

City of Keene
New Hampshire

HISTORIC DISTRICT COMMISSION
MEETING MINUTES

Wednesday, September 21, 2016

4:30 PM

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

Members Present:

Hanspeter Weber, Chair
Dan Bartlett, Vice Chair
Anita Carroll-Weldon
Joslin Kimball Frank

Staff Present:

Tara Kessler, Planner

Members Not Present:

Jim Duffy
Tom Powers, Councilor

1) Call to Order and Roll Call

Chair Weber called the meeting to order at 4:31 PM and Ms. Kessler conducted roll call.

2) Minutes of the Previous Meeting – August 17, 2016

Ms. Carroll-Weldon noted a correction to the minutes. On page two of 12 in the fourth paragraph, “Mr. Marcotte explained that a suggestion was given earlier in the day morning...” should be corrected to, “Mr. Marcotte explained that a suggestion was given earlier in the day...”

Ms. Kimball Frank made a motion to approve the minutes of August 17, 2016 as corrected. Mr. Bartlett seconded the motion which carried unanimously.

3) Continued Public Hearing

- a. **COA-2016-10 - 17 Washington Street – Eversource Washington Park Equipment - Applicant, Eversource Energy, on behalf of owner, Washington Park LLC, requests the installation of two pad-mounted transformers and two sector cabinets in various locations on the property at 17 Washington Street. The property is Tax Map Parcel # 017-07-007.**

Chair Weber presented the application and asked for staff comment. Ms. Kessler replied that staff found the application complete when the hearing opened in August so she had not comment.

Chair Weber opened the public meeting and welcomed Mark Fraser, Western Region Field Engineer Manager of Eversource, and Laurel Biovin, Community Relations and Economic Development at Eversource.

Ms. Boivin explained that both she and Mr. Fraser work from the Keene Eversource office. She recalled that this application is for the installation of two pad-mounted transformers and two sector cabinets necessary to: 1) replace an underground piece of equipment under City Hall, and 2) to develop adequate electrical infrastructure on the property in question. One of the transformers proposed is 500kva while the other is 750kva. One of the benefits of this project is the extension of the 12kva system to Roxbury Street.

Ms. Boivin continued that location one is closest to the street, is 750 kva, approximately 84 inches high and 78 inches wide; this equipment will replace the equipment under City Hall. Location two proposes a 500kva transformer which is approximately 76 inches high by 68 inches wide; this equipment will provide new service for the south side of the property. The sector cabinet there is 36 inches high by 22 inches wide and 84 inches long. The sector cabinet is a connection point to pick up the existing transformer.

Mr. Fraser provided supplemental information to the Commission including photos. He stated that the pictures he was providing were of location one. At the August meeting, the Commission noted their concern about the equipment location, retention of greenspace in front of Washington Park, and quality of screening to be used. Mr. Fraser worked with a developer from the Bedford Design Group since the August meeting to develop planting plans and source more appropriate screening. Mr. Fraser presented an overhead photo which showed the new proposed location for the transformer, the manhole, and screening. They are able to move the transformer back further from the greenspace and as close as possible to the wall. The transformer will need to remain at least three feet from the wall so the transformer can be maintained. They are estimating placing it four feet from the wall so that the City is still able to maintain the wall. To accommodate this new location for the transformer, a drainage issue has to be addressed. There is a developing sinkhole in the adjacent parking lot and to put a transformer in the proposed location, a drain will have to be relocated. In place of the old drain, a new one will extend from the building and across the parking lot and to the manhole in the street. The duct bank will also have to be extended further as a result. The cost of moving the drain is approximately \$6,000 and relocating everything will be approximately \$20,000-\$25,000. Mr. Fraser stated that he understands the Commissions desire to change the location of the transformer but wanted to communicate the costs.

Mr. Fraser explained that as an alternative they are now proposing green screen with English Ivy which the people at Washington Park are in favor of. The transformer would be enclosed by an eight foot panel on which the ivy will grow. In addition to improved aesthetics, the ivy screen also has a smaller footprint than the previous plan so that as much greenspace as possible is maintained while providing a natural appearance.

