



Town of Effingham

Historic District Regulations

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Town of Effingham Historic District Regulations

STATEMENT OF PURPOSE

It shall be the duty of the Historic District Commission (hereafter “the Commission”), as empowered by the Town of Effingham (hereafter “the Town”), to preserve and perpetuate the exceptional architectural design and the rural atmosphere of our Historic Districts. For this purpose, the Commission has adopted the following architectural and land usage regulations guided by and based on NH RSA 674:45 and The United States Secretary of the Interior’s Standards for Rehabilitation.

These regulations shall be applied to all structures in the Lord’s Hill and Center Effingham Historic Districts (hereafter “the Districts”) as noted:

1. Period Buildings: to all additions and exterior changes that, in the absence or potential absence of any visual obstructions such as trees, vegetation, and/or fencing, would be visible from a public road.
2. Non-Period Buildings: to all additions and exterior changes that, in the absence or potential absence of any visual obstructions such as trees, vegetation, and/or fencing, would be visible from a public road, which shall be considered individually with primary emphasis being placed upon harmony with the existing portion of the structure and with secondary emphasis being placed on conformity with period buildings.
3. New Construction: to the exterior portions of any new structure which is proposed to be built or relocated onto the property that, in the absence or potential absence of any visual obstructions such as trees, vegetation, and/or fencing, would be visible from a public road.

The historic architectural character of a building or structure within the Districts shall be maintained or restored. When a change is proposed, significant existing materials and elements shall be retained wherever possible. The Regulations do not purport to foresee all possible proposed changes. Unique situations shall be evaluated and the decisions concerning these shall be made with consideration to the regulations.

Application for approval of all proposed construction or change shall be filed with the Commission. (As per RSA 674:46-a and Article 15 of the Effingham Town Zoning Ordinance). Failure to file may result in the determination that unapproved construction or change will have to be removed or redone; and failure to file may be subject to fine. (Refer to RSA 674:50 and 676:17)



Town of Effingham Historic District Regulations

DEFINITIONS

For the purposes of these Regulations, the following definitions of words, phrases, and other terminology shall apply.

New Construction: Any structure not currently existing within the Districts that is proposed to be built or relocated onto a property.

Non-Period Building: Any structure which exists within the Districts that was built after 1920.

Outbuildings: Any structure not used for residential purposes, such as a shed, barn, and/or garage, whether or not attached to the house.

Paving: Any driveway construction material other than gravel (bank-run) or crushed rock.

Period Building: Any structure which exists within the Districts that was built between 1770 and 1920.

Structure: Anything which is built or constructed. The term structure does not include mailboxes attached to posts made of metal, wood, stone, or similar materials; self-standing satellite dishes subject to the restrictions noted in Section B, Part 16; or any man-made stone markers, tombstones, crypts, and/or other decorative monuments permitted and/or authorized by a vote of the Town, by any private cemetery association, and/or by any private cemetery.

In addition, it is the intention of the Commission to omit from consideration as a structure lawn furniture, swings, lawn ornaments, statuary, or wooden animal shelters less than sixteen (16) feet square; and temporarily placed wooden walkways, wooden shrub protectors, and/or or seasonal decorations such as Christmas decorations or lights.

Tree: Any woody plant which has a circumference of fifteen (15) inches or more at a point four feet from the ground. (Refer to RSA 231:158)

Utility Services: Include, but are not limited to, power (e.g. electric, solar, or wind), telephone, cable, and/or heating fuel (e.g. oil, propane, or wood pellet) services.



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REGULATIONS FOR ARCHITECTURAL DETAIL AND USE OF PREMISES

Unless a specific exemption is noted, a Certificate of Approval from the Commission is likely to be required for, but not limited to, any proposed construction of or change to any elements of the property listed below. If in doubt whether a Certificate of Approval is required, such as “case-by-case basis” situations, consultation with the Commission prior to commencement of work is recommended and encouraged.

