

ADOPTED

City of Keene
New Hampshire

COLLEGE CITY COMMITTEE
MEETING MINUTES

Monday, January 23, 2017

4:00 PM

**2nd Floor Conference Room,
City Hall**

Members Present:

Bart Sapeta, Chair
Darryl Masterson, Co-Chair
Robin Picard
Phil Jones, Councilor
Chris Hrynowski
Marcia Kayser
Dottie Morris
Kelly Ricaurte

Staff Present:

Tara Kessler, Planner
Andy Robinson, KSC Liaison

Members Not Present:

Bettina Chadbourne, Councilor
Richard Berry
Paula Jessup
Dean Eaton
Hannah Elliott
Chris Cusack

1) **Call to Order**

Co-Chair Sapeta called the meeting to order at 4:08 PM.

2) **Approval of Minutes – November 28, 2016**

Councilor Jones made a motion to approve the minutes of November 28, 2016, which was seconded by Co-Chair Masterson and carried unanimously.

3) **Staff Update on Commission Status**

Ms. Kessler stated at the City Council meeting last week the City Council approved the College City Commission (CCC) as a formal commission of the City of Keene, with the rules and procedures that the CCC created and approved a few months back.

Ms. Kessler said an item that was discussed at the City Council's Finance, Organization, and Personnel Committee meeting was the idea of creating an MOA (Memorandum of Agreement) with KSC on how the each entity will provide support to the Committee, and how members are appointed from the College. Co-Chair Sapeta asked how KSC should form an MOA. Ms. Kessler replied that the Mayor and Dr. Huot would need to be engaged to discuss how they intend to establish and execute this document. She continued she would try to meet with the Mayor to start the conversation.

Councilor Jones said another change discussed at the City Council meeting was adding alternates that could be appointed to the CCC. He continued, stating that the Mayor and Dr. Huot could appoint two alternates each. Councilor Jones explained that in case there was not a quorum the alternates could fill in for a regular member. Ms. Kessler said another change was elimination of

the designation of the Planning Department as staff to the CCC. Instead, it states that the City would provide staff support. Co-Chair Sapeta asked Ms. Kessler to send the City Council action to the Committee. Ms. Kessler replied she would email this to the Committee.

Ms. Kessler said since Co-Chair Eaton was away for the next few months, the Mayor recognized Mr. Masterson's good work in other areas of the community and appointed him as Co-Chair of the CCC in Mr. Eaton's absence.

4.) Neighborhood Revitalization Discussion

a) Presentation and Discussion on Marlboro Street Rezoning Initiative and SEED District.

Ms. Kessler said the rezoning initiative for the Marlboro Street area was currently underway and wanted to begin her presentation by explaining zoning and the limitations of zoning. She presented the Committee with a map of Keene and indicated that the colors on the map referenced the different base zoning districts. Ms. Kessler list some of the zoning districts that are located in the City. These include but are not limited to:

- Central Business District and Central Business District Limited
- Commerce
- Low Density, Medium Density and High Density (these are predominantly residential districts)
- Industrial
- Conservation
- Agricultural
- Rural
- Office

She continued that zoning is the distinction of land area to determine the different types of uses that would be appropriate in an area. Ms. Kessler explained that zoning also determines how buildings could be built on properties with respect to dimensional requirements such as front and side yard setbacks, building height, the amount of impervious surface area, etc. She said for example, much of Keene's downtown commercial core is located within the Central Business District. This district allows for a mixture of land uses area in an effort to encourage walkability and to create a more vibrant downtown area. The types of uses that are allowed in the Central Business District are quite broad. Ms. Kessler also noted that this District has very limited dimensional requirements. She explained there is something called a front set back. This is the space required between the property line, which faces a roadway, and a new building or structure constructed on the site. She noted there are no front setbacks in the Central Business District. She explained that the reason for this is to keep the buildings in this area flush with the streetscape and to offer more flexibility to developers in this district. She said that there is a building height restriction of 4 floors and 7 floors by special exception. Ms. Kessler explained that the term "by right" means there are certain activities/uses that can be done without needing permission from the Zoning Board of Adjustment (ZBA). She continued, stating that a "special exception" is a permission granted by the ZBA to allow for a certain land use or dimensional requirement that is not permitted by right, but is designated as being allowed by special exception. An applicant seeking this approval would need to prove to the ZBA that they meet the special exception criteria. She noted that the other type of approval is a variance. A variance, if granted by the ZBA, allows an applicant to deviate from the rules of the Zoning Ordinance. There are criteria that an applicant would need to meet before the ZBA would grant a variance.

