

CHARLESTOWN HISTORIC DISTRICT ORDINANCE

A. PURPOSE AND INTENT

In 2014, pursuant to the provisions of RSA 674:44-b III and 674:46-a, the Town approved expanding the mission of the Heritage Commission to assume the composition and duties of a historic district commission, thereby creating the Charlestown Heritage and Historic District Commission (hereinafter referred to as the “Commission”). As set forth in RSA 674:45, the preservation of cultural resources, particularly of structures and places of historic, architectural and community value, has been declared to be a public purpose. Hence, the purpose of this ordinance is to safeguard the heritage of Charlestown, NH by:

1. Preserving the district character and structures of historic and architectural value in the two Local Historic Districts in Charlestown, elements which reflect our cultural, social, economic and architectural history and make our community unique and special.
2. Providing a process and standards of review to evaluate any alteration, construction or demolition proposed, as defined herein, within the two historic districts as described in Section B.
3. Fostering civic pride in our heritage.
4. Strengthening our local economy.
5. Promoting the use of our historic districts for the education, pleasure and welfare of the citizens of the Charlestown.

The intent is to preserve the unique historical character of the Main Street and North Charlestown historic districts as a connection to our heritage, while permitting new construction of a size, scale and design that will respect and exist in harmony with the old.

B. COMPOSITION OF THE LOCAL HISTORIC DISTRICTS

By adopting the Historic District Ordinance, per RSA 674:46, the municipality establishes two Local Historic Districts, one to be known as Main Street Historical District and the other as North Charlestown Historic District, both as hereinafter described by the following lists of lots and maps appended hereto. This applies to all properties within the two Local Historic Districts, regardless whether residential, commercial, public or non-profit in-use; whether built on or vacant; and whether contributing or non-contributing to historic property status. They are defined on the town zoning maps, which are on file in the Town Clerk’s office of the Town of Charlestown. (Also see attached maps for visual reference.)

The Main Street Historic District consists of lots with the tax map numbers of:

117-1, 76 Main Street	118-106, 163 Main Street
117-2, 62 Main Street	118-107, 169 Main Street
117-3, 52& 54 Main Street	118-108, 177 Main Street
117-4, 46 Main Street	118-109, 183 Main Street

117-5, 34 Main Street	118-110, 187 Main Street
117-6, 16 & 24 Main Street	118-111, 0 Summer Street (Town Hall)
117-58, 23 Main Street	118-209, 20 Summer Street
117-59, 33 Main Street	118-210, 197 Main Street
117-60, 47 Main Street	118-211, 203 Main Street
117-61, 57 & 59 Main Street	118-212, 209 Main Street
117-62, 63 Main Street	118-213, 233 Main Street
117-63, 71 & 79 Main Street	118-214, 245 Main Street
118-1, 276 Main Street	118-215, 265 Main Street
118-2, 258 Main Street	118-216, 275 Main Street
118-3, 242 Main Street	118-217, 291 Main Street
118-79, 226 Main Street	119-1, 307 Main Street
118-80, 11 Depot Street	119-6, 28 Olcott Lane
118-83, 200 Main Street	119-7, 355 Main Street
118-84, 188 Main Street	119-8, 43 Paris Avenue
118-84-1, 170 Main Street	119-26, 00 Paris Avenue
118-89, 154 Main Street	119-27, 27 Bellows Falls Road
118-91, 122 Main Street	119-28, 37 Bellows Falls Road
118-92, 104 Main Street	119-29, 1 South Main Street
118-93, 94 Main Street	119-35, 9 Lower Landing Road
118-96, 113 Main Street	119-54, 364 Main Street
118-97, 109 Main Street	119-55, 338 Main Street
118-100, 125 Main Street	119-56, 326 Main Street
118-101, 135 Main Street	119-57, 318 Main Street
118-102, 145 Main Street	119-58, 304 Main Street
118-105, 157 Main Street	119-59, 296 Main Street

The North Charlestown Village Historic District consists of lots with the tax map numbers of:

207-1, 00 River Road	210-018, 443 River Road
207-2, 705 River Road	210-19, 451 River Road
207-27, 00 River Road (Hope Hill)	210-20, 471 River Road
207-28, 572 River Road	210-22, 509 River Road
210-10, 373 River Road	210-23, 5 Chestnut Hill Road
210-11, 391 River Road	210-27, 18 Chestnut Hill Road
210-14, 397 River Road	210-28, 398 River Road
210-15, 423 River Road	210-29, 390 River Road
210-16, 437 River Road	210-30, 380 River Road
210-17, 439 River Road	210-31, 372 River Road