A. STRUCTURES

1. Architectural Style: The architectural style, detail, and proportions of structures shall be consistent with the Districts’ period buildings.
2. Siding: Siding shall be of wood shingles and/or wooden clapboards. Clapboards normally shall not be exposed to the weather more than four and one-half (4.5) inches. For outbuildings that are not attached, vertical boards or board and batten siding, in addition to any of the above-mentioned materials, may be used. Composite material may be considered on a case-by-case basis.
3. Color: Exterior color shall be consistent with those colors used within the Districts during the 1770-1920 period and those colors on existing buildings within the Districts.
4. Roofs: Roof lines, including overhang, shall be of gable or hip construction. Roof pitch necessary to make a building look consonant with the period will vary depending on the type of building proposed and shall be consistent with buildings of the same style built within the Districts during the period. Roof surfaces shall be of natural wood, metal (excluding unpainted aluminum), or composition shingles, and of uniform color. Roof flashing or snow slides shall match the roofing material in color as closely as possible unless lead or copper is used.
5. Windows: Arrangement of windows shall be compatible with that of period buildings within the Districts. Windows are generally the same size and type on the same floor level and generally symmetrical depending on the type of structure. If varying in size, they are generally larger on the lower level of the building. Windows shall have proportions similar to those existing in period buildings within the Districts. Permanent muntins are required. Wood and glass windows are preferred. Composite material may be considered on a case-by-case basis. Storm windows of aluminum or other metals are acceptable provided they are white anodized or painted the same color as the window trim.
6. Shutters: Shutters shall be wooden and of the period, and of the proper size and placement. Removal of shutters is permissible. Composite material may be considered on a case-by-case basis.



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A. STRUCTURES (continued)

7. Doors: Size and style of all entrance doors shall conform to period houses within the Districts and shall be of suitable colors. Storm door design shall be as unobtrusive as possible and shall conform to the period of the house.
8. Chimneys - Construction/Reconstruction: Visible exterior chimney construction and the materials used shall be typical of the period. Chimney caps will be considered on a case-by-case basis.
9. Chimneys - Demolition/Removal: The demolition and complete removal of a chimney may be approved on a case-by-case basis with consideration given to protecting the historical integrity of the building. For example, demolition or removal of a chimney from an ell or outbuilding may not impact the overall historical integrity or appearance of the structure, whereas demolition or removal of a chimney from the main structure may significantly alter its historical integrity or appearance.
10. Gutters and Rain Diverters: Rain gutters and/or rain diverters may be added, repaired, or replaced without review by the Commission as long as they conform to the following; otherwise an Application for Certificate of Approval may be approved by the Commission:
 - Exterior color shall be consistent with those colors used within the Effingham Historic Districts during the 1770 to 1920 period and those colors on existing buildings within the Districts.
 - Original wood gutters, half-round, and K-gutter styles are preferred.
 - Wood, copper, and aluminum may be used. Vinyl and composite materials may be considered on a case-by-case basis.
 - The appearance of gutters shall be complementary and in harmony to existing buildings and streetscapes within the Effingham Historic Districts.
 - Downspouts shall be consistent with the colors, types, and materials used within the installed gutters.
11. Foundations: Upon final grading, no more than eighteen (18) inches of foundation shall be showing between ground level and exterior siding. Variance may be granted considering topography and building style. Granite and field stone is preferred. Finished concrete and concrete block are acceptable, but concrete block and outside insulated foundations must be faced. Painted concrete blocks and insulated foundations are not acceptable. Materials of the period are preferred.
12. Garages: Garages and their doors shall be consistent with and relate architecturally to the buildings they serve.



Town of Effingham Historic District Regulations

B. OTHER STRUCTURAL FEATURES

13. Fences and Walls – Installation/Construction: Fences and walls that meet the following criteria may be placed without review by the Commission.

- shall be no higher than four (4) feet.
- shall be of wood; cut or natural stone; granite post and steel chain of a quarter inch or larger; or wrought iron panels.
- replications or extensions may be introduced where appropriate.

