

**SANBORNTON HISTORIC DISTRICT COMMISSION  
MINUTES-May 11, 2021 @ 7:00 P.M.  
TOWN OFFICES- 573 SANBORN ROAD, SANBORNTON, NH**

**The meeting may also be accessed by call-in due to Covid 19 Emergency  
Telephone: 425-436-6394 Access Code 554608#**

1. The Meeting was called to order by the Chair, Franz Vail at 7:04 P.M.
2. Roll call. The following members were present: Franz Vail; Stuart Dymont; Nina Gardner; Sam Swartz; Tim Cline; and BOS Representative Bob Lambert.

Not present was Barbara Whetstone, alternate member.

Selectman Bob Lambert was introduced to the Commission and explained his background and interests.

3. Nina Gardner agreed to take Minutes of the Meeting.
4. Review and approval Minutes of Previous Meetings.

Minutes of December 8, 2020. A Motion was made by Sam Swartz, seconded by Nina Gardner to approve the Minutes. Roll call was taken. Voting in the affirmative were Nina Gardner, Stuart Dymont, Sam Swartz and Franz Vail. Tim Cline abstained. The Minutes were approved.

Minutes of February 9, 2021. A Motion was made by Tim Cline, seconded by Sam Swartz, to approve the Minutes. Roll call was taken. Voting in the affirmative were: Sam Swartz, Tim Cline, Nina Gardner, Stuart Dymont and Franz Vail. All votes were in favor. The Minutes were approved.

6. Old Business.

Status of application for 2021 CLG Grant Program.

The Chair indicated that the state has still not received the funding for the next round of grants that are to be sent out to the various CLG communities. But he had been contacted to complete the necessary paperwork so that when the funds are received, this will enable the process to go forward with the Governor and Council contract process. Franz explained that the plan is to put off trying to get the two programs in place until next year (2022) since we will be allowed a year from this coming September. As proposed, Mae Williams will be conducting a walking tour of the Historic District via virtual format due to the safety concerns of trying to physically walk through the district. Historic New England has a couple of programs from which we can select once we know funding is available. We can work with them to determine exactly which program we might want to have them present. Sam Swartz indicated he was aware of the program options they have available.

Discuss meeting time/date.

The Chair indicated that he had a conversation with Barbara Whetstone alternate member regarding the conflict she has with the HDC Meeting day schedule and that of the Recreation Commission which she also serves on as a regular member. Franz told her he would add this topic to the agenda.

Nina Gardner commented that she felt it was important, and it has long been the schedule, for the HDC to have a noticed specific time and date for meetings. She also mentioned that we are required to have at least 4 regular meetings. Franz explained that it was unfortunate that the applicant for the hearing tonight had missed the deadline of submitting an application less than 10 days before the scheduled meeting, and was therefore put off for another month. Perhaps he could have called for a special meeting.

Nina Gardner again explained the limitations on meeting time and space available that currently exist and that could be further impacted by the proposed building project. She indicated that she would have a conversation with the Town Administrator for further guidance on the issue.

5. Public Hearing on Application by Trisha Brooks, adding a deck to a home in the district scheduled for 7:15 P.M.

The Chair opened the hearing at 7:17 P.M. Ms. Brooks was physically present for the hearing. The hearing had been properly noticed.

The Chair explained that Tricia Brooks was here to explain her application. Franz noted that he had been made aware of the existence of a deck added to a structure in the district and confirmed with the Town Planner that no building permit had been issued for the project. If one had been applied for, it would have brought this matter before the Commission. In this case it had not been. He asked Ms. Brooks to explain her application, following which commission members would ask their questions, followed by comment and questions from abutters.

Abutters present via telephone were Bob and Betsy Bryant.

Ms. Brooks explained that at the end of March the deck had been built. There was a door existing on the back of the house and it was a hazard if someone opened it. Her uncle built a 10ft X 16ft deck on the back of the house out of pressure treated lumber. It provides nice space and most importantly eliminates the hazard of the existing door.