Ms. Kessler explained zoning was initially intended to determine what uses were allowed in certain areas of a community. She continued, noting that zoning has become a tool to encourage the development of things like walkability, a diverse mix of housing and the protection of environmental resources. She said that by controlling the types and size of development that is permitted in certain areas a community could provide the opportunity to achieve certain goals.

She provided the Committee with images of communities where zoning is working to achieve a better environment and sense of place. Conversely, she presented images where zoning or the lack thereof may have caused sprawling, uncontrolled development.

She explained that through good regulation a community could achieve the goals it sets out in its Master Plan. Ms. Kessler said that the City adopted its Comprehensive Master Plan in 2010. Currently, the City is working on a project to ensure that our land use regulations are aligned with the goals of this plan.

Ms. Kessler cautioned that zoning is only a blueprint for development. Zoning does not require that buildings be built, but it does set a guide for how a developer would locate, design, and develop a site. Ms. Kessler noted that zoning does not control what the inside of buildings look like and it does not control how people maintain their property. She said that the City does have rules that may require certain property standards; however, these rules are outside the Zoning Ordinance.

Co-Chair Sapeta asked how KSC fit into zoning. Ms. Kessler noted that New Hampshire is not a home rule state. She explained a home rule state is one where communities have the autonomy to establish their own rules and regulations. She said in New Hampshire there are state statutes that determine what can be regulated at the local level. She said that per the NH state statutes, governmental land uses are not fully subject to local land use regulations and that the University System of NH is considered a governmental land use.

KSC student Henry Minsky, who was in attendance of the meeting asked what the definition of a community was in terms of zoning. Ms. Kessler replied that there are political subdivisions of the state and these can include counties, towns, cities, etc. Ms. Kessler said that cities and town have the authority to adopt zoning; however, these communities must have adopted a Master Plan.

Ms. Kessler continued with her presentation. She explained the concept of an overlay zoning districts, which is a zoning district that has a unique set of standards but “floats over” the base zoning district. In an area where there is an overlay zoning districts, a property owner must follow the regulations of both the overlay district and the underlying base zoning district. She said in the Central Business District there is a Historic District, which is an overlay district. The Historic District has boundaries that do not necessarily match up with the Central Business District. She continued, noting that if there was a property within the Central Business District that was also in the Historic District the owner had to follow rules in both districts. She noted that in Keene’s downtown area there is a fair amount of overlay districts. She explained the reason for the Overlay District was that the City was trying to achieve certain goals and the technique designed to do that was an Overlay District.

Ms. Kessler began to review the SEED (Sustainable Energy Efficient Development) District. She noted that it is an Overlay District, which serves as an example of incentive zoning. She displayed a map of the City and showed the Committee the location of the SEED District. She explained the SEED District was created in 2010 and the intent was to promote green building development in the downtown area. In the SEED District, there is an opportunity to build at higher density and

to relax the parking requirements if a developer chooses to build at a standard that meets the City's definition of green building. The flexibility in the regulations is an incentive for building more energy efficient development. Ms. Kessler noted The Mills is the first project to take advantage of the SEED District.

She continued, stating that developers would also need to prove they met all of the green building standards before they received their certificate of occupancy.

Councilor Jones said the SEED District was also a tool to help develop student housing in proximity to KSC. Ms. Kessler said with the SEED District there was a concept of a program called Returning Homes, which was trying to find a financial mechanism to attract homeowners back into the southeast Keene neighborhoods. She noted this program never took off and that the concept was a revolving loan fund. Ms. Kessler said the City was unable to find a financial mechanism to make it sustainable.

Co-Chair Sapeta asked how the SEED District was determined. Ms. Kessler replied there was an idea to keep the district close to the downtown area and the KSC campus. Ms. Picard asked if there was a timeframe in regards of the opportunity with the SEED District. Ms. Kessler replied no.