C. DEFINITIONS

1. **Accessory Building:** a structure on a property that serves a specific purpose, complementing the house or main building, such as a garage or storage shed.
2. **Alteration:** any major repair, reconstruction, restoration, replacement, or rehabilitation, proposed for the exterior of a building or any lot that involves changes in material type, dimensions, design, configuration, or visual appearance of existing structures including porches and decks.
3. **Appropriateness:** especially suitable or compatible, based on the existing architectural features of a building: size, shape, material type, color, period, style, and setting. Appropriate changes acknowledge and are sympathetic to the styles of the original buildings and to the neighborhood in which the buildings are located, including consideration of the entire character of the Historic District.
4. **Architectural Feature:** the architectural style, design, detail or general arrangement of outer surfaces of a structure and or building that, if altered or removed, would significantly affect its appearance and character. Examples of architectural features include, but are not limited to, building materials, windows, doors, cornices, roofs, chimneys, dormers, wall trim, porticos, signs, and storefronts.
5. **Approved Color Palette:** colors that are historically accurate and appropriate for the architectural style and time period represented within the district, to be set forth in the Design Guidelines.
6. **Certificate of Appropriateness (COA):** written authorization from the Commission to the building owner or project applicant that allows the owner/applicant to conduct any of the regulated activities specified in this ordinance.
7. **Character:** The aggregate of visible historic and architectural features and traits that together form the individual nature of an historic district.
8. **Construction:** Shall include creation of an addition to any existing structure or an entirely new structure, whether or not on a vacant lot.
9. **Contributing Historic Property:** Any building or structure located within the Historic District and deemed by the Commission to have substantial historic, cultural, social, economic, political, or architectural significance may be referred to as a “contributing” property, in contrast to others within the district which may be referred to as “non-contributing”.
10. **Demolition:** Any act or process that destroys in part or in whole a contributing building or structure. The razing, destruction, removal, or relocation, entirely or in significant part and including its facade, of a building or structure.
11. **Designation:** Act of identifying historic structures and districts subject to regulation in historic preservation ordinances or other preservation laws.
12. **Design Guidelines (or Guidelines):** Standards of appropriate design and activity developed by the Commission which offer property owners guidance in preserving the historic and architectural character of a structure, setting, or place.
13. **District Character:** the distinct and unique street visual, cultural, and architectural qualities of all buildings and structures that define and give the historic district its unique sense of place.
14. **Landscaping:** The use of existing vegetation and terrain, or new permanent plantings, grade separations and/or fences intended to screen a building, structure, or place.

15. **Ordinary Maintenance and Repair:** upkeep of any architectural feature that may involve renewal of material with a consistent type, but does not involve removal or a significant change in design, dimensions, material type or outer appearance of such feature; any activity beyond ordinary maintenance shall be deemed “major repair”.
16. **Public Road:** any road or street under the jurisdiction of and maintained by a public authority and open to public travel.
17. **Reconstruction:** the act of recreating a building or structure that has been destroyed, through documentary research and the use of new materials.
18. **Rehabilitation:** the process of returning a building or structure to a state of utility, which makes possible an efficient contemporary use while preserving the character-defining features that are significant to its architectural, historical, and cultural values.
19. **Relocation:** the act of removing a building or structure from its existing foundation or location to another foundation or location, including on the same site.
20. **Temporary Structure:** an assembly of materials forming a shelter, building, or enclosure not covered by the building permit system, including but not limited to: tree houses, play houses, dog houses, tents, canopies, or the like.

D. COMMISSION MEMBERSHIP

1. Membership shall be in accord with RSA 673, except: there shall be no less than five (5) and no more than seven (7) members and up to five (5) alternates, and for the purposes of this ordinance, a quorum shall comprise no fewer than five (5) sitting members.