Composite material may be considered on a case-by-case basis. Livestock fence is permitted without review by the Commission. (See also Section B, Part 14 – Fences and Walls – Disturbance/Removal)

14. Fences and Walls – Disturbance/Removal: Existing fencing, stonewalls, granite posts, and granite blocks along roadways and property boundaries shall not be breached, moved, or demolished without the approval of the Commission. (Refer to RSA 207:36; 472:6; 539:3) Any conditions for the temporary disturbance of fencing, walls, posts, or blocks will be determined as part of the approval process. (See also Section B, Part 13 – Fences and Walls – Installation and Construction)

15. Antennas: All radio and television antennas shall be placed inside the house, barn, garage, and/or other outbuildings whenever possible. In the event that an applicant does not have cable television and/or radio service and can demonstrate that use of an internal antenna with booster systems does not enable reception of a majority of the local television and/or radio production stations, one (1) outside television and/or radio antenna (not to exceed six (6) feet in height, length, and/or width) will be allowed without review by the Commission. No more than one (1) external antenna (whether functional or non-functional) shall be allowed at any time per property. All external antennas shall be placed/mounted as far from the public road as possible. In addition, ham radio and CB antennas may be allowed after review by the Commission.

16. Satellite Dishes: All satellite dishes shall be placed inside the house, barn, garage, and/or other outbuildings whenever possible. In the event that an applicant does not have cable television and/or radio service and can demonstrate that use of an internal satellite dish does not enable reception of a majority of the local television and/or radio production stations, one (1) outside satellite dish (not to exceed two (2) feet in diameter) will be allowed without review by the Commission. No more than one (1) external satellite dish (whether functional or non-functional) shall be allowed at any time per property. All external satellite dishes shall be placed/mounted as far from the public road as possible.



Town of Effingham Historic District Regulations

B. OTHER STRUCTURAL FEATURES (continued)

17. Signs: One (1) sign or plaque per façade not to exceed one and one half (1½) square feet in size may be placed without review by the Commission. All signs shall be designed, scaled, and hung/affixed in a manner consistent with the 1770-1920 period. Placement of signs exceeding 1 ½ square feet shall not be permitted without the Commission's approval. Permanent signs shall not exceed a maximum of six (6) square feet in size. Permits for signs shall not be granted by the Town in the Districts without approval of the Commission.
18. Outdoor Lighting: Light fixtures consistent with the building's period style and in appropriate proportions to the post and/or building size, may be placed without review by the Commission. Exterior lighting is to be non-sodium and shall be shielded so as not to be a distraction to abutters. Light fixtures of oil, kerosene, and candles are allowed, if they do not present a fire hazard. Consultation with the Town's Fire Department is recommended. Area lighting is sometimes appropriate and may be considered upon application.
19. Steps, Walks, and Patios:
- Exterior steps consistent with the building period and style and proportions appropriate to the building size, and constructed of stone, wood, or brick may be placed without review by the Commission. Granite slab is preferred.
 - Walkways of stone, bank-run gravel, or brick may be placed without review by the Commission.
 - Ramps are considered on a case-by-case basis upon application.
 - Patios shall be of stone or brick at ground level.
 - Permissible stone and brick building materials shall include veneers and/or pre-manufactured composites. Other material may be considered on a case-by-case basis.
20. Landscaping: Where change of existing ground level is required for foundations, septic systems, driveways, and other in-ground installations, an elevation drawing shall be submitted and shall be drawn to scale. This drawing shall show the locations of buildings relative to the terrain, slopes, boundaries, and roads at the proposed site, and should show the existing elevation and the proposed finished ground elevations. Small scale gardening and/or planting projects do not require review by the Commission. (See also Section B, Part 21 – Septic Systems and Section B, Part 24 – Driveways)
21. Septic Systems: Elevated septic systems visible from a public road shall not be installed without review by the Commission. Sewage vents shall be screened with evergreen shrubs or trees or other appropriate structure. All septic systems must conform to RSA 485-A:29-44 as applicable. (See also Section B, Part 20 – Landscaping)



Town of Effingham Historic District Regulations

B. OTHER STRUCTURAL FEATURES (continued)

22. Portable Toilets: Placement and usage which conform to both the Effingham Town Zoning Ordinance and the Town of Effingham Health Ordinance may be undertaken without review by the Commission.

