to continue work on Rules of Procedure. Next regular meeting: August 21, 2006.

Submitted,
Rainie Kelly, Secretary

Canaan Historic District (HDC) Meeting Minutes
August 21, 2006
Senior Center, Canaan, NH

Approved Minutes

Members Present: John Bergeron (JB), Rainie Kelly (RK), Jonathan Garthwaite (JG), Jay Waldner (JW) ex officio

Alternate Members Present: Dan Fleetham Sr. (DF), Wendy Needham (WN)

Members of the Public in Attendance: Michael Roy

7:00- Meeting called to order.

7:01: Dan Fleetham appointed by chairman to vote in place of a regular member

7:02 Minutes of meeting of 7/31/06 read.

Corrections suggested: complete address of Dove/Stavaski property needed. Secretary reminded to identify properties by map and lot numbers in future minutes. JB will bring copy of tax map to next meeting. Other minor corrections noted by JG who will amend and submit final approved minutes to HDC

Motion to accept with suggested amendments JW

2nd RK

Motion Passed

7:20 Public Hearing: map #I-D, lot#13, Pinemerry Trust: 396 Canaan St., Canaan, NH

Abutters present: none

Michael Roy presented application to reinstall 80-year-old white wooden gates formerly used on property. Owners intend to place the gates on either side of their circular drive as decorative, non-functional "welcoming" gates. Gates are each approximately 20 feet long and range in height from 5'10" to 3'3". The application includes a photograph of the gates in place on the property about 40 years ago.

7:27: Public Hearing Closed

Discussion about whether a waiver is needed due to height of gates: HDC regulations address height of fences, not gates. JW pointed out need to amend the regulations to reflect the fact that waivers are sometimes needed in non-hardship cases such as this, where owner seeks to reinstall a historic feature of the property.

JW: does project need building permit? Consensus: probably not.

Discussion of JG's suggestion that in future a copy of the application and Certificate of Approval (or Notice of Disapproval) be placed in the property-tax files and the Certificate of Approval (or Notice of Disapproval) be kept in the HDC file.

HDC needs to consider incorporating this change in its Rules of Procedure.

Motion to accept application as presented:JG: 2nd RK

Motion Passed

7:52 Discussion of Majewski et al: garage/barn doors

JB gave letter to Police Chief, Sam Franks, requesting that he speak with Jeff regarding the non-compliance issue. Jeff indicated to the chief that he still did not intend to comply. Chief Franks suggested that the HDC consider using a mediator, an idea which our regulations doesn't address. Subsequently, JB had a conversation with Jeff during which Jeff indicated he would consider submitting an application. Discussion followed of need for approval for minor changes like chimney caps, or switching from flat asphalt shingles to architectural-grade shingles. Consensus: we need a more detailed list of changes which require (or don't require) HDC approval. JB will provide members with a list he has begun to compile. HDC members agreed to work on sorting items on the list into those needing or not needing approval. We'll compare results at the next meeting.

JB shared results of research he did into other municipalities' list of exceptions to their application process.

8:33 Discussion of issues related to ramps for the handicapped

HDC decided at a prior meeting that a temporary ramp didn't meet the regulations' definition of structure. However, on closer reading of the regulations it appears that these ramps may fall within the definition of structure since they do support persons. JW suggested that ramps should be in a separate class: JG agreed and suggested adjusting the regulations.

8:50 Special meeting to continue work on Rules of Procedure set for: 8/28/06 at 7:00 at Senior Center

8:51 JB mentioned that Matt Dow has a question about the installation of vinyl shutters on a home in the HDC after approval had been given for wooden shutters only. Discussion will continue at next meeting at which Matt is present.

Forbush/Jutila setback concern: HDC granted a waiver to Jan Forbush to place her addition 8 inches into the setback from the property line. It appears however, that the structure encroaches much more than this. The RSA does not provide for recourse after the fact. Discussion followed about the role the building inspector should play in these issues once they pass out of HDC control.

October meeting of HDC: JB is unavailable to meet on October 16, so the October meeting will take place on October 9th (second Monday).