Ms. Kessler discussed the Marlboro Street Rezoning Initiative. She noted this is a significant project because it proposes to establish three new zoning districts to replace the underlying zoning. Ms. Kessler said in 2012, the City received a grant to study the land use regulations in the area around Marlboro Street. She said an ad hoc committee was formed and a consultant was brought on to work with the City Planning staff to study this area to determine the needs and hopes for the future. She continued there was a focus on redevelopment opportunity in order to preserve neighborhoods, flooding and storm water management, creation of green spaces, dealing with truck traffic in the area and to create new development opportunity around the Kingsbury property. She noted the Kingsbury property is a 22 acre vacant parcel. She said there are a number of different zones along Marlboro Street that consist of Commerce, Industrial, Low density, High Density and Central Business. She continued, stating that a goal is to transition away from smokestack industrial uses to cleaner manufacturing opportunities in the area. She noted there was also an interest to preserve single-family neighborhoods and to create more of a commercial streetscape like Main Street. Ms. Kessler noted Marlboro Street at the present time does not have much of a streetscape. She said the zoning tools recommended in order to preserve and recreate the area were the three new zoning districts.

Ms. Kessler showed the Committee a map that displayed all of the districts along Marlboro Street. She explained to the Committee the intent of the Districts and identified the goals of the new zoning district. She explained that the proposed Residential Preservation District is focused on maintaining and enhancing the feeling of a residential neighborhood residential. She explained in almost all of the districts there is a priority to promote walkability and bikeability throughout the area.

Ms. Kessler displayed an image that depicted the Business Growth and Reuse District and noted that a significant portion of this area is the Kingsbury parcel. She said the focus is trying to create more opportunities for economic development that is compatible with the surrounding land area and adjacent residential areas, whether it is clean manufacturing or a research park. Ms. Kessler said there is a goal to preserve the environmental features such as Beaver Brook.

Ms. Kessler continued there are some amenities nearby the former Kingsbury parcel such as the Rail Trail that should be promoted. She noted another priority is to create a greenway along Beaver Brook.

Co-Chair Masterson said another possible connection to that area was the possible extension of Victoria Street to Laurel Street. Co-Chair Masterson said the idea was to extend Victoria Street all the way to Laurel Street, which would bisect the former Kingsbury parcel, creating a new road and increased access to the bike path. He continued that it would alleviate truck traffic that had to drive all way down Marlboro Street up to Water Street to get to some of those places. Co-Chair Masterson noted most trucks were not allowed to travel Eastern Avenue because of the bridge. Mr. Minsky asked what the main source of traffic flow was along Marlboro Street. Ms. Kessler replied it was varied and there was an issue of truck traffic largely though the Grove Street and Water Street area. She said she thinks there is an average annual daily traffic volume of approximately 10,000 vehicles a day on Marlboro Street but was unsure of the number. She said many people used Marlboro Street to connect to Optical Avenue, to connect to Route 101 and people coming from the reverse direction to access Main Street.

Mr. Masterson said the idea was to make Marlboro Street a gateway into the City. Mr. Masterson explained they found width on parts of Marlboro Street that were wider than most highways.

Ms. Kessler explained that the City has been involved in the Public Workshop phase of this project for the last year. She said the City has a Joint Committee of the Planning Board and Planning Licenses and Development Committee that reviews rezoning requests before a public hearing is held. She said the proposed ordinance will go on to the City Council for a public hearing.

Ms. Kessler said at the Joint Committee's next meeting there would be summary of all of the changes proposed to date and, by the spring, they will start moving into the public hearing phase. Councilor Jones provided the two Keene State College students with a brief history of the zoning area around Marlboro Street.

The Committee thanked Ms. Kessler for her presentation.

b.) KSC Architecture Students Projects

Co-Chair Sapeta said that there were two students from KSC present with him at the meeting. He introduced these students. He explained that he teaches an architecture class geared toward collaboration with students working with nonprofit organizations. He said students are assigned a project where they have a real client. He continued, stating that every year the students work with entities like the City of Keene on design projects. He said this year he thought it would be good idea to have six students be involved with the CCC by helping with the Neighborhood Revitalization working group. He explained that Ms. Picard met with the KSC students and introduced the students to the ideas discussed by the Revitalization Group. He said he would have two groups of students that would be able to help.

Co-Chair Sapeta said the students would also attend the CCC meetings to listen as well as participate in the discussions since they were living in the community.

Co-Chair Sapeta explained the class worked with the City of Keene on a number of projects such as parking deck, ice hockey rink and other projects. He noted the City of Keene benefited from the collaboration as well as the students.

Mr. Minsky asked what Keene was trying to accomplish in terms of appearance. Ms. Kessler replied that the City was in the process of getting proposals from a design firm to come in and lead a visioning process for downtown. She said during the 1980s the downtown was redeveloped to what it was to become today. She noted that during the 1960s the downtown area did not have trees in the middle of Main Street. Ms. Kessler said now that time has passed, the City had invested money to start a vision process to determine the modern needs and look for downtown. She explained that process would include the participation from the community.

