

1 Heritage Commission

2 October 19, 2021

3 Final Minutes

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5 Members Present: Jay Myers, Chairman, Bill Campbell, John Merkle, Vice Chair, Julie Gilman, Select
6 Board Rep., Maura Fay, Treasurer

7 Jackie Rockel was present from the public

8 Call Meeting To Order: Jay Myers, Chairman, called meeting to order at 7:00 pm in the Wheelwright
9 Room of the Exeter Town Office Building

10 Business: First is the approval of the September 21, 2021 minutes. After reviewing and making some
11 changes, Julie made a motion to approve the minutes as amended. John seconded. All were in favor
12 and the minutes were approved. Maura abstained as she was not at the last meeting.

13 Jay said that he would like to talk about the demolition applications before they get into the discussion
14 of the proposed Neighborhood Heritage Area. He said there were a couple of scheduling things and the
15 first is related to 7 Wadleigh. We had a public hearing and we did not reach a quorum and one person
16 from the public connected by ZOOM. He said no decision has been made yet. He stated that he met
17 with Doug to see if procedurally it was worth rescheduling or letting the property owner know that they
18 can move forward. In review of the Zoning Ordinance and the language of that, it really doesn't meet
19 the definition of historic or nature and character of the neighborhood. Jay said that he did not bring
20 that language with him tonight.

21 Julie said that she has it and it is in Section 5. Jay said that this also brings up the timeline. He said he
22 learned that the 30 day clock starts with the submission of the DRC's letter. Technically we have until
23 the 22nd. He wanted to bring this to the commission to decide; do we try and make a schedule for a
24 second public hearing.

25 Julie said she was on a Demolition Subcommittee so she will talk about what happened there as far as
26 the procedure goes. The findings that you have to go through when considering that you would like to
27 preserve the building is what they have asked at previous demolition reviews. She said she is going to
28 use the other Wadleigh Street as an example because we had that as a public hearing and they did make
29 the finding that it's a cultural landmark to that neighborhood. That was really the most important part
30 that they found. The owners disagreed that it could be saved. Retention of the building or structure
31 would help and protect a historic area in the town. She said this was a finding too. She said if they go
32 ahead with a public meeting, this is the kind of language they would need to use in making their
33 decision. She said the subcommittee can make their own decision about whether or not to hold a public
34 meeting. Because she was not at the demolition review, so she would like to hear what everyone said
35 about it, whether in this meeting or at a public hearing.

36 John Merkle said they wanted the public to be part of the process and that was the guiding factor there.
37 He said whether the building is overtly historic was not the pressing issue of that amongst us there. He
38 said this whole process of tearing down existing neighborhoods was contributing to it even though it

39 was not indicated in the survey. John said they wanted the public to be part of the process so they
40 would understand what we are trying to do.

41 Bill said they are also trying to say that it does not have to be a 1790s house to qualify.

42 Jay said that the language in the Zoning Ordinance does not trigger us if it is older than 50 years. In
43 terms of the language, we still have to make a distinction of whether is it historic in nature and
44 something about the architectures. He said that is why he thinks they were in sort of a gray area and
45 decided to be on the side of transparency. We are at a point where we did schedule it, it was
46 announced and publicized. There was one person from the public. Clearly it did not rise to the height
47 of interest like 10 Wadleigh did.

48 Bill asked if we do anything, does it have to be tomorrow night or the night after. Jay said yes.

49 Maura said due to the timeline, it is not realistic to reschedule for Thursday night. She said to John that
50 she does like the perspective of continuing forward with a public hearing because she thinks so often
51 people do not know what goes into a decision about whether to demolish a house or not. It is also best
52 to have these conversations in public.

53 John said particularly because this neighborhood has been surveyed and it was already targeted as
54 important.

55 Julie asked what was the opinion of the Demolition Subcommittee on 35 High Street. Jay said it is 8
56 Gilman and he was going to talk about that next. He said the plan is to have a public hearing for that
57 property.

58 Bill said that is a more complex thing because there are two buildings and they are willing to do
59 something with one of them.

60 Jay then asked the commission if they should make a motion on what to do with this. Julie said she
61 thought they should.

62 Maura made a motion to try and not reschedule the public hearing due to lack of time. Jay said he
63 would add that there was a lack of public interest at the first scheduled meeting. Julie seconded the
64 motion. All were in favor and motion approved.