Fines for non-compliance: JB reported that the NH State Legislature changed the fine for non-compliance to \$275/day for violations.

Eligibility to hold public office: JW reported that RSA 91:2 reads as follows:

91:2 Aliens.-No person is eligible to hold any municipal office, elective or appointive, who is not a citizen of the United States.

Source.1949, 214:2,eff May 26, 1949.

Approval of minutes of special meeting of 8/14/06.

JW: move to accept with minor spelling correction: JB second. Motion passed.

Motion to adjourn: (RK). Second (JW): Motion passed.

9:15 Meeting Adjourned

These minutes are intended to be a fair and accurate summary of the items discussed.

Submitted,

Rainie Kelly, Secretary

Next special meeting: August 28, 2006, Senior Center

Next regular meeting: September 18, 2006, Senior Center

Canaan Historic District (HDC) Meeting Minutes
Special Meeting: August 28, 2006
Senior Center, Canaan, NH

Approved Minutes

Members Present: John Bergeron (JB), Rainie Kelly (RK), Jay Waldner (JW) ex officio

Alternate Members Present: Dan Fleetham Sr. (DF), Wendy Needham (WN)

Members of the Public in Attendance: none

7:00- Meeting called to order.

7:01: Dan Fleetham and Wendy Needham appointed by chairman to vote in place of regular members.

7:02 Work continued on draft of Rules of Procedure with focus on changes suggested at previous meetings and incorporated into document by RK.

Section 2.6 addresses a change in the procedure for submitting an application for HDC approval: suggestion is to require “documentation photographs” both before a project begins and upon completion. These will be stored in a historic district building inventory, which the HDC needs to put together. JB will check on what photos are already in the tax files of properties in the district. If Section 2.6 is approved, the HDC will need to re-write the procedures for submitting an application for HDC approval.

Section 4.5 Duties of Secretary: for the present, RK will email minutes to JB who will convert them to Adobe Acrobat and send them to Sharon to post on the town website. RK will deliver paper copies of draft and approved minutes to town offices unless JB volunteers to do this too.

Section 12 (Enforcement Policy) still needs to be reviewed by the Town Attorney. Secretary and Chairman will keep copies of tax map available for use at future meetings.

8:00 Completed work on draft of Rules of Procedure and began work on guidelines for determining when an application for HDC approval is required.

JB created list of items which may or may not require HDC approval: Commission began task of categorizing each item.

9:25 Motion to adjourn: RK, 2nd WN. Motion passed

Next special meeting to continue work on guidelines: 9/11/06 at 7:00 at Senior Center

Next regular meeting: Monday, September 18, 2006 at 7:00 at the Senior Center.

Submitted,
Rainie Kelly, Secretary

**Canaan Historic District (HDC) Meeting Minutes
Special Meeting: 11 September, 2006
Senior Center, Canaan, NH**

Approved Minutes

Members Present: John Bergeron (JB), Rainie Kelly (RK), Mary Noordsy (MN), Jonathan Garthwaite(JG), Jay Waldner(JW), ex officio
Alternate Members Present: Dan Fleetham Sr.(DF), Wendy Needham(WN)

Members of the Public in Attendance: none

7:00- Meeting called to order.

7:01 Minutes of meeting of 8/21/06 read.

Motion to accept with minor corrections: JW

2nd JG

Motion Passed

7:15 Minutes of special meeting of 8/28/06 read.

Motion to accept with minor corrections: JB

2nd JW

Motion Passed

7:25 Discussion of proposed Rules of Procedure: draft of 8/28/06 accepted with minor changes. The only section needing work is Article 12:Enforcement Policy. A meeting with the Town Attorney has been scheduled to review the content of this article.

7:45 Continued discussion from last meeting regarding the issue of when an application for HDC approval is required. JB shared communications he's had with other towns regarding how they deal with small items which may or may not require approval. Regulations from the Town of Rochester might be a helpful model as we consider how to handle this issue in Canaan. Rather than continuing to sort items on the checklist JB prepared, members agreed to read the Rochester Regulations in order to evaluate their applicability to Canaan. **JG will look for other links to similar-sized towns.**

Further discussion focused on how HDC should approach changes to, or items placed on, that portion of a property not visible from a public way. No consensus reached.

