

Final Minutes
Canterbury Historic District Commission
April 21, 2021, 7 pm
Meeting House

Present:

Kevin Bragg (Chair): Art Hudson (BOS rep): Jeff Leidinger: Anne Emerson:
Ginger Laplante

Absent:

Mark Hopkins

1. Agenda

Kevin Bragg called the meeting to order at 7 pm.

Kevin asked about teleconference. Lois said she would check with Ken Folsom next day if it was necessary to use GoToMeeting or the phone conference system.

2. Further work on the Ordinance

Minimum Maintenance provisions

Kevin had a handout regarding Minimum Maintenance regulations from Amherst, NH and Eagle, Idaho.

These were discussed in detail. Points raised included:

- The HDC should try to prevent a property owner simply neglecting a structure so that it would be condemned as a default way to secure demolition.
- Enforcement was an issue but still there should be a target to aim for. Minimum maintenance standards can be useful even in situations where demolition is not the goal.
- Different kinds of buildings might require different assessment (ex. a shed v. house) and some flexibility given the age of a structure that might not yet be considered 'historic' (ex. a carport)

- There is no 50 year limit in the current ordinance, merely the recommendation to aim for pre-1900 styles. Yet if an applicant wanted to rebuild a structure in 1940s style, it is arguable that is also historic at this point.
- Any demolition within the historic districts ought to be considered by the HDC.
- Sometimes interior maintenance is relevant to outdoor maintenance (ex. leaking roof damaging structures).
- Consensus was to base the language on the Amherst example and to put this after the issue of Relocation.

Demolition section

- Most examples of other towns that Kevin had read or printed specified that a qualified licensed professional must deem demolition to be necessary. It was acknowledged that assessment reports may be costly.
- Such reports should include costs of stabilization as another consideration and the cost of the structure in these different conditions, with the onus being on the applicant to show demolition was the only viable course of action.
- HDCs cannot tell people to put money into a structure but unless there is a clear safety issue they can require an owner to preserve it. It is not good enough in a historic district to want to take down a structure just to use the land for another purpose.
- Assessments of demolition applications would have to separate the safety issues from the economic issues – the public good is served by retaining a structure in an historic district.
- The issue of the church doors not being altered in accordance with HDC recommendations was remembered – what role should an HDC play if owners maintain hardship in the face of the recommendations?
- Normally the applicants have to pay for written reports but what if the HDC was to seek assistance from other commissions for technical expertise?
- Members agreed to use more of the Sanbornton and Keene language and take one sentence from the Winchester example.
- There must be evidence shown that all reasonable efforts have been made to explore relocation and preservation and that these efforts were unsuccessful.

- There should be drawings taken of a structure that must be of a professionally recognized standard – for example using the NH state Division of Historical Resources guidelines, rather than the more demanding US Secretary of Interior standards.
- And consideration must be given to what the site would look like post demolition – that should be part of any approval given.
- Recommendations may be taken from other commissions in town.
- The term ‘non-contributing’ was regarded as less than helpful because everything in the districts is covered – but there has to be a way to weigh up if something has ‘historical value’ or not. Jeff was to incorporate that issue in with the provision for showing a plan for post demolition.

Enforcement section

- HDC’s tend not to be the enforcement agency but they might have a role in alerting a Code Enforcement Officer – dialogue would be essential.
- The level of fines is generally set at \$250 per day of violation in other towns – it is intended to be high enough to be a deterrent.
- There are examples of other towns where if someone acts to demolish without a permit they then become prohibited from obtaining a permit to build something else. In practice there could be degrees of offense with those kinds of actions – perhaps the language from the zoning ordinance should be used.

Time Frame provisions

- Most towns will give approval for projects with a year from issuance of the permit to start the work.
- Some towns have a ‘cool off’ period of 20 days or so after decisions are made for appeals and that was thought to be a good idea.
- Some towns allow 2 years for completion of work – perhaps Demolition projects needed a more concise time frame? So demolition would have a different limit from other projects? Were time frames better than thinking of seasonality and weather factors?
- Or what about having the option of a time frame plus the option of an extension that owners could apply for? It was agreed that was a good

idea, that the HDC would give a permit for a year and there was the option of applying for an extension of not more than up to a year.

- An abandonment clause was thought to be unnecessary.

Inspections provisions

- The final inspection of a project should be undertaken by the Code Enforcement Officer with HDC representation as well.
- It was acknowledged that the Code Enforcement Officer in Canterbury was currently very part-time and already very busy. It would likely be necessary to add hours to his job description for these new responsibilities. It was agreed that the Assessor should be aware of these potential changes as well because demolitions can have tax implications.

Application Process and other sections to work on

- Anne Emerson had indicated that the Bedford procedure was a good one – in principle it was a good idea to break things up into smaller parts to make them easier to follow – the language could be streamlined.
- Mark is working on forms and guidelines.
- Jeff said he would try to incorporate this evening's decisions into another more final kind of draft for discussion at the May meeting.

3. The Barn.

Kevin and Art shared updates:

- Ken Folsom had contacted Ron Turcotte in Florida, about the fence having blown down again – Hubs had put it back up since.
- Ron had not been successful in contacting the man who was supposed to be finishing the work – Derek Allard of Salisbury. He had not taken advantage of the dry and mild weather over many weeks. He had no formal contract even with the owners and no responsibility to the town.
- Although it seems as if the HDC recommendations were still being ignored, the owners have until July 2021 to get the work done, as agreed at the November 2020 meeting. Work was supposed to have continued in a timely fashion and that had not happened.

- The owners are liable for the unsafe condition of the remaining structure. It was agreed the Town should have the Code Enforcement Officer send Ron Turcotte and Judy Nelson a letter to inform them it was unsafe and a properly secure fence should be erected. The town should be seen to be making efforts to secure the site even though the liability remains with the owners should someone be injured there.
- As BOS representative Art was asked if he would follow up with Ken Folsom the next day.
- Should the town need to get the structure inspected, the bill should be sent to the owners.
- All members agreed that the town should ascertain the condition of the structure with the owners and take steps to secure the building.

4. Adjournment

Kevin asked for a motion to adjourn at 8:30pm. Ginger seconded. The next meeting will be on Wednesday May 19, 7 pm at the Meeting House. There will be further discussion of the Ordinance provisions.

Respectfully submitted,
Lois Scribner, secretary