65 Jay stated that the second demolition is 8 Gilman, 35 High. Bill asked how long did the commission have
66 on this one. Jay said that they had it scheduled for November 1st, but were bumped by the Select Board.
67 He said they are in need of a reschedule and looked at the date choices he got from Barbara. They
68 decided on Monday, November 8th at 7:00 pm. Julie had suggested choosing a Monday just to have
69 more time to report within the 30 days. She then said that this brings up the precedence of the 30 day
70 and this is something we have not taken advantage of in the past and PEA would be a good first drive at
71 it. It is working with the applicant to find a different solution.

72 Jay said that he does not feel that he is informed enough to know what it is he can advise them to do,
73 such as salvage or move a property. He asked if there was a reference list of information and contact
74 people who are experts in those areas.

75 Julie said one of the things they do not have is the authority to have a third party inspection unless they
76 pay for it out of their funds. We could ask people to volunteer, but all the ones I know live out of town.

77 John said that we were involved with the HDC directly on a couple of other projects. He said one of the
78 issues here is that the HDC is going to need to know what is going back there and does this involve the
79 Planning Board.

80 Julie said it depends on the project and if it needs a site review. She thinks the PEA project probably
81 does. John said that he assumes PEA has already made the application to the HDC. Julie said no
82 because it is not on this month's agenda.

83 Jay said that December 2nd is the date when the 30 days will be up. Julie said the earlier we start on this
84 the better. John said we have the opportunity to go back. They drove their point by taking us inside the
85 building.

86 Julie said this is one thing that is kind of vague in the procedures that there is supposed to be a
87 subcommittee and this committee makes the decision on whether to go forward or not and does not
88 come back to the whole body for that kind of vote. She said it does not say anything in the ordinance or
89 RSA about whether the whole body as a commission should or can go out to review a building. She said
90 this is partly why she has not been to the last couple of demolition reviews because she thinks the
91 decision is being taken care of by at least the first three people who sign up and that is what the
92 subcommittee is, three people or less. It is like a rock in a hard place where three people will have the
93 responsibility to make a decision but the whole body will decide if they agree or disagree within the 30
94 days.

95 Bill asked if the subcommittee would be the same three people all the time and the other members said
96 no because there is not enough time for three people to be there all the time. Julie said when Barbara
97 sends out the notice that there is a request for a demolition review, the first three people who respond
98 to Jay will be the Subcommittee.

99 Bill asked that if the Subcommittee comes back and recommends that they have a public hearing
100 because they do not think it should be torn down, does the rest of us have a chance to go and see the
101 house or building.

102 Julie said that was a good question. She does not see why not if it is just one person at a time. It could
103 also be less than a quarter of the board so less than four. She thinks this is within the 30 days of working
104 with the applicant. Julie said they could also have a site walk.

105 Jay asked a question in terms of clarity and he will use 7 Wadleigh. What if the DRC said that it is ok to
106 demolish that and a letter gets sent to Doug and the building goes down.

107 Julie said when a decision such as that is made, the Subcommittee says go ahead because we have no
108 problem with demolition of this building, the owner is taking a risk by going in and demolishing it the
109 next day because we have the 30 day time period. If the work is done before the 30 days is over, we can
110 still object. Maura said it would not change anything at that point and other members agreed.

111 Julie said she does have a question put out to the Division Of Historical Resources about the regulatory
112 authority we have because my interpretation is that we have no authority to do any kind of finding.

113 Maura said she can sum up because it sounded to her like if the commission, would like to have input
114 into as many demolitions as possible and not just leave it Subcommittee. Julie said the public hearing
115 does not have to be a special day. It is more likely than not to fall within the 30 business days. We don't

116 have to have a special hearing on a special night when the room is available. We can just do it at our
117 regular business meeting, as long as we do a public notice. She thinks they get both approaches done
118 and then if an individual wants to do a site evaluation themselves, then they can reach out party.

119 Julie said she thinks this one is a good opportunity to work with the property owner. We have time
120 between now and December 2nd.

121 Jay then asked to discuss the status of the Proposed Neighborhood Heritage Area that we spent quite a
122 bit of time on at the last meeting. He said it appeared we were at a point of deciding, 1) how to proceed
123 and 2) by proceeding, what actually would mean. He thinks the community exclusively were zeroing in
124 on demolition.

125 Julie said one of the things about the Demolition Review is that we don't have to do any kind of a butter
126 notice and that is a burden on the owner.