9:05 Motion to adjourn: (RK). Second(MN): Motion passed.

Submitted,
Rainie Kelly, Secretary

Next regular meeting: Monday, September 18, 2006 at 7:00. Senior Center, Canaan, NH

**Canaan Historic District (HDC) Meeting Minutes
September 18.2006
Senior Center, Canaan, NH**

Approved Minutes

Members Present: John Bergeron (JB), Rainie Kelly (RK) Jay Waldner (JW) ex officio

Alternate Members Present: Dan Fleetham Sr. (DF)

Members of the Public in Attendance: Debbie Crowell, Jim Crowell, Carol Bergeron

7:05- Meeting called to order.

7:06: Dan Fleetham appointed by chairman to vote in place of a regular member

7:13 Minutes of special meeting of 9/11/06 read.

Motion to accept with minor correction: RK. 2nd: DF

Motion Passed

7:18 Public Hearing: map #I-E, lot#21

Property of John and Carol Bergeron at 570 Canaan St.

Abutters present: Debbie and Jim Crowell

JB recused himself from his role on the HDC for this hearing.

HDC accepted application as complete.

Carol Bergeron presented an application to make changes to the exterior of the house and barn at 570 Canaan St. These changes include:

1. Addition of white vinyl or aluminum downspouts and gutters to the house and barn
2. Replacement of roof shingles and other repairs to roof (see p. 5 of application for details of each proposed change.)
3. Replacement of some existing windows with energy-efficient windows retaining the same grid pattern
4. Addition of steel chimney caps to all three chimneys
5. Addition of lattice screen to conceal propane tank on north side of house
6. Replacement of skirt between north porch floor and ground with lattice
7. Enlargement of south steps; addition of rails and balusters

Questions from HDC members and abutters about the following items: roof color (new shingles may be darker than present roof); replacement windows (true-divided lights vs. snap-in grids or glued-on muntins), exterior trim around windows; ridge vent

8:08: Public Hearing Closed

Motion was made to approve the Bergerons' application with the following conditions:

1. That the ridge vent be covered over with asphalt shingles

2. That wherever an entire window is replaced, the exterior trim will remain substantially the same or will conform to the architectural style of the Federal or Georgian periods. The HDC encourages the Bergerons to choose six over six replacement windows with either true-divided lights or glued-on muntins if possible

3. That the rails and balusters added to the south-side steps be consistent in style with the existing porch.

8:09 Motion to accept application with the above conditions: RK. 2nd: DF

Motion Passed: Jay Waldner will sign the Certificate of Approval after the minutes have been approved.

8:15 Discussion of vinyl shutters and handicap ramps

Discussion of vinyl shutters postponed until more members are present.

Handicap ramps: while it's clear that permanent ramps require HDC approval, the situation with temporary ramps is less clear. We need to change the regulations to clarify when approval is or is not needed. This can happen after a public hearing on the matter.

8:40 Rules of Procedure

After the scheduled meeting with the Town Attorney regarding Article 12, the HDC will be ready to vote to accept the proposed Rules of Procedure.

8:44 Guidelines

JB suggested that we form an ad hoc committee to create a document to serve a guideline for when an HDC application is or is not needed. John, Rainie, and possibly Jay, will contact individuals to serve on the committee.

9:30 Motion to adjourn: (RK) 2nd:DF. Motion passed.

9:30 Meeting Adjourned

Submitted,

Rainie Kelly, Secretary

Next regular meeting: October 9, 2006; 7:00 PM; Canaan Senior Center

Canaan Historic District (HDC) Meeting Minutes

October 9, 2006

Senior Center, Canaan, NH

Approved Minutes

Members Present: John Bergeron (JB), Rainie Kelly (RK), Jonathan Garthwaite (JG), Jay Waldner (JW) ex officio

Alternate Members Present: Dan Fleetham Sr. (DF), Wendy Needham (WN)

7:00- Meeting called to order.