Mr. Fraser stated that the applicants request approval of this improved application and he understands that approval will be followed by planting and site plans. Ms. Boivin welcomed questions from the Commission.

Mr. Bartlett asked if the sinkhole is related to the drain malfunctioning, and if so, is there not logic in replacing it anyway. Mr. Fraser replied that he is unsure but there is a catch basin on the other side of the sink hole. He wanted to reiterate that it is one thing to make the repairs to the drain in place; it is another to do an entire relocation. Ms. Boivin said it is likely it would have still have had to be repaired, but not relocated.

Ms. Carroll-Weldon asked about the materials of the green screen fence. Mr. Fraser replied that it is similar to chain link, it is metal coated in a green color, an eight foot tall panel with supports every four feet. Ms. Kessler directed Ms. Carroll-Weldon to page 15/27 in the meeting packet which showed the fence without ivy on it. Ms. Carroll-Weldon asked if the fence is more of a square grid or chain link. Mr. Fraser replied it is a square grid of coated metal.

Ms. Kimball Frank thanked the applicants for adjusting their proposal, stated that she prefers the ivy to trees, and asked if the ivy stays during the winter. Ms. Carroll-Weldon replied that sheltered ivy stays green in the winter and unsheltered ivy withers and falls off but sprouts the following year. Ms. Kimball Frank questioned if the fence will be in a square orientation around the transformer. Mr. Fraser replied it can be square or angled. Ms. Kimball Frank added that she would prefer the fence be as tight as possible around the transformer to have the smallest footprint possible.

Chair Weber asked if the ivy fence is more compact than the spruce or holly fences originally proposed. Mr. Fraser replied that he is unsure of the exact dimensions but because the ivy will be growing up and not out, it will have a smaller footprint. This plan takes the footprint down to three feet which is minimal compared to the original plan. Chair Weber said the green screen seems more permanent than some other ideas and asked the height of the ramp at location one. Mr. Fraser replied the ramp changes in height but is not taller than the green screen panels will be. He believes the ramp is approximately five feet high at that location so the transformer will be taller.

Mr. Bartlett asked if the photo was showing the two proposed transformers back-to-back. Mr. Fraser replied no, it is displaying one transformer with a large front compartment and small back compartment. The proposed transformer at location one is 750kva. Mr. Bartlett questioned the other 500kva transformer. Ms. Boivin replied that the 500kva transformer will be placed at location two. The decision at the last meeting was to vote on all three locations together at this meeting; what they are referring to specifically today are changes to location one. Mr. Bartlett commented that he thinks the changes are good and having an urban, vertical source of greenery is a more appropriate solution and concept.

Ms. Kimball Frank asked the following questions:

1. What is the difference between putting a transformer on private property versus City property? Ms. Boivin replied that when a site is selected on City property and outside the right of way, Eversource must get approval from City Council. Mr. Fraser added that with private landowners, Eversource must have an easement to place equipment on the property which can be a long process. Ms. Boivin added that when on private property, they must follow requirements of any local ordinances subject to that equipment or use of the property.
2. When the City gives Eversource a license, does the license have a term? Mr. Fraser replied that when they receive an easement for private property it is written into the deed and stays with the property. When Eversource gets a license for equipment on City property, the City retains the right to retract the licenses which is a risk to Eversource and the City. Eversource tries to work closely with the City so that equipment does not have to be relocated later.
3. Has the City ever withdrawn a license from Eversource? Ms. Boivin replied no, they try to collaborate and avoid that.

Mr. Bartlett commented that he thinks the new proposal for location one is better because the transformer is most hidden. He asked the following questions:

1. Is there anywhere along the ramp the transformer can be placed to reduce the cost of relocating the drain? Mr. Fraser replied that no matter where along the ramp there would still be problems with the drain. More importantly, the problem caused along the ramp is the duct bank which will run six conduits. No matter what, he said, it is expensive.
2. If it moves closer to Washington Street at the parking lot could it be less expensive? Mr. Fraser replied that it would if the drain was not there. They can go under the drain with the conduits, though, which could reduce the cost. He said this plan is something that works for the City, the landowner, and Eversource and because this project is already over \$300,000, he would rather leave it where it is in the plan.