127 Maura said just to sum up the process, when we meet as a group to survey people using the DHR
128 proposed ideas of what could be regulated, the goal was to see what kind of interest there was. In the
129 end, after surveying, it came down to a section of the neighborhood seemed interested in saying that
130 there should be regulations around building demolition. Another one of the major issues that came up
131 was wanting to make sure that the Review Board or the Heritage Area Advisory Board administers that
132 would be made up strictly with people who live in the neighborhood within the Heritage Area. She
133 thinks based on her reading of the DHR Handbook that is something that we can ask for from the
134 Planning Board. The Planning Board makes the ultimate decision.

135 Maura said the question is do we move forward with presenting something to the Planning Board and
136 she knows there was a long discussion about this the last time. Reading the minutes, she said there was
137 not a clear feeling one way or the other, or she could not quite tell. Jay said there was not a decision on
138 that.

139 Bill asked if the commission was going to the Planning Board, or is the committee. John said both.

140 Bill asked Maura if she would take the responsibility of getting something together and then the
141 commission can go to the Planning Board. Maura said that she could do that. She said she has some
142 wiggle room because the Planning Board is booked out to at least January.

143 Jackie Rockel who lives at 31 Park Street spoke. She said an issue that needs to be explained is if they go
144 ahead and create this Heritage Area and you have one rule which is you cannot demolish anything
145 without getting it approved. What is the legislative process to add another rule that says you need to
146 paint your door purple? She said this group is not going to be there forever and people need to
147 understand and be comfortable with what happens to this area after you have created it with whatever
148 rules you created it with. Is that the only rule that can ever be there? How does that work? Without
149 this answer she thinks you are going to have a huge amount of opposition.

150 Julie said that was a good point. Because the Heritage Neighborhood Area falls under the jurisdiction of
151 the Planning Board, the Heritage Neighborhood Committee would have to go to the Planning Board and
152 amend whatever it is their scope of decision making. Jackie then asked if the Planning Board would be
153 able to approve it.

154 Maura said to that point the Planning Board would be doing this in public session where anybody could
155 attend and comment and hopefully the Planning Board would take those comments into consideration.

156 Julie said she thinks the Neighborhood Advisory Committee has to post their meetings. Maura said she
157 did not know for sure, but she assumes so because it would be an arm of the Planning Board, so as an
158 official body of the Planning Board they would have to follow the same rules.

159 Jay asked Jackie if that response still feels like there is a level of apprehension She said for her
160 personally, yes. She said other people might feel better about it.

161 Maura asked if the commission was at the point of trying to get on the Planning Board's agenda. Julie
162 said she thinks they have to have something written.

163 Bill said that probably at the next meeting, they should have something to discuss. Julie said that this is
164 going to be something new for the Planning Board and they are going to take some time to understand
165 it and it is not going to be just one meeting. It will take a few meetings and it is not going to be the most
166 important thing on their agenda.

167 Jay said it would be good to get John Grueter's input on this being a Planning Board Rep. for us. Jay
168 does not know if John has a conflict with our schedule, but Jay will try and find out.

169 Bill asked if the commission was moving the meetings to the evening now. Jay said that the evening
170 works best for him and others.

171 John stated that he thought the commission was switching the meetings to Wednesday. Julie said
172 typically there are less town meetings on Wednesdays. Everyone agreed to switch to the 3rd Wednesday
173 of every month.

174 Jay asked if there was anything from the Select Board that is of interest to the HC. Julie said we were
175 talking about membership terms. The Chair and another Select Board Rep, got together and looked at
176 our Select Board policy on committees. The question of course had come up about term limits and their
177 recommendation was to not have term limits. Julie said that recommended an informal policy that was
178 not in the ordinance where someone was a voting member for two terms and then they rotated down
179 to alternate. Maura said she thinks that would be wise because it feels like an alternate might never get
180 to be a full member.

181 Julie said the other thing was they are proposing that each commission present goals for the upcoming
182 year. For us, it might be changing some legislature so things work better for us. She said there is still
183 some question that you really might want to do it when you change over as chairman and when you
184 have the changeover of elected officers. Also, review the Master Plan goals when setting your goals for
185 this season.

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192 Jay said we have to submit an end of year summary, right. Julie said yes and Pam will start sending out
193 notices any time soon and it is about the yearend calendar year and not the appointment year. Julie
194 said that in the past, John has written very nice ones and Jay should look at them. John said they
195 encourage us to do photographs now as well. John will send Jay copies.

196 With no further business, Jay made a motion to adjourn. John said so moved. All were in favor and
197 meeting adjourned at 8:30 pm.

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199 Respectfully submitted,

200 Elizabeth Herrick

201 Recording Secretary

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