In order to minimize the visual impact of long-term placements of portable toilets, property owners are requested to locate them, whenever possible and practical to do so, out of the view of the public road.

23. Recreational Facilities: Recreational facilities such as tennis courts, swimming pools, etc. will be considered upon application, with primary consideration given to the visual impact, landscaping, type of fencing, height of fencing, and compatibility to adjacent buildings.
24. Driveways: Driveways shall not exceed twenty (20) feet in width at the entrance from the public road and for the first thirty (30) feet from the driveway entrance, may be installed without review by the Commission. Driveways that exceed these dimensions will be considered on a case-by-case basis.

For possible use of paving, consideration shall include the topography of the site, maintenance problems incurred by the owner, the visual impact, the total square yards requested, and the width of the driveway. The Town Planning Board's driveway regulations and State of New Hampshire driveway regulations shall also be observed. (Refer to RSA 236:13) (See also Section B, Part 20 - Landscaping)

C. OTHER REQUIREMENTS

25. Utility Services: A Certificate of Approval is required for the installation of any permanent above-ground utility services such as poles and equipment on the property. Exceptions will be made for services needed during the construction period granted in the Certificate of Approval and/or by Building, Driveway, and/or Planning Board permit. A request for a Certificate of Approval for utility services shall be accompanied by a sketch showing the location of any utility pole or above-ground installation in relation to the surrounding buildings owned by the applicant. The sketch should include both height and width. Exchange of equipment for like or same equipment in the same location shall not require review by the Commission.

Generally, new permanent above-ground utility service shall not be permitted on the premises of properties within the Districts. The Commission may consider requests for partial above-ground services on a building lot if the applicant can demonstrate that installation cannot be completed in any other way. All services between the buildings on the premises shall be underground. (See also Section C, Part 26 - Solar Energy Systems)



Town of Effingham Historic District Regulations

C. OTHER REQUIREMENTS (continued)

25. Utility Services (continued):

and Section C, Part 27 - Wind Energy Systems)

Visual impact of meters and wires on new construction shall be minimized. New meters shall not be placed on the primary façade of either new or existing structures.

26. Solar Energy Systems: Solar energy systems require a review by the Commission. Consultation with the Commission is recommended prior to submitting an application for Certificate of Approval for solar energy systems. (see also Section C, Part 25 - Utility Services)

27. Wind Energy Systems: Are not permitted in the Historic District, as per Article 21 Section 2103:A of the Effingham Town Zoning Ordinance. (See also Section C, Part 25 - Utility Services)

28. Utility Companies: All utility companies licensed in the State of New Hampshire who plan to move or add to their structures and equipment in the Districts shall submit all plans for a Certificate of Approval at least sixty (60) days in advance of the regular Commission meeting or request a special meeting for that purpose.

29. Manufactured and/or Composite Materials: Use of manufactured and/or composite building materials shall require review by the Commission on a case-by-case basis, unless otherwise noted in these Regulations.

30. Maintenance: It is desirable that owners of all buildings provide sufficient maintenance to keep such buildings from falling into a state of disrepair. Owners should therefore be responsible for taking at least the minimum steps necessary to prevent the deterioration of components which could cause an unsafe condition or a detrimental effect upon the character of the Districts or which could lead to a later claim that deterioration has become so advanced that demolition or removal of architectural features is necessary. The Commission welcomes and encourages inquiries from owners who are seeking resources and direction to ensure maintenance of properties in the Districts.

31. Demolition: In cases where deterioration has progressed to an advanced state and where immediate removal is requested by the owner, the Commission shall consider if an application for demolition is based on structural instability or deterioration. A report prepared by a contractor/builder, architect, or engineer shall be submitted detailing the nature and extent of the specific problems and providing reasonably accurate cost estimates for their correction.



Town of Effingham Historic District Regulations

C. OTHER REQUIREMENTS (continued)

31. Demolition (continued):

A further condition for approval shall be documentation of the building's elevations and architectural features through measured drawings or photographs. In situations where it is not practical to repair these features, or prohibitively expensive to replicate them, the owner shall store them and not discard. Demolition shall be accomplished within a one-year period which shall include the removal of all debris.