Ms. Kessler stated that the applicants did a great job with the proposed changes to location one by moving it away from a more visible location and closer to the concrete wall. It is staff's opinion that it better meets standards than the previous location. The green screen will be like continuing vegetation along the ramp there today and will help the transformer blend with the current vegetation. It staff's opinion, it meets standards better than the previous proposal.

Chair Weber closed the public hearing.

Ms. Kimball Frank made the following motion, which was seconded by Mr. Bartlett and carried unanimously.

On a vote of 4-0 the Historic District Commission approves COA-2016-10 for installation of electrical equipment in various areas of the site at 17 Washington Street as described in the project narrative and as shown in the Washington Park Site Plan dated July 26, 2016 and prepared by Mark Fraser as well as the Developed Planting Plan for

Washington Park Multi-Family Housing dated April 6, 2016 and prepared by Bedford Design Group and revised transformer location for location number one prepared by Mark Fraser and submitted to the Planning Department on September 9, 2016 with the following condition – submittal of revised site plan and planting plan.

4) **Public Hearings**

- a) **COA-2016-12 - 0 Church Street – Eversource Transformer - Applicant, Eversource Energy, on behalf of owner, City of Keene, requests the installation of a pad-mounted transformer in the southwest corner of the property at 0 Church Street. The property is Tax Map Parcel # 022-03-001.**

Chair Weber presented the application and asked for staff comment. Ms. Kessler stated that staff recommends the Commission accept the application as complete. Mr. Bartlett made a motion to accept the application COA-2016-12 as complete. The motion was seconded by Ms. Carroll-Weldon and carried unanimously.

Chair Weber welcomed Mr. Fraser and Ms. Boivin back for this application. Ms. Boivin stated that the application before the Commission was for the replacement of an existing piece of equipment on City owned property adjacent to 16 Church Street which is known as the “old cracker factory.” There is currently a sector cabinet on that property. Eversource was unsuccessful at finding a private property for this small, 150kva, pad-mounted transformer. For that reason, they chose this location on City property where there is already another piece of equipment located. This proposed location allows Eversource to deliver a 12kva system to where there are currently gaps in the system. It amounts to an approximately \$100,000 investment as part of a multi-year project to improve the distribution system in Keene’s Central Business District. It is a three-year project with an overall \$3 million investment in Keene’s infrastructure. Eversource is trying to work with City businesses and owners to have a system capable of supporting a thriving business community while preserving the character of Main Street. This proposal is for equipment installation and proposed screening.

Mr. Fraser added that they propose a 150kva transformer which is smaller than the other locations discussed but adequately sized for its work. It is approximately six feet tall and five feet by five feet wide. The proposed transformer location will bring power to the cracker factory, the Hannah Grimes building, and will eliminate transformers and overhead lines on Roxbury Street. Mr. Fraser presented a photo which showed the location of the sector cabinet at the corner of the parking lot on Church Street. The transformer will be three feet from the cracker factory wall and a six foot by 12 foot cedar fence with a gate is proposed. Five feet will remain between the fence and the sidewalk. He also presented an underground plan for two conduits to run from the transformer and under the parking lot to the space between the Hannah Grimes building and the old Aubuchon Hardware. He also noted that they considered space behind the Fairfield Hotel but there was not a feasible option on their property.

Chair Weber asked if it possible to not install the new transformer at the cracker factory and instead combine and increase the size of the transformer behind Hannah Grimes. Mr.

Fraser replied that the Fairfield Hotel would have to go through an outage for such an installation, which the Hotel is not in favor of. The transformer there is bigger so the new transformer would also have to be increased to 500kva. It is feasible but it is on the property of Fairfield Hotel and the transformer there is leased to them and they are responsible for it. He said they also had to make a decision before the parking lot is paved and utilities cannot be easily placed underground. Ms. Boivin added that without the private property owner's permission, they could not develop on that property.

