



Somersworth

Historic District Commission

One Government Way
Somersworth, NH 03878

Ordinance Workshop Minutes of 6 April 2017: Adopted as amended

Present:

Laura Barry
Richard Brooks
Pius Charles Murray, Chair and Secretary

Others Present:

Martin P Dumon, Sr, City Councilor
Tim Metivier, Building Inspector

Agenda and Minutes

Call to Order: At 7:00pm by the Chair.

Workshop Business:

The Chair welcomed and thanked Mr. Metivier for appearing before the Workshop to assist in describing in detail the application process of the HDC. The section for which Mr. Metivier was asked to appear before the Workshop was to help with Procedures for Review for Certificate of Appropriateness. Ms. Barry asked for a detailed step-by-step description of the process.

Mr. Metivier stated that an applicant first obtains an application from the Planning Secretary at the Development Services Department at City Hall. The applicant is responsible for filling the application out in its entirety, including obtaining all required pictures. The completed application is then submitted to the Planning Secretary who has an initial checklist of necessary items that are looked for prior to

acceptance by the Planning Secretary. According to Mr. Metivier, one quarter (25%) of all applications are returned to applicants because not all items are included. Once an application is completed and accepted by the Planning Secretary, it is forwarded to Mr. Metivier for consideration of minimal versus major impact. If a project is deemed to involve major impact, it is sent to the HDC. If on the other hand

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the project is considered minimal impact it is sent to the City Planner; if there is a disagreement between the City Planner and Mr. Metivier, the project goes to the HDC. The deadline for receipt of applications is two weeks prior to the regularly schedule HDC.

Mr. Brooks had a question regarding the 45 day window. He asked when that 45 days began to count. He was concerned that if it began upon acceptance by the Planning Secretary, then two weeks would have gone by before it even reached the HDC. Mr. Metivier explained that the clock on the 45 days began only after an application had been heard by the HDC. Mr. Metivier re-iterated that only an applicant could request that an application be tabled; the HDC could not table an application on its own. Prior to being listed on the HDC agenda, the HDC Chair and the Building Inspector go over the application one more time to ensure completeness.

A parenthetical inquiry by Ms. Barry sought to determine what size shed/garage might be a deciding point between major and minor impact. Mr. Metivier suggested that 120 square feet be used as the dividing line. The Workshop took Mr. Metivier's recommendations under advisement.

After HDC approval, 70% of applicants have already filed for Building Permits. If an applicant has not already filed prior to HDC approval, an applicant should do so shortly after approval is granted. A request for a Building Permit is reviewed for Code Compliance. The city uses the *International Residential Code of 2012* and the *International Building Code of 2012* as references. Allowances may be made for historic buildings.

Mr. Brooks asked about the length of time a Building Permit was good for. According to Mr. Metivier, once a Building Permit is issued the applicant has 180 days to begin the project. Provided there is continued work on the project, the permit is good for one year. If after a year the project is not complete, a six month extension may be granted. After a year and a half, a new Building Permit is necessary.

Mr. Metivier said that an applicant who is denied by the HDC may re-appeal to the HDC then if necessary to the ZBA, or an applicant may appeal directly to the ZBA.

Property Maintenance is rubric under which the city may enforce taking care of private property. Most property maintenance violations (e.g. peeling paint cracked foundations, falling walls, etc.) are caught by city employee drive-bys. Previously, two letters then a Property Maintenance Violation citation were issued. At present, a Courtesy Letter is sent rather than the citation. The legal authority for issuing citations is contained in RSA 676.10. The Workshop decided that it would borrow the wording from Keene's ordinances.

Mr. Metivier recommended any change regarding painting contain the added phrase, "in a workmanship-like manner" to underscore the need for a professional job that helps improve the property's overall appearance.

Mr. Metivier said that he had a pdf file of the city ordinances that are copy-and-pasteable that he would forward to the Workshop to help ease retyping whole sections of the city ordinances. The Chair thanked Mr. Metivier for his considerable input which was greatly appreciated.

The Workshop then turned to Painting, deciding to use Keene's wording. For Siding, the Workshop¹⁴ debated if it should recommend a percentage of change above which a project would be considered major impact but in the end decided to leave the wording as is. For its Section 4.3 "Review procedures," the Workshop preferred the wording of Durham section 174.9.

After some discussion, the Workshop decided to recommend a limit of 120 square feet for deciding between major and minimal impact sheds/garages. For trees, the Workshop decided that a 12" diameter on 4' above grade size would differentiate between major and minimal impact; all damaged trees would be minimal.

The next meeting was set for Tuesday, 11 April 2017, at 6:00pm.

Adjournment: The Workshop was adjourned at 9:05pm by the Chair.

Respectfully submitted,

Pius Charles Murray

(Mr.) Pius Charles Murray
Chair and Secretary