

City of Keene
New Hampshire

HISTORIC DISTRICT COMMISSION
MEETING MINUTES

Wednesday, March 20, 2019

4:30 PM

2nd Floor Committee Room

Commission Members Present:

Andrew Weglinski, Vice Chair
Erin Benik
Nancy Proctor
Councilor Thomas Powers

Staff Present:

Rhett Lamb, Community Development Director/Assistant
City Manager
Mari Brunner, Acting Planner

Members Not Present:

Hanspeter Weber, Chair
Hans Porchitz
Joslin Kimball Frank, Alternate

1.) Call to Order

In the absence of Chair Weber, Mr. Weglinski assumed the Chair position. Chair Weglinski called the meeting to order at 4:35 PM and roll call was conducted.

2.) Approval of Minutes – February 20, 2019

Councilor Powers made a motion to approve the minutes of February 20, 2019. The motion was seconded by Ms. Proctor, which carried unanimously.

3.) Keene Building Better Together: HDC Regulations

Ms. Brunner stated that City staff wanted to provide an update on the Building Better Together Project. She explained that she will be providing an update on the HDC regulations and how the Historic District Commission will fit into the larger project. Ms. Brunner reported that staff has been working on revising the HDC regulations to fit into the overall Unified Development Ordinance (UDO) document, which is also called the Land Development Code. She explained that staff is creating one document that will compile all of the zoning and land use regulations in one place for developers and members of the public. Ms. Brunner stated that staff is envisioning that the HDC regulations will become a part of this large document. She referred the Commission to the packet that included the Building Better Together change order form that provides a high level overview of the background and summary of what staff is proposing for changes.

Chair Weglinski referred to the draft regulations and asked if the highlighted areas are the differences between the existing regulations and the draft. Ms. Brunner responded that when she was going through the regulations she was moving sections around and track changes highlighted the whole document, so she decided it was easier for her to start on a blank document. Ms. Brunner stated that she would be happy to meet with Commission members one-on-one to go through the form more in depth.

Ms. Brunner proceeded to review some of the higher level changes. She noted the biggest change is the proposal that the HDC Regulations would apply only to historic buildings and structures which are 50 years old or more, rather than all buildings and structures. Ms. Brunner referred to the new MoCo Arts building and explained that if a change was needed to their site plan, under the new proposal, MoCo would not have to go through the HDC process. She stated that MoCo would go through the normal planning review

process since their building is new. Ms. Brunner noted that a building 50 years or older would still come through the HDC.

In addition, Ms. Brunner noted there are implications with this procedural change. She explained that the regulations define the “period of significance” for Keene as the period starting in 1785 and ending 50 years before the present time, which means staff would need to do an assessment each year to see if any additional buildings come within the purview of the HDC for the upcoming year.

Mr. Lamb asked Ms. Brunner to explain the differences in what is happening with the downtown Form Based Zoning. Ms. Brunner explained that staff has been working with the Joint Planning Board/ Planning, Licenses and Development Committee to work on the downtown zoning piece. She explained that staff is working to define the boundaries of the downtown area. The proposal is to switch from the current zoning, which is traditional zoning based primarily on uses (often referred to as Euclidian Zoning) to Form Based Zoning that is more focused on built form. Mr. Lamb added that more attention will be paid to how the buildings appear, including scale and their relationship to the street. He explained that much of what the HDC would have done with a new building under the HDC Regulations and the Planning Board will be done through Form Based Zoning.

Chair Weglinski asked if he was correct to assume it will be easier to identify characteristics on new buildings to fit in with the historic fabric of the surrounding buildings. Mr. Lamb responded in the affirmative. He added that some changes will be handled administratively and they are trying to broaden the scope of administrative change. Mr. Lamb stated there will be a clear checklist of things to pay attention to such as height of buildings, size, and setback. He noted all of those things will become clear standards whether it is done administratively or by the Planning Board. Ms. Brunner added there is going to be some focus on the way the building relates to the streetscape, which is a characteristic of historic buildings. She noted the HDC regulations will depend on how the Form Based Zoning process evolves. Mr. Lamb stated that staff is working with a consultant that has done these types of form based zoning codes all over the country. He stated that the Commission, knowing that the HDC is giving up some of the authority they used to have in order to make the change happen, may have some interest in seeing the new standards. Mr. Weglinski stated that it also seems this is an opportunity to fine-tune and to be able to regulate what actually gets built and seems to be a good move.