The Chair explained that unfortunately we have had a number of situations recently where people go ahead and do things that we ultimately become aware of, and we are left facing the issue of what to do with them. After checking in with Steve Laurin, Ms. Brooks was made aware that she should have applied for a building permit and that entails her need to come before the HDC for their approval of the structure.

Sam Swartz expressed that his concern related to the color of the wooden deck. He asked if she had applied for a building permit.

The Chair again explained the process by which this matter got to the HDC. After the matter was called to his attention, he learned that Ms. Brooks needed to apply for a building permit. She had not done so prior to having the deck built.

Stuart Dyment wondered if the deck could be moved a bit, about four feet, so that it is not visible from the road. The existence of the septic system was noted as a conflict.

Franz Vail asked Ms. Brooks if she had any suggestions to help the board in dealing with getting more information out to people in the district regarding the proper processes that they need to follow for changes to properties in the district. She wondered if this is something that could be addressed via Facebook.

Tim Cline also felt we need to reach out to realtors to make certain they are aware of the requirements.

Nina Gardner noted that Ms. Brooks had come before the Commission in the past for an informal discussion when they first bought the property for discussion of their plans for changing the paint color and new roof.

Selectman Lambert commented that there was obviously a safety concern with the location of the existing door, as well as the location of the existing septic, and that the style of the deck might have been better had it been an extension of the porch. But as an “oops” moment we have to deal with what we have here.

At this point, the Chair opened the hearing to comments from Bob and Betsy Bryant, abutters. Bob Bryant stated he had always expected that there would be a deck added due to the existing location of the door. He suggested using a stain product, such as ArborCoat by Benjamin Moore as a stain for the deck, but that it would be important to wait a year or so before attempting to apply any product to the existing treated wood to give the wood an opportunity to weather so that it will hold the stain properly.

Chairman Vail closed the public hearing at 7:42 P.M. He turned the discussion back to the Commission members.

Tim Cline suggested painting the deck to soften its impact.

Nina Gardner wondered if some sort of vegetated planting could serve as a visual barrier.

Franz Vail commented that he would have liked more appropriate balusters.

In response to what she had heard, Ms. Brooks offered that she would like to paint the deck but had been told to wait a year before attempting to add paint to the pressure treated wood. She knows that in its present form it has a harsh visual appearance.

Franz Vail returned to the idea of a vegetative planting and suggested something like an ornamental crab apple tree.

Tim Cline made the following Motion- To accept the application and approve it with the following conditions. That the deck color be changed to match the existing house color trim, using a product such as ArborCoat by Benjamin Moore, and the planting of a flowering crab tree to add additional screening. The motion was seconded by Nina Gardner.

The Chair called for a Roll Call vote. Voting in the affirmative were: Sam Swartz, Tim Cline, Nina Gardner, and Bob Lambert. Franz Vail abstained and Stuart Dymant voted No. The Motion was adopted.

The Chair commented that perhaps the better path on a situation like the one we just dealt with might have been to say we had no authority to act as there was no building permit issued, and leave this as an enforcement issue for the Board of Selectmen.

Nina Gardner indicated that she would reach out to the Office of Historic Preservation at the state to see if they have copies of other Historic District Regulations and Guidelines to see what

kind of enforcement/compliance authority they have. Tim Cline indicated that he would be interested in joining with Nina for a visit to their office.

7. New/ Other Business.

No further matters were brought forward.

8. Adjournment.

A Motion to adjourn the meeting was made by Tim Cline and seconded by Sam Swartz. The Chair called for a Roll Call vote. Voting in favor were Sam Swartz, Tim Cline, Stuart Dymont, Nina Gardner and Franz Vail. The Motion carried in the affirmative.

Minutes were compiled from notes taken at the meeting by Nina Gardner, member, *and edited by Franz Vail, Chair.*