7:01: Wendy Needham appointed by chairman to vote in place of a regular member

7:02 Minutes of meeting of 9/18/06 read.

Motion to accept with suggested amendments: WN, 2nd: RK

Motion Passed

7:05 Discussion of Article 12: Rules of Procedure

Town Attorney has reviewed and approved contents of Article 12. Several small changes suggested by HDC members to clarify language.

Motion to approve Rules of Procedure document as amended: JG, 2nd: WN

RK will ask Mary Noordsy and Matt Dow to sign the document and deliver a copy of the HDC Rules of Procedure to town clerk by Oct. 16.

7:35 Discussion of Sign Ordinance

The Canaan HDC was formed in 1968 but the town voted again in 1986 to establish the HDC. A question remains as to whether the HDC was legally constituted in the interim. Since the sign ordinance was passed in 1970, there is also a question about its legality. (See p.10 of the HDC regulations.) The HDC should probably consider holding a public hearing and a vote to delete Appendix A from the HDC Regulations, in order to comply with the town attorney's recommendations.

7:40 Guidelines for necessity of HDC approval

An ad hoc committee consisting of JB, JG and Bruce Barrett (Canaan St.) will meet to draw up guidelines for when HDC approval is needed. JB shared a document he put together drawing on guidelines from other communities.

7:50 Other Business

Nancy Loomis, 372 Canaan St., has applied to convert her single-family home into a two-family dwelling. The only exterior changes for which she's requesting HDC approval are the placement of a storm door on the front of the house and the addition of vent-duct hoods in the rear. The HDC will hold a special meeting to consider this application on October 23, 2006.

8:00 Motion to adjourn: WN, 2nd: JG.: Motion passed.

Respectfully submitted,
Rainie Kelly, Secretary

Next special meeting: October 23, 2006 at the Canaan Senior Center (7:00)

Next regular meeting: November 20, 2006 at the Canaan Senior Center (7:00)

To do: 1.sign ordinance 2.revise procedures for applying for HDC approval. Other?

**Canaan Historic District (HDC) Meeting Minutes
October 23, 2006
Senior Center, Canaan, NH**

Approved Minutes

Members Present: John Bergeron (JB), Jay Waldner (JW) ex officio

Alternate Members Present: Dan Fleetham Sr. (DF)

Members of the Public in Attendance: Nancy Loomis

7:03- Meeting called to order.

7:04- Dan Fleetham appointed by chairman to vote in place of a regular member

7:05- Public Hearing opened:

Property of Nancy Loomis, located at 372 Canaan Street, tax map I-D-15.

Applicant present: Nancy Loomis

No Abutters present.

HDC accepted application as complete.

Nancy Loomis presented an application to add an apartment with exterior changes limited to adding a storm door to the front door and adding exhaust ducts to the rear of the house.

7:14- Public Hearing Closed:

Jay Waldner moved to accept the application as submitted. Dan Fleetham seconded the motion. The application was approved by unanimous vote.

7:15 Motion to adjourn: (JW) 2nd:DF. Motion passed.

7:15 Meeting Adjourned

Submitted,

John Bergeron, Chairman

Next regular meeting: November 20, 2006; 7:00 PM; Canaan Senior Center

**Canaan Historic District (HDC) Meeting Minutes
November 20, 2006
Senior Center, Canaan, NH**

Approved Minutes

Members Present: John Bergeron (JB), Jay Waldner (JW) ex officio, Jonathan Garthwaite (JG)

Alternate members Present: Dan Fleetham Sr. (DF)

7:00 Meeting called to order.

7:02 Minutes of meeting 10/09/06 read.

Motion to accept with suggested amendments: JW, 2nd JG
Motion Passed.

7:15 Minutes of meeting 10/23/06 read.

Motion to accept: JW, 2nd JG
Motion Passed.

7:20 Election of Vice-Chair & Clerk postponed until next regular meeting.

7:21 Guidelines for when an application is required.

Discussion of wording and potential changes.