32. Relocation: Buildings shall be retained on their present sites whenever possible. Relocation shall be considered only as an alternative to demolition. Relocation shall be accomplished within a one-year period which shall include the removal of all debris.

33. Changes to Structures: Changes which 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 shall be recognized and respected.

34. New Construction: New construction shall be complementary and in harmony to existing buildings and streetscapes.

35. Preserving the Rural Setting and Wildlife Habitat: The rural setting shall be preserved to ensure environmental compatibility by keeping all areas visually non-intrusive in scale and in keeping with neighboring environs.

36. Tree Cutting: Trees within ten (10) feet of the right-of-way of a road shall not be cut without the approval of the Commission, except for the removal of trees deemed to be a public nuisance as defined in RSA 231:145.

37. Scenic Road: Hobbs Road has a scenic road designation by vote of the Town. (Refer to RSA 231:157-158 and the Town's Scenic Road Ordinance.)

38. Sketches and Drawings: A sketch or architectural drawing, including plat plan, shall accompany all requests for a Certificate of Approval. It must show scale, existing and proposed elevations, and all sides of any new structure and all sides to any additions to any existing structures. Sketch or drawings must show dimensions of all exteriors and a list of all materials to be used.

39. Fees: A filing fee of thirty dollars (\$30.00) shall accompany the application.



Town of Effingham Historic District Regulations

C. OTHER REQUIREMENTS (continued)

40. Additional Specifications and Right of Viewing: The Commission reserves the right to require additional specifications if it feels them necessary to make an informed decision. Additionally, the Commission reserves the right to inspect the premises in question before making their final decision to approve an application.
41. Enforcement: In the event of any changes in violation of these Regulations or a condition of a Certificate of Approval or decision of the Commission, the Commission, in so far as authorized by these Regulations, the Town's Zoning Ordinance, and/or state law, may institute an injunction, abatement, or any other appropriate action to prevent, abate, or remove such unlawful erection, construction, or alteration. (Refer to RSA 676:15)
42. Penalty: Any violation of these Regulations shall be subject to a civil penalty as permitted by RSA 676:17.
43. Appeal: Per RSA 677:17, any person or persons jointly or severally aggrieved by a decision of the Historic District Commission shall have the right to appeal that decision to the Zoning Board of Adjustment. Such an appeal must be filed in accordance with the Effingham ZBA Rules of Procedure per RSA676:5 and RSA 677:1-14.
44. Adopt and Amend: The Commission shall adopt and may amend these regulations for enforcing the Ordinance and the standards contained within it. (RSA 674:46-a, II)
45. Invalidity: The invalidity of any section or provision of these Regulations shall not invalidate any other section or provision thereof.



Town of Effingham Historic District Regulations

SYNOPSIS

At the conclusion of the application process the Historic District Commission shall issue in writing either a Certificate of Approval or Notice of Disapproval. The applicant's proposal shall conform to these Regulations as well as with any conditions and/or stipulations required by the Commission before a Certificate of Approval will be issued. If the Commission agrees that the application does not conform to these Regulations, a Notice of Disapproval listing the reasons for disapproval will be issued. In such a case, the applicant may and will be encouraged to make modifications to the proposed plans and to resubmit the application for hearing without prejudice. Notice will be made in accordance with RSA 676:13.

Changes that require the approval of other Town Boards, shall receive action by the Commission first when the property is located within the Districts. Most properties in the Districts are non-conforming according to the Town's Zoning Ordinance. When no action is required by other Town Boards, Commission approval may still be required.

In a rural community an individual's property could be both inside and outside the Districts. Approval shall be required for those changes that are located within the Districts.

Changes shall be in harmony and be respectful of the Districts' heritage. The fabric shall not be diminished or weakened but rather strengthened. Sometimes seemingly unimportant changes will have significant effects on the visual character of the Districts. Elements of physical change that require the most sensitivity and are most likely to affect the integrity are:

- Architectural style and detail
- Scale, proportion, and massing
- Siting; the location in relation to its surroundings
- The historical association and/or context of the Districts as a whole