Ms. Brunner added that the Planning Board Development Standard 19, Architecture and Visual Appearance, in some aspects is subjective and with Form Based Zoning staff is trying to make it as objective as possible. She explained when standards are more objective it is possible for staff to review. When projects require board review it may lengthen the process and become more expensive for the applicant. Mr. Lamb stated that staff likes this concept because it will be easier for developers to do what they want to do because the standards will be clearer and the process will be simpler, and it will also be founded on the preservation of downtown. He noted that new buildings are the hardest for the HDC to review because the standards allow for a lot of room.

Ms. Proctor asked about the approval process for the apartments on Roxbury Street, adding that she hears a lot of complaints. Ms. Brunner responded that part of the struggle there is that the architect did come before the HDC to get approval but the standards are not very specific and make general statements. Ms. Brunner noted the architect did modify the end of the building that is closest to Roxbury Street to be clad with a brick veneer and added doors on the side facing the street to look more pedestrian oriented. Ms. Proctor stated that she was surprised they could build so close to downtown. Mr. Lamb added that he thinks there is a better chance that would not have happened with Form Based Zoning. Ms. Proctor asked if they have stopped construction. Ms. Brunner responded construction is ongoing and will be completed this spring or summer.

Ms. Benik asked Ms. Brunner to clarify the jurisdiction of the Historic District. Ms. Brunner responded that the Historic District would have the same boundary and the proposal is not to change the boundaries of the Historic District overlay.

Ms. Brunner stated another change is the removal of “Article V. - Historic Districts” from Chapter 18 of City Code. This section will be combined with the HDC Regulations in order to keep all HDC information in one place. Ms. Bruner explained that when the HDC updates regulations, staff would have to make sure it is consistent with Chapter 18 and if not it will go before the City Council to get adopted.

Ms. Brunner noted that when she was going through the HDC Regulations there is currently a section which includes both Design Standards and Design Guidelines. Ms. Brunner reported that a lot of other communities use the term design guidelines to mean standards that have to be met. She explained that staff’s proposal in order to reduce confusion and make the document shorter and more concise is to take out some of the background information and the design guidelines. She noted that a lot of other historic district commissions will have an outreach brochure or booklet that is a companion document to their standards that is used for educational information. Ms. Brunner asked the Commission about the idea of creating a brochure that contains background information on the design guidelines so that information is not lost and can be posted on the City’s website. Ms. Benik suggested that once a brochure is created it should be sent to everyone in the Historic District as a reminder of what a wonderful thing it is to be located in this district.

Ms. Brunner stated the next major change is the addition of a design standards section for art, which would apply only to art that is attached to a historic building or structure, such as a mural. She noted the standards for murals on unpainted brick or stone masonry were moved to this section. Ms. Brunner stated that staff is proposing the Historic District would only look at artwork that is attached to a historic structure. She noted that if the art is free standing it would be exempt.

Ms. Brunner stated the last major change is under the “Building Rehabilitation” section. She stated previously it had been separated into primary and contributing resources. In addition, there is a section on non-contributing and incompatible resources. She noted that all the information in the noncontributing and incompatible resources was repeated almost verbatim from sections within the primary and contributing section. In order to try and reduce the repetition, the proposal is to have a section on all resources where it puts all that information in one location with a separate section on primary and contributing resources.

Ms. Brunner then referenced page 3 of the draft regulations. She stated that she tried to simplify the list of minor and major projects. Ms. Brunner explained that she made the list clearer based on whether or not it is a primary or contributing resources or a noncontributing or incompatible resource. She further explained that the reader would need to figure out the resources ranking first and then go to appropriate table which will have threshold criteria listed. Ms. Brunner explained that staff went through the list of activities and are proposing to move quite a number of them to minor projects for the noncontributing and incompatible resources. Mr. Lamb noted the Commission would need to go through that list to make sure the members are comfortable.

Chair Weglinski asked about the installation of HVAC and other mechanical equipment listed as a minor project. He asked what happens in some areas where there are large rooftop units that are visible. Ms. Brunner responded that HVAC and mechanical equipment are currently treated as a minor project for all resources and this was kept under the minor list category. She explained when looking at the standards for HVAC and mechanical equipment they do have stipulations such as being stepped back from the roof or, if it is a flat roof, it has to be placed as far from the front edge of the building as possible. In addition, she stated there is a requirement for screening with landscaping. Mr. Lamb added that if City staff does not feel that standard has been met it is referred to the Historic District Commission.

