

**CITY OF SOWRSWORTH NH**  
***HISTORIC DISTRICT COMMISSION***

Meeting held on Wednesday, 19 December 2013

Minutes adopted on 22 January 2014

Members present: George Poulin, Chair; Madeline DeSantis; Albert Marotta; Beth Poulin; Tim Metivier, City Code and Health Office; Charlie Murray, Secretary

Members absent: Councilor Coty Donohue; Sherie Dinger; Arthur Hendrickson; Julie Rowe

Petitioners present: None present

Call to order: At 7:06 P.M. by the Chair

Approval of minutes of previous meeting: No minutes of the previous meeting of 26 November 2013 were ready yet

Projects of minimal impact: Mr. Metivier reported that no projects of minimal impact had been approved since the last meeting.

Old Business:

- A. My Mobile, on behalf of Tony Doan, is seeking a certificate of appropriateness to erect signs on property located at 59-65 High Street, in the Business Historic (BH) District, Assessor's Map 11, Lot 63A, HDC#25-2013.

This is the second time that this petition has come before the Commission; it had been tabled at the 26 November 2013 meeting because no one had showed up to explain the petition. Once again at today's meeting on 19 December 2013, no one showed up to explain the reasons for undertaking the structural improvements that require a certificate of appropriateness. The Chair inquired as to whether or not there was a limit to the number of times an item may be brought before the Commission; a quick consultation of the Commission's rules did not clarify the Chair's request; the rules do not specifically address any limits of the number of times an item may be tabled or brought before the Commission.

Motion to table My Mobile's petition was made by Mr. Marotta and seconded by Ms. DeSantis. Motion passed unanimously.

- B. The Chair reported no additional Old Business.

New Business:

- A. Them Tran is seeking two certificates of appropriateness: (1) to replace stairs located on property at 76-78 Elm Street, in the Business Historic (BH) District, Assessor's Map 10, Lot 193, HDC #29-2013; and (2) to replace stairs on property located at 68-70 Elm Street, in the Business Historic (BH) District, Assessor's Map 10, Lot 191, HDC#30-2013.

Mr. Metivier reported that the work on both petitions had already been completed. Mr. Metivier remarked that the black and white photos that had been enclosed with both petitions were copies that he, Mr. Metivier, had sent to Ms. Tran in his Notification of Violation and Stop Work order. Mr. Marotta asked why there was no fee for this application. Mr. Metivier responded that it may be due to the low cost of the project. Mr. Metivier also explained that there were two different applications from the same petitioner because work was requested for two different addresses on the same street (68-70 Elm Street and 76-78 Elm Street). Due to the absence of any petitioner or designated representative to explain the project, motion to table was made by Mr. Marotta and seconded by Ms. DeSantis. Motion passed unanimously.

Mr. Murray asked what additional penal authority the Commission had to impose on those who ignored or violated the Historic District Commission's judgments. Mr. Metivier explained that the initial level consisted of a Notification of Violation which included a Stop Work order; a required deadline with which the petitioner had to comply would be included in this first notification. If after the deadline had expired, there was still no compliance a second and final Notification of Violation with a second (and final) deadline would be issued. If compliance was still not forthcoming after the second notification, the city could issue a Land Use Citation and go to court. The Land Use Citation is not a popular option because the penalty fees are required and they are steep (\$275 per day for the first citation and \$500 per day for the second); courts tended to dismiss Land Use Citation cases. Mr. Metivier said that recently a number of local communities had met with some state representatives to see if some alternate penalty could be worked out (e.g. issuing a ticket).

- B. The Chair reported no additional New Business.

Workshop Business:

- A. Mr. Marotta reported that he is working on a schemata of classifications of property to help the Historic District Commission in its work. The following is a first rough classification scheme: (1) Structures built before 1900 would certainly fall under the HDC; (2) Buildings built between 1900-1930; (3) Modern Buildings; and (4) Commercial Buildings.

Mr. Marotta asked Mr. Metivier if Mr. Sharples might have on a disk or some digital format a list of all properties in the city which could include a chronological listing of ownership. Mr. Metivier said he would investigate and get back to the Commission.

- B. Mr. Murray reported that based on the Commission's formal motion to thank Councilor Donohue for his service on the HDC as the city council's representative which had been adopted at the HDC meeting on 26 November 2013, he had printed out a Thank You certificate which the Chair had signed and been given to the Councilor.

Communications and Miscellaneous:

- A. The Chair reported no further communications or miscellaneous business.

Adjournment:

Motion to adjourn at 7:30 P.M. was made by Mr. Marotta and seconded by Ms. DeSantis. Motion passed unanimously.

Respectfully submitted,

**Pius Charles Murray**

Pius Charles Murray  
Recording Secretary