Mr. Bartlett and Ms. Kimball Frank stated they would prefer an ivy green screen as opposed to a cedar fence and asked if that is possible. Mr. Fraser replied yes, as long as the gate can remain in the appropriate location. Chair Weber asked if there is sufficient soil at the location for the ivy to thrive. Mr. Bartlett noted the images show a small patch of soil and added that he is ok if the gate remains cedar if the rest is ivy. Mr. Fraser said he will work with the designer to have a cedar gate open toward the parking lot by changing the orientation of the transformer. The Commission agreed on ivy green screen with a cedar gate and Ms. Kimball Frank noted she would prefer the gate to have lattice work as shown in the picture if possible.

With no comment from staff, Chair Weber closed the public hearing.

Mr. Bartlett made the following motion, which was seconded by Ms. Kimball Frank and carried unanimously.

On a vote of 4-0, the Historic District Commission approves COA-2016-12 for installation of an above ground transformer and screening as described in the project narrative and as shown on the plan Section D & E, Site Plan, dated September 7, 2016 and prepared by Mark Fraser with the following condition – replace fence material with green screen panels and ivy plantings.

5) Consideration of the Heritage Commission Recommendation to Seek Withdrawal of the Proposed Main Street Historic District Commission Ordinance

Ms. Kessler stated that at the September 14 Heritage Commission meeting Ms. Carroll-Weldon presented on behalf of the HDC Ordinance Review Subcommittee. The presentation requested that the Heritage Commission consider the HDC recommendation to City Council that this ordinance be withdrawn. She said Ms. Carroll-Weldon would speak on behalf of the sub-Committee later in the meeting and presented a letter from Louise Zerba, a member of the subcommittee, on the proposed motion to seek withdrawal of the ordinance. Chair Weber read Ms. Zerba's letter:

September 19, 2016

Dear Members of the HDC,

Although I voted in support with the three other members of the Heritage Commission who were in attendance to ask the HDC to withdraw the request to City Council to establish a Main Street Historic District, I am asking you to not support the withdrawal when it comes to your vote.

I have spent the last week soul-searching my vote and realize that I was wrong and giving up. With the HDC vote being the next step, I not truly believe that it is important to see it go through the process to its natural conclusion with a vote of the City Council, whatever that may be.

To withdraw now, to me, means giving up all those many years and many hours of hard work for something that I feel is so important to the long-term life and visual appearance of our Main Street entry for generations to come. To vote to withdraw the request to me seems to negate the importance that we have placed on this historic area. Again, in voting to withdraw, it feels that the work was not important enough thus throwing away all those years of effort to establish the District.

Would our forefathers have given up? I don't think so; nor should we.

Our forefathers on the west side of Main Street agreed to move their property lines back to accommodate a future large street of which we are now the beneficiary. What would have happened if one or two decided not to agree to this major property line adjustment and it remained the way it was.

Many of our past generations of Keene citizens, including Barry Faulkner in his 1917 talk on City Planning, thought and carefully planned to make this the beautiful city it continues to be.

*Thank you,
Louise R. Zerba
Member of the HDC Ordinance Review Subcommittee*

Ms. Carroll-Weldon read the proposal for withdrawal of the Ordinance:

Historic Main Street Ordinance – Can we withdraw it? The Majority of Main Street residents are opposed. Accept that and respond to what they have told us.

They do not want regulation, even though we have made concessions (few regulations; no mandatory expenses). The amendment to the present draft ordinance would allow changes in the dimensions of two of eight regulations (windows and doors) which can seriously denigrate the integrity of the building. This amendment has weakened the ordinance to the point that it has very little value.

We would like to withdraw the draft ordinance and in its place present an alternative proposal, which will respond to complaints from the Main Street residents and other local citizens and will enhance the historic nature of lower Main Street.

