

**TOWN OF BEDFORD
HISTORIC DISTRICT COMMISSION MINUTES
July 2, 2019**

A meeting of the Bedford Historic District Commission was held on Tuesday, July 2, 2019 at the Bedford Meeting Room, 10 Meetinghouse Road, Bedford, NH.

Present: Theresa Walker (Chair), Judy Perry (Vice Chair), Phil Greazzo (Town Council Alternate), Christopher Allen (regular member), Janet Tamulevich (regular member), Steven MacDougall (alternate member), Mark Connors (Assistant Planning Director, Staff Liaison)

Absent: Charles Fairman (Planning Board Liaison), Catherine Rombeau (Town Council Liaison), Joe Vaccarello (alternate member)

I. Call to Order, Roll Call, and Acceptance of Agenda:

Chairwoman Walker called the meeting to order at 7:00 pm.

Mr. Connors read the evening's agenda into the record.

II. Old Business:

None

III. New Applications:

1. **Peter & Laurie Wallace (Owners)** – Request to install a 6-foot tall wood stockade fence on the side and rear portions of 68 Pinecrest Drive, Lot 20-10-35, Zoned R&A.

Owners: Peter & Laurie Wallace
Applicants: Peter & Laurie Wallace
Proposal: Request for approval to install a rear-yard cedar stockade fence
Location: 64 Pinecrest Drive, Lot 20-10-35
Existing Zoning: "R&A" – Residential & Agricultural
Surrounding Uses: Residential, Village Common, gas station

I. Background Information:

On October 3, 1995 the Historic District Commission approved plans to construct a Cape Code style home on the property at 64 Pinecrest Drive. On November 7, 1995, the HDC approved a modification to the home plans to add four skylights to the home's roof. It does not appear that there have been any significant exterior renovations or alterations to the home since then.

The home sits on a one-acre parcel and is bounded by NH Route 101 to the north and Pinecrest Drive to the south.

II. *Project Description:*

The applicant proposes to install a rear-yard 6-foot tall stockade fence enclosure in the side and rear yards for privacy. Part of the lot was acquired by the NH Department of Transportation (NHDOT) to facilitate the NH Route 101 widening project. The applicant has also indicated that NHDOT provided the property owners some funds to install fencing. The fence would be made of cedar wood and be unfinished. It appears that the total linear length of fencing will total approximately 100 feet.

There is some woodland between the home and NH Route 101 that should disguise or buffer views of the fence seasonally, however it will likely be visible from the highway during winter months. The overhead graphic provided by the applicant appears to show that the fence will encroach on to the abutting property at 68 Pinecrest Drive. The applicant will need to provide written permission from the property owners to install portions of the fence on their property to the Planning Department or modify the location of the fence such that it does not encroach on to the abutting property (Condition #3).

III. *Staff Recommendations:*

Staff does not object to the application as it appears to be generally consistent with the objectives and standards of the Historic District. The Commission may want to discuss with the applicant if the outward facing portions of the fence should be stained or painted for aesthetic reasons, particularly because the fence will be seasonally visible from NH Route 101.

Richard Wallace spoke on behalf of the applicants, his vacationing son and daughter-in-law, Peter & Laurie Wallace. Mr. Wallace explained that the roadwork on Route 101 took part of the applicant's land away for widening of the road and to make a sidewalk. Those walking along the sidewalk would be able to see into the applicant's yard because there are fewer trees remaining after the roadwork. The applicants would like to construct a fence along the back of the property running about 100 feet, located about 40-50 feet from their property line (because the land there is flat and usable) in order to prevent people from looking in their yard. They would also like to construct two other portions of fence on the side abutting their neighbor. Their neighbor had some dead trees removed a couple years ago and have agreed a fence could be erected in the space that remains where the dead trees were removed. The applicants would also like to install a fence for security so that people do not think they can come up from the sidewalk and cut through their property in order to get to Pinecrest Drive.

Chairwoman Walker asked if the property was physically located facing Pinecrest Drive. Mr. Wallace indicated it was. She asked if the rear property line abuts Route 101 and if that was where they wanted to install the fence. Mr. Wallace indicated that was correct.

In addition, Mr. Wallace explained that this Spring the applicants experienced a lot of wind in their yard compared to years past because their neighbor's trees no longer restrict the wind as well as they did before some of the trees were removed. The applicant's patio cushions blew away off their deck and wound up across the street. The fence would serve as a wind block and cause the wind to shear up and over the fence rather than coming straight into the house and yard. The applicants propose installing a 6-foot tall cedar stockade fence, with wood-tone sealing stain with a hint of color to it but are open to the Historic District's suggestion on color.

Ms. Tamulevich asked if the applicants had considered allowing the fence to mellow naturally to a grey color. Mr. Wallace explained that they are open to that but thought the wood-tone seal would look a little nicer, because sometimes wood mellows to a grey tone that is too dark.

Mr. MacDougall asked about the logistics of a fence going up on another homeowner's property and if they were going to get permission from the neighbors. Mr. Wallace indicated they had verbal permission from the neighbors, but if something was needed in writing they could obtain it. Chairwoman Walker indicated she believe written agreement would be necessary.

Chairwoman Walker asked if the town's aerial views of the property lines were accurate and if the proposed fence would abut the neighbor's property. Mr. Wallace indicated that the aerial views were accurate but said the fence will be on his son's property.

Mr. MacDougall indicated he had driven by the property and noticed the two gaps where the trees had been removed and the applicants wished to install portions of fence. According to the photo it does not look like the fence would be on the applicant's property, so he asked if it had been surveyed. Mr. Wallace was unsure, but Mr. Connors indicated he checked the file and found record of a survey from when the house was built in the 1980's and that it looks to him that the property lines in the survey seem accurately depicted in the aerial views from the Town Geographical Information System (GIS) photos. Mr. MacDougall suggested a letter from the abutters would be in order, just to keep things clean and to keep the neighbors happy.