E. POWERS AND DUTIES In accordance with RSA 674:46 the Commission shall have the powers and duties to:

1. Adopt Regulations. The Commission, after notice and public hearing within the district, shall adopt or amend regulations regarding procedures for conduct of meetings and hearings, and acceptance and processing of applications. Such procedures shall be consistent with the procedures of other land use boards in Charlestown in so far as practicable. As provided in RSA 675:7, notice shall be given for the time and place of each public hearing at least twelve (12) days prior to the hearing. The adopted regulations shall be certified by a majority of the historic district commission members, and referred to the Planning Board & Selectboard for approval before filed with the town clerk.
2. The Commission shall have the power to accept, review, and act upon an application to perform any alteration, construction, or demolition on any property identified in Section B in accordance with this ordinance and to issue certificates of appropriateness.
3. For guidance and recommendations on rehabilitation, preservation, and maintenance the Commission is encouraged to refer to the U.S. Secretary of the Interior’s Standards for Rehabilitation and shall become familiar with their contents.
4. The Commission shall be guided by the following principals and objectives:
 - a) The distinguishing original qualities or character of a building or structure should not be destroyed. The removal or alteration of any historical material or distinctive architectural features should be avoided when possible, and additions or changes inconsistent with these goals should be discouraged.

- b) All buildings or structures should be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance should be discouraged.
 - c) Changes which may have taken place in the course of time are evidence of the history and development of a building or structure. These changes may have acquired significance in their own right, and this significance should be recognized and respected.
 - d) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building or structure should be treated with sensitivity.
 - e) Deteriorated architectural features should be repaired rather than replaced, whenever possible.
5. Historical evidence such as found within the first, second and third editions of the History of Charlestown, NH books and information found at the Charlestown Historical Society should be consulted and given fair weight.
 6. Adopt design guidelines to implement the following objectives:
 - a) Preserve the historical, architectural, and cultural value of any building or structure and its relationship and contribution to the overall character of the district.
 - b) Ensure the compatibility of the proposed alteration or construction to the existing building or structure, including but not limited to: its scale; massing; height (including number of stories); roof type and form; location, siting, spacing, setback, and orientation; size and shape façade openings; materials; and architectural features with respect to the site, the setting of historic resources within the vicinity and the overall character of the historic district.
 7. Such power of review and approval or disapproval shall be limited to those considerations which affect the relationship of the applicant's proposal to its surroundings, to the location and arrangement of structures, to the treatment of exterior architectural features and finish of structures, and to the compatibility of the land uses within the district as may be deemed to affect the character and integrity of said district to achieve the purposes of this ordinance.
 8. It shall be the duty of the Commission to provide reports and recommendations regarding feasibility of the applicant's proposal to the Planning Board and other administrative officials who may require information pertinent to the application. The commission may seek advice from and engage such professional, educational, cultural, and other groups of persons whose analysis and comments may be deemed necessary in the determination of a reasonable decision.
 9. The Commission may review the shape, size, font, and overall design of signs, but not the sign content, and submit recommendations to the Planning Board to ensure it is compatible with the district's historic character.

F. SCOPE OF REVIEW AND CERTIFICATE OF APPROPRIATENESS

1. Consultation: Any involved party may appear before the Commission for a conceptual consultation. A consultation session would focus on sharing information and smoothing the way for applicant's plans to meet requirements for a Certificate of Appropriateness.
2. Certificates of Appropriateness: No building permit or planning board approval shall be issued for any alteration, construction or demolition, of any building or structure in the

Historic District until a corresponding Certificate of Appropriateness has been issued by the Commission.

3. Activities as specified in section G must receive a Certificate of Appropriateness, whether or not the activities require a building permit.
4. Certificates of Appropriateness shall be applied for in writing to the Commission, stating the location, nature, and where pertinent, the material type for which such certificate is sought. Any site plans, building plans, elevations, samples, photographs, sketches, or other information reasonably requested by the Commission to determine the “appropriateness” in question shall be made available by the applicant.

G. ACTIVITIES REQUIRING REVIEW

1. Any alteration, construction, or demolition activities within the two historic districts, if visible from a public road, shall require a Certificate of Appropriateness from the Commission, whether or not such activity requires the issuance of a building permit, unless specifically exempt under Section H.
2. Construction may be delayed until the Commission approves any proposed plans for new construction on the site.
3. Demolition of a historic structure may be delayed for 90 days while a solution other than demolition is sought by the Commission.
4. Any site work involving significant changes to the grade, topography, or landscaping.
5. Painting in part or whole of a brick, stone, masonry or concrete structure and/or building.
6. Painting or repainting of a wood surface and/or an already painted brick, stone, masonry, or concrete structure and/or building, if there is to be a color change that is not on the approved color palette.
7. Addition or significant alteration of existing exterior siding (e.g. vinyl, clapboard, wood, etc.), windows or doors of a structure and/or building
8. Installation of any freestanding solar collectors/panels that would be visible from a Public Road.

