

**Town of Effingham
Historic District Commission
October 13, 2014**

Report of the Secretary at the Public Hearing

Topic: Issues raised by the public with regard to the correct version of the current Historic District Regulations, as discussed during the September 8, 2014 Public Hearings in the Lord's Hill and Center Effingham Historic Districts.

Mr. Chairman,

Following the discussion at the Public Hearings held on September 8th regarding proposed changes to the current Historic District Regulations and the issues raised that the version of the Historic District Regulations on which the proposals were based may have been incorrect, I undertook research in the Commission's files in an effort to determine what, if any, corrective actions might be necessary. Based on that research, I have developed the following descriptive timeline which outlines the process by which the current regulations were arrived at.

- 1) The Historic Districts and the Historic District Commission were created by a vote during the official ballot session of the Town Meeting in 1987.
- 2) Hobbs Road was designated a Scenic Road and the Historic District Commission was designated to enforce said Scenic Road designation during the deliberative session of the Town Meeting in 1988.
- 3) The Historic District Ordinance, as passed in 1987, authorized the Historic District Commission to adopt regulations for the purpose of enforcing the ordinance and its standards. Based on this authority, and as a result of feedback that the standards in the ordinance itself did not provide sufficient guidance to either the Commission or District property owners, regulations were drafted in 1992.
- 4) A Public Hearing to accept comments, questions, and input on the regulations proposed in 1992 was held on April 6th of that year. At the Public Hearing, four changes of a substantive nature were made to the proposal. Those changes were:
 - a. In Section A: Structures, Part 2: Siding, the amount of exposed clapboard was changed from four inches to four and one half inches.
 - b. In Section B: Other Structural Features, Part 13: Fences and Walls, the last five words of the paragraph, "after review of the Commission," were struck.
 - c. In Section C: Other Requirements, the following text was added after Part 35, "The Commission shall adopt and may amend these regulations for the purpose of enforcing the Ordinance and the Standards contained within it."
 - d. On the index page of the Appendix, the following text was added at the bottom, "The Effingham Historic District Commission wishes to acknowledge the use of the "Appendix" to the Gilmanton Historic Commission Regulations."

- 5) All other changes made to the 1992 proposal were related to spelling and grammar and did not affect the tone or intent of the document. The proposed regulations, with the revisions noted above, were approved by the Historic District Commission on April 9, 1992.
- 6) The approved 1992 regulations are currently located in a binder available to the public at the Effingham Municipal Offices.
- 7) The proposal currently under discussion was erroneously based upon the original 1992 proposal, rather than the approved 1992 regulations. In addition the entire document was typed over in order to create a digital version. As a result of the use of the incorrect original document and due to transcription mistakes, the current proposal contains 13 scrivener's errors. Those errors are as follows:
 - a. On page 1 of the current proposal, under "1. Period Buildings," the fourth word of the second line should be "purpose" not "purposes."
 - b. On page 1 of the current proposal, under "2.," the category should be "Non-period Buildings" not "Building."
 - c. On page 2 of the current proposal, under "2. Siding," the amount of exposed clapboard should be listed as "four and one half (4.5) inches" not "four (4) inches."
 - d. On page 2 of the current proposal, under "4. Roofs," the sixth line should read in part "shall match the roofing material in color" not "shall matching the roofing in color."
 - e. On page 3 of the current proposal, under "9. Foundations," the second line should read in part "showing between ground level" not "showing between the ground level."
 - f. On page 3 of the current proposal, under "13. Fences and Walls," the second line should read in part "quarter inch or" not "quarter inch thick or."
 - g. On page 3 of the current proposal, under "13. Fences and Walls," the last sentence should read "Livestock fence is permitted." not "Livestock fence is permitted after review of the commission."
 - h. On page 4 of the current proposal, under "19. Landscaping," the first line should read in part "Where change of existing" not "Where changes of existing."
 - i. On page 5 of the current proposal, under "23. Utility Companies," the first line already reads in part "companies licensed in" and therefore the change from "license" to "licensed" is not actually needed.
 - j. On page 7 of the current proposal, after "35. Fees," the following sentence should appear, "The Commission shall adopt and may amend these regulations for the purpose of enforcing the Ordinance and the Standards contained within it."

- k. On page 9 of the current proposal, the second line should read in part “to serve as a guideline.” not “to serve as guidelines.”
 - l. On page 9 of the current proposal, at the bottom of the page, the following sentence should appear, “The Effingham Historic District Commission wishes to acknowledge the use of the ‘Appendix’ to The Gilmanton Historic Commission Regulations.”
 - m. On page 16 of the current proposal, the second line should read in part “replacements or new” not “replacements of new.”
- 8) In addition, three errors were made with regard to the final presentation of the proposal. Those errors are:
- a. The letter from the NH Division of Historical Resources was not reinserted following the synopsis.
 - b. Changes to the Appendix index page to switch the first sentence from singular to plural were not highlighted in red.
 - c. In Appendix 4, at the end of the third paragraph, “above” should have been changed to “below.”