Mr. Wallace said the neighbors are amenable to having a fence installed because they have small children and live uphill from the applicants, so the fence would help prevent them from having to chase errant balls that roll downhill when they play outside.

Chairwoman Walker opened the floor for any additional questions from commission members or concerns about the fence's location. Hearing none, she asked if the fence will be visible from Route 101 during the winter months. Mr. Wallace indicated it would be visible in all seasons through the trees. She asked if there was currently any fencing installed. Mr. Wallace indicated there was not.

MOTION by Ms. Perry to move that the Historic District Commission approve the installation of a 6-foot tall cedar stockade fence at 68 Pinecrest Drive, Lot 20-10-35, as requested by the applicants, Peter and Laurie Wallace, in accordance with the information submitted, because the applicant has provided evidence that demonstrates consistency with the HDC ordinance and regulations, subject to the following conditions:

- 1. All work shall be completed by the applicant within two years of the date of the Historic District Commission approval.**
- 2. The applicant shall submit photos of the completed work for the file.**
- 3. The applicant should provide written authorization from the abutting property owners to install portions of the fence on their property or alternatively move the location of the side yard fencing so that it is fully within the subject property**

The motion was seconded by Ms. Tamulevich. Vote taken – all in favor. Motion carried.

Mr. MacDougall asked if the applicants need to provide written letter before construction of the fence occurs. Mr. Connors indicated that if the fence is going to be on the neighbor's property a written letter or email will be required before construction of the fence begins.

IV. Other Business:

2. Review of Historic District fact sheet

Chairwoman Walker asked the Historic District Commission for any thoughts or comments on the Historic District fact sheet they had for review. Mr. Connors explained that the Historic District fact sheet is a way to consolidate information regarding Historic District requirements and guidelines into a single readable document. When people buy property in the Historic District, we currently send them a letter directing them to the Historic District Commission ordinance online, which is not the easiest document to read. The fact sheet consolidates everything into a 2-page document that is much easier to read. It will become one in a series of about 10 fact sheets written to address topics the Historic District Commission receives lots of questions about such as signage, home businesses, and accessory apartments in homes.

Chairwoman Walker asked if the intent is for the fact sheet to be sent to homeowners when they buy property in the Historic District and Mr. Connors indicated that was the intent. Chairwoman Walker asked if it the fact sheet would be sent to every

property owner in the Historic District. Mr. Connors said it would only be sent to new homeowners in the Historic District, but would be made available online, and at the library.

Ms. Perry disliked the dark purple background, and asked if the color could be changed. She had difficulty reading it, and others may too. Ms. Tamulevich suggested changing the font rather than the purple background in order to make it more readable, noting that areas with a bolded font were easy to read. Mr. Connors indicated he will work on adjustments.

Chairwoman Walker asked again if it would be located online and at various places throughout town. Mr. Connors indicated the fact sheet would be available at the Town office, library, and perhaps some small businesses in the district. Chairwoman Walker commended the planning department for their work on the fact sheet.

Mr. MacDougall asked if it had already been defined which colors are conventional and non-conventional for use in the Historic District. Mr. Connors said there is a book in town office that contains ideas for conventional colors that will not clash with the colonial atmosphere. Mr. MacDougall asked if it would save controversy in the future if we had some sort of definition about what colors are acceptable. Mr. Connors agreed it could be done and would indicate what colors are not considered acceptable.

3. Review and adoption of Code of Conduct provisions for the Certified Local Government Program.

Chairwoman Walker did not see anything that was a surprise in the Code of Conduct provisions for the Certified Local Government Program, and felt it looked very straightforward. Mr. Connors provided background explaining this is something we applied for several months ago. It is called the Certified Local Government Program and is run by the State of New Hampshire. There are currently about 25-35 towns in the State that are a part of it. The benefit of going through this process is that it provides confirmation that the Historic District Commission is following applicable laws and best practices, and once granted Certified Local Government (CLG) status there is a local grant program we could participate in that is limited to only towns that are CLG's.

We recently heard back from the State and they have asked the Historic District Commission to adopt the code of conduct. Once we do that the State can finalize the application, and then the final step is to send it to the National Park Service.

Chairwoman Walker indicated that doing so would open the Historic District Commission for some grant funds and mentioned there had been prior discussion about doing a survey of historic properties within the town. Mr. Connors indicated it was correct that a survey was discussed for research. Properties in the survey do not solely have to be located within the Historic District, just be historic-oriented. He indicated that there is even funding available for some brick and mortar projects. Mr. Connors spoke to the State on the phone and they indicated that a good first

project would be something like a survey considering that the town has not done a survey since the 1980's.

MOTION by Mr. Allen to adopt the Code of Conduct provisions for the Certified Local Government Program. The motion was seconded by Ms. Tamulevich. Vote taken – all in favor. Motion carried.

V. Approval of Minutes – June 4, 2019

MOTION by Mr. MacDougall to accept the minutes of June 4, 2019. The motion was seconded by Mr. Allen. Two abstentions: Ms. Perry & Mr. Greazzo who were not present for the June 4th meeting. Vote taken – all in favor. Motion carried.

VI. Communications:

None.

VII. Members Comments and Concerns:

None.

VIII. Adjournment:

MOTION by Ms. Tamulevich to adjourn meeting at 7:25 pm. The motion was seconded by Ms. Perry. Vote taken – all in favor. Meeting adjourned.

Respectfully submitted,
Tiffany Lewis