

**\*\* The statement indicates that the Planning Board has not yet made a decision about whether to move the matter forward to a Town Vote. It clarifies that this document is a Preliminary Draft for review purposes only.\*\***

## CHARLESTOWN HISTORIC DISTRICTS ORDINANCE

### A. PURPOSE AND INTENT

Adopted in 2014, the Town of Charlestown established a Historic District Commission. As set forth in RSA 674:45, the preservation of cultural resources, and 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 structures of historic and architectural value in the two National Register Districts in Charlestown, elements which reflect our cultural, social, economic and architectural history and make our community unique and special.
2. Conserving property values within our Main Street and North Charlestown historic districts.
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.
6. Assist property owners in finding funding for historical preservation.

The intent for the Main Street and North Charlestown historic districts is to preserve their unique historical character and streetscape 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. BOUNDARIES OF THE HISTORIC DISTRICTS

The two Historic Districts boundaries coincide with the boundaries of the two National Register Districts in Charlestown, Main Street and North Charlestown Village, on Rt. 12-A. 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.) This ordinance applies to all properties within these districts.

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

**Additional Historic Properties:**

District No 8 Schoolhouse - Inventory CHA0010

Pinecrest Cemetery

Hubbard Hill Cemetery

St. Catherine's Cemetery

Forest Hill Cemetery

Gristmill Property

## C. DEFINITIONS

1. **Accessory Building or Use, Customary:** 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 repair, reconstruction, restoration, replacement, rehabilitation, demolition, addition, or new construction proposed for the exterior of a building or its site. The work may involve changes in materials, dimensions, design, configuration, texture, color, or visual appearance.
3. **Appropriateness:** especially suitable or compatible, based on the existing architectural features of a building: size, shape, materials, 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. Appropriateness also extends to the entire streetscape 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, storefronts, and signs.
5. **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.
6. **Character:** The aggregate of visible historic and architectural features and traits that together form the individual nature of an historic district.
7. **Commercial Use:** any use that requires site plan review under the zoning ordinance and regulations of the planning board
8. **Demolition:** Any act or process that destroys in part or in whole a landmark or structure. The razing, destruction, removal, or relocation, entirely or in significant part and including its facade, of a building, structure, or other resource.
9. **Designation:** Act of identifying historic structures and districts subject to regulation in historic preservation ordinances or other preservation laws.
10. **Design Guidelines (or Guidelines):** Standards of appropriate design and activity developed by the Commission which offers property owners guidance in preserving the historic and architectural character of a structure, setting, or place.
11. **Historic Property (or Historic Resource):** Any land, building, structure, or object that is located within the Historic District and deemed by the Commission to have substantial historic, cultural, social, economic, political, or architectural significance.
12. **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.
13. **Maintenance:** Ordinary maintenance and repair of any architectural feature that does not involve removal or a significant change in design, dimensions, materials or outer appearance of such feature.
14. **Public Road:** any road or street under the jurisdiction of and maintained by a public authority and open to public travel.
15. **Reconstruction:** the act of recreating a property that has been destroyed, through documentary research and the use of new materials

16. **Rehabilitation:** the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving the character-defining features that are significant to its architectural, historical, and cultural values.
17. **Relocation:** the act of removing a building, structure, or other feature from its existing foundation or location to another foundation or location, including on the same site. For purposes of this ordinance, applications for relocation shall be subject to the same standards as demolition.
18. **Repair:** any work which will involve no significant change in materials, dimensions, or design.
19. **Streetscape:** the appearance or view of a Street, including, but not limited to, buildings, paving, trees, medians, lighting, and street furniture.
20. **Temporary Structure:** an assembly of materials forming a shelter, building, or enclosure to protect people, products, material, equipment, or inventory not covered by the building permit system.

#### **D. MEMBERSHIP**

1. There shall be no less than three (3) and no more than seven (7) members and up to five (5) alternates that shall be appointed by the Board of Selectmen consistent with RSA 673:4, 5, 6, 12 and 13. All members shall be residents of Charlestown, one (1) member shall be from the Selectboard, and one (1) may be from the Planning Board. Commission members may serve on other municipal boards.
2. In 2014, pursuant to the provisions of RSA 674:44-b III and 674:46-a the Town approved the Heritage Commission to assume the composition and duties of the Historic District Commission.
3. After the initial appointments, each term shall be for three (3) years.
4. In the event of a vacancy on the commission, interim appointments shall be made within 60 days by the Selectboard to complete the unexpired term of such position.
5. Members and alternates shall be governed in their conduct by RSA 673:14.