H. ACTIVITIES EXEMPT FROM REVIEW

The following activities shall not require a Certificate of Appropriateness from the Commission.

1. Ordinary maintenance and repair of any building, structure, or architectural feature.
2. Repainting of a wood surface, brick, stone, masonry, or concrete structure and/or building, if the color is within the approved color palette as specified in the design guidelines.
3. Alteration or replacement of any existing roof covering or surface, provided the roof plane remains the same;
4. Roof mounted solar panels that match the plane of the roof.
5. Installation or replacement of storm doors and storm windows provided that no architectural features are altered, obscured, removed or demolished;
6. Window sash replacement.
7. Window shutter removal or replacement.
8. Interior alterations.

9. Activity that is not visible from a public road, provided that screening by landscaping shall not exempt an activity from review.
10. Alteration, construction, or demolition of any accessory building under 150 square feet.
11. Landscaping, including but not limited to installation of new plantings, to pruning, trimming, removal or relocation of existing plantings, or to hardscape and yard features or objects such as patios, terraces, fences, driveways, sidewalks, walkways, ponds, pools, hot-tubs, birdbaths, fire-pits, flagpoles, stone walls, play equipment, recreational items, clotheslines, or the like, whether in place seasonally or all year.
12. Site work, including but not limited to changes in grade, topography, or landscaping.
13. Use or change in use, as the review standards relate to the building or structure and not to the use at any given time.
14. Anything at all that is in place at the time this ordinance takes effect, including evolved and hybrid designs and features.
15. Temporary Structures.
16. Any properties outside the designated historic districts and not listed in section B.

I. GRANTING CERTIFICATES OF APPROPRIATENESS

1. Within a period of forty-five (45) consecutive calendar days after the filing of such application or within such further time as the applicant may in writing allow, the Commission shall determine whether the activity proposed will be appropriate in its opinion in the historic district in accordance with the purposes of this ordinance, and shall file a Certificate of Appropriateness, or a summary of reasons why such is not granted, with the Charlestown building inspector or the duly delegated authority. No building permit shall be issued for a property within an Historic District without a Certificate of Appropriateness. Failure to file said certificate or notice by the Commission within the specified period of time shall be deemed to constitute approval.
2. If the Commission determines that a Certificate of Appropriateness should not be issued, the reasons for such determination shall be entered in its records, and may include recommendations respecting the proposed alteration, construction, or demolition.
3. Whatever its finding, the Commission shall notify the applicant and the building inspector of its determination and shall furnish the applicant in writing a copy of the reasons therefore, if any, as appearing in the records of the Commission.

J. APPEALS

1. Any person aggrieved by a decision of the Commission shall have the right to appeal that decision to the Zoning Board of Adjustment within 30 days of the date on which the decision is rendered.
2. An appeal of the Commission's decision shall state every ground upon which it is claimed that the decision complained of is unlawful or unreasonable.
3. Upon receipt of a notice of appeal, the Commission shall transfer to the Zoning Board of Adjustment a complete record of its proceedings in regard to the decision appealed from.

4. The Zoning Board of Adjustment, following notice and hearing in accordance with its rules of procedure, shall review the record of the Commission’s proceedings and shall reverse the decision appealed from only after finding that the decision was unlawful or unreasonable under the terms of this ordinance and the regulations of the Commission.
5. Appeal from decisions of the Zoning Board of Adjustment shall be in accordance with the provisions of RSA 676.5 (Appeals to Board of Adjustment) and RSA 677:1-14 (Rehearing and Appeals Procedures).

K. ENFORCEMENT

Enforcement of this ordinance shall be as provided by Sections 8 (8.7) of the Zoning Ordinance, and RSA 676.17.

L. INTERPRETATION

As set forth in RSA 674:48, nothing in this subdivision shall be construed to prevent ordinary maintenance or repair of any structure or place within the historic district, nor to prevent the alteration, construction or demolition of any structure under a permit issued by the building inspector or other duly delegated authority prior to the establishment of the Historic District Ordinance.

M. SEVERABILITY

If any section, subsection, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

CERTIFICATION

I hereby certify the foregoing is a true copy of the Historic District Ordinance, as approved and amended by the Charlestown voters through the Annual Town Meeting held on March xx, 2025.