The HDC recommends that the City Council will support and enact the following to refresh lower Main Street from Route 101 to the Winchester-Marlboro Streets round-about with:

- *To slow the speed of vehicles on Main Street*
 - *Installation of speed tables (such as those on North Lincoln Street, Community Way)*
 - *Attractive, visible traffic signs indicating maximum speed (30MPH or less?)*
 - *In conjunction with these traffic signs, lighted signs that indicated the actual speed of a vehicle*
- *To ease pedestrians in crossing Main Street*
 - *Erect a green (tree/grass) median down the center of Lower Main giving pedestrians a pause between traffic moving from two directions*
 - *Crosswalks spaced at reasonable intervals – preferably with blinking lights indicating when a pedestrian is in the crosswalk.*
- *To highlight the historic nature and the natural beauty of Main Street*
 - *Have a beautiful painted billboard welcoming travelers to our historic Main Street. A sign that will ask them to drive slowly and invite them to enjoy the variety of historic buildings that align this gateway to our city.*
 - *Ensure that there are majestic trees planted along the median and the grass strips between the sidewalks and the street.*

In addition to what we are asking the City to take on, we, the Foundation for the Preservation of Historic Keene, would like to undertake the following:

- *To raise funds that would be used to provide technical advice to residents of Keene who are interested in maintaining their historic homes, regardless of where their home is situated in Keene.*

Ms. Kimball Frank commented the primary feeling the HDC had was that there is still strong opposition from many people on lower Main Street despite it being the smallest historic district in NH or New England. When the amendment was approved by the joint Committee, the strength of the two regulations on windows and doors was lessened. She said at this point it feels like a weak ordinance that the HDC feels is better to withdraw that have it be unusable. She said Ms. Zerba is right and a lot of work went into the proposed ordinance but she still sees the process as valuable and does not think they should push through an ordinance that is not as strong as it needs to be. She hopes the ordinance can come back stronger in the future.

Ms. Kessler explained the City process for withdrawal. The HDC is the entity to seek such a withdrawal. Because the Council can only vote up or down on a proposed ordinance, the request for withdrawal could have the following possible results: 1) the Council can choose to file the request as informational and move on with the public hearing at which time a representative from the HDC can present to the Council on the wish for withdrawal; or 2) the Council could choose to suspend their rules and vote at that time with a 2/3 vote from Council. There is no way to know how the Council will

move, but the HDC can request their consideration. She said there will need to be a motion at this meeting to recommend that City Council consider withdrawing their proposed ordinance for historic Main Street, after which staff will draft a letter to that point which will be presented to City Council along with this meetings minutes. The letter and minutes should serve as justification for the recommendation. If the ordinance is withdrawn, it cannot be reintroduced until one calendar year after.

Ms. Carroll-Weldon made the following motion, which was seconded by Ms. Kimball Frank and carried unanimously.

On a vote of 4-0, the Historic District Commission recommends that City Council withdraw the proposed ordinance for the lower Main Street historic district.

Mr. Bartlett commented that although it seems harsh, the Commission wants to see the best thing happen on lower Main Street and this work has been valuable for discussion and public feedback. He does not think withdrawing the ordinance means that establishing a historic district is over. He appreciates the possibility to come back with a stronger proposed ordinance in the future. Chair Weber stated that it is a sad moment to consider stopping this work. Ms. Kimball Frank said she thinks they tried to work with what residents of lower Main Street want and thinks the changes Ms. Carroll-Weldon is requesting of the Council are to make Keene more beautiful than before. She said it does not mean the HDC stopped looking for a historic district but the more beautiful Main Street becomes strengthens its historic nature and something will develop from that in the future. Chair Weber thanked Ms. Carroll-Weldon, Ms. Kimball Frank, and Ms. Zerba for their hard work and said he hopes something will come from this in the future.

Ms. Carroll-Weldon commented that the intent of the work on this proposed ordinance for the last two years was to come up with a document and policy to protect these historic buildings. She thinks the amendment to that in the joint meeting changed that so much that it no longer really represents the intent which is why she is in favor of withdrawal in hopes that after a year, a stronger proposal can be developed.

- 6) **Other Business**
- 7) **Next Meeting – October 19, 2016**
- 8) **Adjourn**

Hearing no further business, Chair Weber adjourned the meeting at 5:53 PM.

Respectfully submitted by,
Katie Kibler, Minute Taker