#### **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. Notice for the time and place shall be as provided in RSA 675:7 which states; 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 filed with the town clerk.
2. Adopt design guidelines designed to implement the purposes of this ordinance.
  - (a) Preserve the historical, architectural, and cultural value of the building, structure or site, and its relationship and contribution to the overall character of the district.

(b) Ensure the compatibility of the proposed alteration, addition or new 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.

(c) Consider the site upon which the building or structure is situated, factors which might affect the visual character of the building, the setting of historic resources in the immediate vicinity, or the overall character of the historic district.

3. The Commission shall have the power to accept, review, and act upon all residential and commercial alterations/repairs/construction in accordance with this ordinance and the issuance of certificates of appropriateness for properties situated solely within the boundaries of either Historic District within Charlestown, and designated historic properties in section B.

4. 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 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.

## **F. SCOPE OF REVIEW AND CERTIFICATE OF APPROVAL**

Consultation: Any involved party may appear before the Historic Commission for 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.

Certificates of Appropriateness: In the Historic District no building permit or planning board approval shall be issued for any change of purpose or for any alteration, construction, demolition, or use of land or of buildings, until a corresponding Certificate of Appropriateness has been issued by the Charlestown Heritage and Historic District Commission. Activities as specified in section G must receive a Certificate of Appropriateness, whether or not the activities require a building permit.

Certificates of Appropriateness shall be applied for in writing to the Charlestown Heritage and Historic District Commissions, stating the location, use, nature, and where pertinent, the materials and texture of the matter or item for which such certificate is sought. Any site plans, building plans, elevations, samples, photographs, sketches, or other information reasonably required by the Commissions to determine the "appropriateness" in question shall be made available by the applicant.

It shall be the duty of the Historic District 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. It shall be the duty of the commission to seek advice from such professional, educational, cultural, and other groups of persons whose analysis and comments may be deemed necessary in the determination of a

reasonable decision. The commission shall have the power to engage such technical assistance and consultants as may be deemed necessary to carry out the purposes of this ordinance.

## **G. ACTIVITIES REQUIRING REVIEW**

The following activities, 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. Screening by landscaping shall not exempt an activity from review.

1. Erection, construction, alteration (including addition), relocation (moving), or demolition of a building, architectural feature of a structure, accessory structure and/or building;
  - a. Demolition of a historic structure may be delayed for 90 days while a solution other than demolition is sought by the Commission, or may be delayed until the Commission approves any proposed plans for new construction on the site.
2. Any site work involving significant changes to the grade, topography, or landscaping of new multifamily dwellings, new commercial construction, or change in use from residential to commercial.
3. Addition or significant alteration of existing exterior siding (e.g. vinyl, aluminum, stucco, wood, glass, etc.), windows or doors of a structure and/or building
4. Painting in part or whole of a brick, stone, masonry, or concrete structure and/or building.
5. 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.
6. 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 architectural feature, which does not involve a change in the design, dimensions, materials, or appearance of the feature or involve removal thereof;
2. 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 no color change.
3. Alteration or replacement of any existing roof covering or surface, provided the roof plane remains the same;
4. Installation or replacement of storm doors and storm windows provided that no architectural features are altered, obscured, removed or demolished;
5. Landscaping on properties in residential use, except for any site work described under G2.
6. Interior alterations.
7. Activity that is not visible from a public road and where lack of visibility is not due to screening by landscaping as determined by the Commission.

8. New construction of accessory temporary structures, such as clotheslines, tree houses, playhouses, play equipment, provided that said structure does not exceed 120 square feet in area and/or 10 feet in height.
9. Any properties outside the designated historic districts and properties in section B.
10. Removal of trees.
11. Roof mounted solar panels that match the plane of the roof.

## **I. STANDARDS FOR REVIEW**

- A. For guidance and recommendations on rehabilitation, preservation, and maintenance homeowners are encouraged to refer to the U.S. Secretary of the Interior's Standards for Rehabilitation.
- B. The Commission shall be guided by the following principals:
  1. The distinguishing original qualities or character of a building, structure, or site and its environment shall 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.
  2. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
  3. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
  4. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
  5. Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures. We have much of this historical evidence within the first, second and third editions of the History of Charlestown, NH books.

## **I. GRANTING OF APPROPRIATE CERTIFICATES**

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 action or usage proposed will be appropriate in its opinion in the historic district in accordance with the purposes of this section, 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.

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 of respecting the proposed construction, reconstruction, alteration, moving, or demolition.

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 said 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 construction, alteration, repair, moving 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. VALIDITY**

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.

**N. 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  
\_\_\_\_\_  
Print  
Historic District Commission/Heritage Commission Chair

Received on this \_\_\_\_ day of March, 2025

\_\_\_\_\_  
Patricia Chaffee, Charlestown Town Clerk  
Seal