She continued, noting that there is a Historic District in Keene and the goal is to preserve the historic buildings and to encourage new development that compliments but not mimics the past. Ms. Kessler said the new Moco Arts building that is set for construction on Roxbury Street is a contemporary building. Ms. Kessler explained the architect for the MoCo building was able to explain how she tied in elements of the City's historic past into the design of the building.

Councilor Jones said he spoke with the Mayor and that the Mayor was looking for names the Downtown Revitalization Committee. He recommended Co-Chair Sapeta or students from KSC join that Committee.

Co-Chair Sapeta said there was a discussion of extending the look of Main Street toward Gilbo Avenue and the Colony Mill. He asked if there was a proposal that affected that area in terms of changing the function of the existing buildings such as The Colony Mill. Ms. Kessler replied an owners of The Colony Mill received approval for a variance to have residential uses in in The Colony Mill.

5.) Subcommittee Reports

a) Inclusiveness

Ms. Kayser said the subcommittee determined there should be a presentation to the community in the spring. Ms. Kayser said they would ask people from other countries to give a presentation on their country, culture and customs. She said they would ask KSC to present and collaborate with the Martin Luther King/Jonathan Daniels Committee.

Ms. Morris said there was a lot of great information discussed from the session held in November on the topic of inclusiveness. Ms. Kessler said that she would email the Committee the results from the brainstorming activity.

Ms. Kayser said the subcommittee discussed holding a community gathering after the spring break. She noted timing was important because the subcommittee did not want to make it challenging for KSC staff. She said there they discussed having Mary Gannon, a consultant, to make a presentation on the Social Injustice Program. Ms. Kayser explained the presentation would be held on two separate occasions to accommodate more participants.

Ms. Morris explained the idea of working together with Antioch to offer a free training on diversity. She said one training offered would be the Safe Space Training. She noted the Safe Space Training Group at KSC was ready to proceed whenever the CCC picked a date. She said the staff at Antioch felt it was important to do some training on what diversity is and also to have ongoing trainings to inform people when talking about inclusiveness and diversity. She explained that these trainings would be an opportunity for everyone to share a common language about these topics. Ms. Ricaurte recommended that Dr. Huot and/or the Mayor co-author a letter to the local press inviting people to join and also to reinforce the importance of those conversations.

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Ms. Kayser said that there was a discussion of grant money for up to \$150,000 for communities who wanted to do this type of work. Ms. Kayser said the subcommittee discussed having the New Hampshire Listens Group from UNH facilitate a community dialogue.

Co-Chair Sapeta said that it seemed the subcommittee was doing something different to the CCC by finding opportunities and acting on them. He said at some point a report could be produced on the actions. Ms. Ricourte said the report could be based on whether or not something was productive or meaningful to the community. She said it was more action oriented.

Co-Chair asked if the subcommittee was thinking about a certain number of events or seeing what was available and then acting on the event. Ms. Kayser said they talked about identifying people in the community who would follow through and doing something that was part of a series of the same presentation two held on different times. Co-Chair Sapeta asked if it would make sense to have two or three actions identified and work toward presenting the actions determined toward the middle of the year. Ms. Hrynowski asked how much these seminars would cost the CCC. Ms. Kayser replied they were looking at getting grant money. Ms. Picard said her understanding of the CCC was to make recommendations and not to turn into an event committee. She asked if that would have to get approved by the Mayor or Dr. Huot. Ms. Ricourte said in the CCC charge that fundraising and was explicitly opposed by Dr. Huot. Ms. Morris said the presentations would not be paid by the CCC and that the services of the presenters would be free of charge. Ms. Kessler read the charge of the CCC which allows the Commission to “conduct activities to promote, enhance, encourage, produce relationships...”.

7) New or Other Business

Meetings are normally the fourth Monday of the month at 4:00 PM. The Commission discussed changing the day of the meeting due to conflicting schedules. Ms. Kessler will send an email poll to determine the availability of the Commission members.

8.) Next Meeting

The next meeting will be held on February 27, 2017.

9.) Adjourn

Hearing no further business, Co-Chair Sapeta adjourned the meeting at 5:31 PM.

Respectfully submitted by,
Jennifer Clark, Minute Taker
January 28, 2016

Reviewed and edited by Tara Kessler, Planner