9:20 Motion to adjourn

Moved JW, 2nd JG
Meeting Adjourned

Submitted: Jonathan Garthwaite HDC

Next regular meeting: December 18th, 2006; 7:00PM; Canaan Senior Center

**Canaan Historic District (HDC) Meeting Minutes
December 18, 2006
Senior Center, Canaan, NH**

Approved Minutes

Members Present: John Bergeron (JB), Rainie Kelly (RK)
Alternate Members Present: Dan Fleetham Sr. (DF), Matt Dow (MD)
Ad Hoc Committee Member: Bruce Barrett (BB)

Members of the Public in Attendance: Andrew Mulligan, Mark Simon, Jeff Majewski

7:00- Meeting called to order.

7:01 : Dan Fleetham appointed by chairman to vote in place of a regular member

7:02 Minutes of meeting of 11/20/06 read.

Motion to accept as printed: RK: 2nd, DF

Motion Passed

7:07 Status of Rules of Procedure: copy of document adopted by HDC delivered to Town Clerk by RK

7:10 Election of Vice-Chairman and Clerk: Action postponed until January meeting

7:12 Review of existing NH DES dock regulations: HDC does not regulate docks, however there is a summary of DES regulations on p. 11 of the HDC Regulations should members or the public have questions about docks in the Historic District. JB reviewed those regulations.

7:25 Other Business: Community member Andrew Mulligan requested information about whether the HDC regulates outdoor holiday decorations in the district. He pointed out that precedent exists in other towns for such regulation. Since our regulations do not address this issue, we suggested that if Mr. Mulligan would like to see the regulations changed he should make that request in a letter to the HDC. We would then debate the issue and decide whether to hold a public hearing on the matter at which time the community could vote on his proposed change to the HDC regulations. Mr. Mulligan indicated that he would put his request in writing.

7:50 Guidelines for when an application is required: An ad hoc committee (JB, JG and BB) produced a set of guidelines to inform the public about when a Certificate of Approval from the HDC is and is not required for a project. Canaan's document is modeled on that developed by the City of Rochester, NH. JB will make suggested revisions to the document and send it to all members to review so that it can be adopted at the January meeting.

Tasks related to new guidelines and present regulations:

- the guidelines should be appended to the Rules of Procedure
- Rules of Procedure needs a Table of Contents

- BB suggested that we draft a mission statement which is less legalistic than the Statement of Purpose on page 2 of the HDC Regulations. BB will contact RK with more information about how to develop a statement which reflects Canaan's commitment to preserve its Historic District.
- Revise definitions used in the new guidelines to match those in the HDC Regulations

8:50 Other Business Continued: MD presented a conceptual plan for a project at the home of Nancy and Pete Tuttle. He will submit a formal application for the Tuttle by January 4 so that it will be included on the agenda of the January meeting.

9:10 Motion to adjourn: (RK). 2nd (DF): Motion passed.

9:11 Meeting Adjourned

Submitted,

Rainie Kelly, Secretary

Next regular meeting: January 15, 2006 at 7:00, Senior Center

Canaan Historic District (HDC) Meeting Minutes
December 26, 2006
539 Canaan Street, Canaan, NH

Members Present: John Bergeron (JB), Lorraine Kelly (LK)

Alternate Members Present: Matthew Dow (MD)

Members of the Public in Attendance: None

9:00- Meeting called to order.

9:01- Matthew Dow appointed by chairman to vote in place of a regular member

9:02- Discussion of fax received from Domus Inc. concerning additional changes to Rich property at 520 Canaan Street. Changes are confined to size, quantity, and style of doors and windows.

9:10- Motion made by Lorraine Kelly and seconded by Matthew Dow to recommend to Domus Inc. that the proposed changes be submitted in a formal application. Motion passed unanimously.

9:12- Motion to adjourn made Lorraine Kelly and seconded by Mathew Dow. Motion passed unanimously. Meeting adjourned.

Submitted,

John Bergeron, Chairman

Next regular meeting: January 15, 2006; 7:00 PM; Canaan Senior Center

These minutes were approved on March 19, 2007