Signature

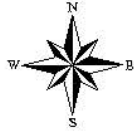
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Historic District Commission/Heritage Commission Chair

Received on this ___ day of March, 2025

Patricia Chaffee, Charlestown Town Clerk

Seal



Local Main Street Historical District

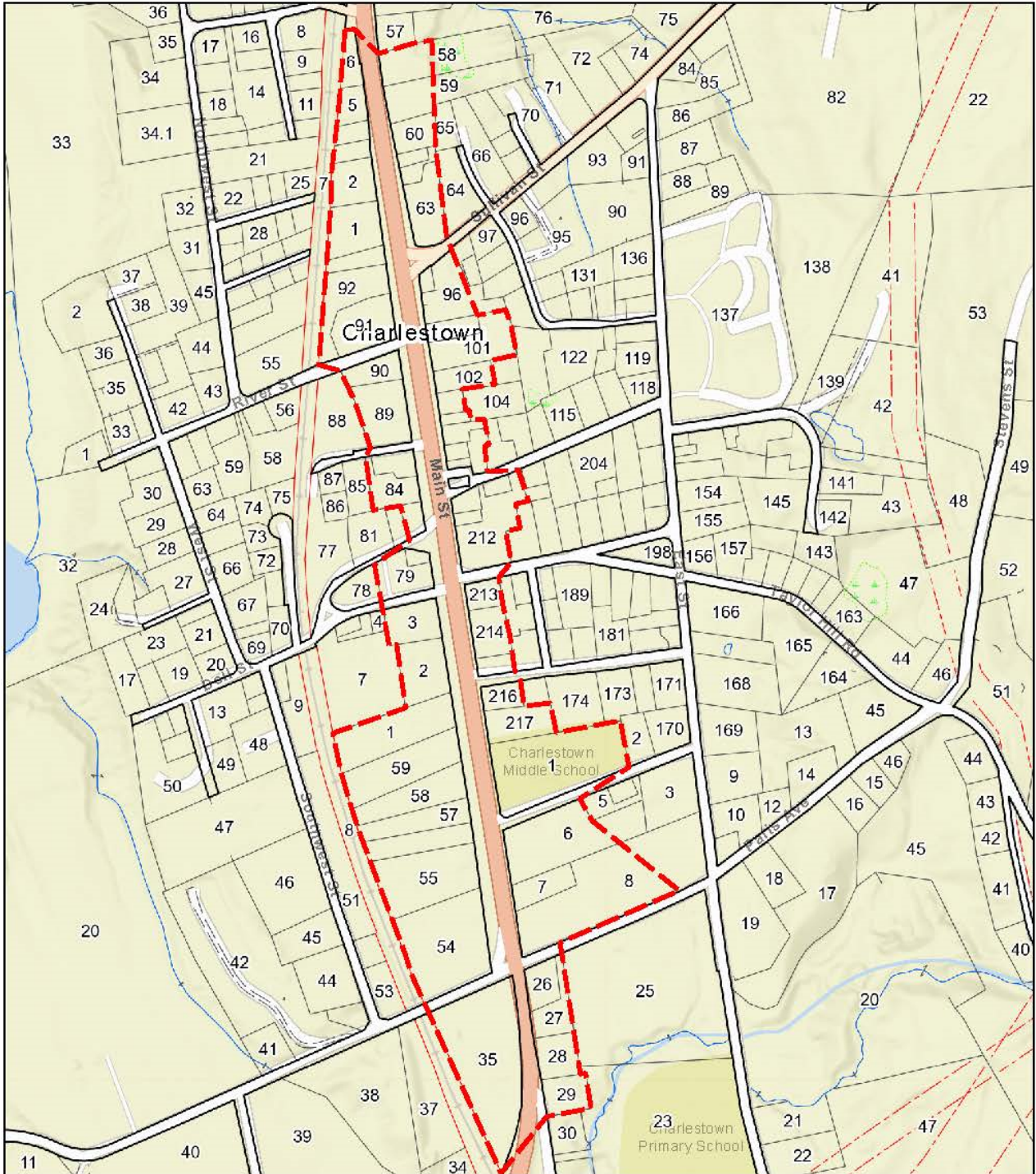
Charlestown, NH

1 inch = 550 Feet



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January 10, 2025



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