Ms. Brunner then referred to the right side of the table for minor projects for noncontributing and incompatible resources. The first project listed is the removal, relocation or demolition of an existing structure. She noted this was moved to a minor project. She stated they are proposing this to be a minor project but did want to bring this to the Commission’s to ask for their thoughts. Ms. Brunner explained the reason for this change was the fact that the only standard in the HDC regulations for the demolition of noncontributing and incompatible resources is to show plans for the new structure that will be built. She further explained

that with Form Based Zoning, any new structure would go through the Form Based Zoning process instead of the HDC. Ms. Benik asked if there are still community members that will sign off on demolition. Mr. Lamb responded there is a Demolition Delay Ordinance which operates outside the Historic District. He stated that if it is in the Historic District, this is the only standard that would apply. Ms. Brunner stated that one idea staff is considering with the HDC is that in order to demolish a building the applicant has to put out a sign at least 10 days before the public hearing that states the structure is proposed for demolition and lists contact information. She noted they are requiring this more often for ZBA Variances. She noted this was something that staff could make as a requirement for demolitions of noncontributing and incompatible resources.

Ms. Brunner then reviewed the remainder of minor projects as follows:

- Installation of prefabricated accessory buildings or structures with a floor area that does not exceed 125 square feet. Ms. Brunner stated this standard is consistent with what is listed in the Building Code and Zoning Code. She noted that right now the City does not require a building permit for structures that are less than 125 square feet and comply with zoning setbacks. Ms. Brunner stated that staff thought that it made sense to be consistent and have that apply with noncontributing and incompatible resources.
- Replacement of existing windows and doors or the installation of new windows or doors in former or existing openings. Ms. Brunner explained this would be replacing windows or doors but not creating new openings.
- Replacement of exterior masonry walls.
- Changes to exterior materials.
- Chemical or physical treatment to the exterior of a building or structure.
- Installation of satellite dishes or telecommunications facilities.
- Installation of dumpster, dumpster enclosure or dumpster pad.
- Changes to grading.
- Installation of renewable energy systems.

Ms. Brunner added there are several sections of the HDC regulations that may or may not remain, such as the paving standards, the standards for dumpsters and lighting. She explained those topics may be addressed through the Form Based Code process or in another section of the UDO.

Ms. Brunner stated that she thinks graphics and images can help communicate the intent of the regulations, especially when it comes to terminology. She reported that staff is working with a consultant on graphics for the whole document. Mr. Lamb added that a lot of these codes could benefit from an images and they will be interspersed wherever it is appropriate.

Ms. Brunner stated that staff would not be bringing the regulations for the HDC to adopt until the time when City Council would be adopting the whole UDO document. She noted that staff does not foresee this happening for some time due to the work that still needs to be done on other topics. Mr. Lamb added that staff will be working with the Joint Planning Board and Planning, License and Development Committee all throughout the next nine months. He stated the work will consist of discussing drafts, developer round table discussions and reaching out to the public. Mr. Lamb stated that it will be toward the end of year to finalize the process, produce the document in ordinance form and bring it forward through the normal adoption process. He noted this includes the HDC process for the changes they will make to the section that deals with the HDC regulations.

Councilor Powers referred to the definition section and asked if there was a better word for “detract” in the definition for incompatible resources. Mr. Lamb stated that staff could work on replacing the word “detract”.

Ms. Brunner asked the Commission to reach out to her with any questions or comments on the proposed changes. She stated that staff will come back to the HDC with any further drafts or proposed changes.

4.) Staff Updates

Ms. Brunner reported that staff has discussed forming a resource ranking subcommittee. She stated there are some buildings within the Historic District that have not been ranked. Ms. Brunner explained if the proposed changes are adopted, then on an annual basis the HDC will want to assess whether any new buildings are falling within the period of significance and rank them. Ms. Brunner noted there are approximately 20 properties that are not ranked.

Mr. Weglinski asked if the subcommittee would review the buildings and then present the recommendations to the HDC. Ms. Brunner responded in the affirmative. She explained the work of the subcommittee would be conducting historic research on each building and then making a recommendation on whether the property is a primary, contributing, noncontributing or incompatible resource. Ms. Brunner asked the Commission if there is any interest in joining the subcommittee. Due to time constraints and prior commitments of the Commission members, the Commission suggested Ms. Brunner contact Keene State College Architecture Department, Heritage Commission, Historical Society and the American Institute of Architecture New Hampshire to seek out assistance with this task.

Ms. Brunner reported that every year in May, the Friends of Public Art create paste paper murals around the City. She stated that Rosemarie Bernardi, Professor of Art at Keene State College has provided Ms. Brunner with information about the project that the Friends of Public Art would like to share with the Commission at the next HDC meeting in April. Ms. Brunner reported they are proposing not to do as many locations because of the Wall Dogs Project. The temporary murals will be located in the alleys next to Citizens Bank and the alley in between Miller Brothers and the Colonial Theatre. The murals are set up at these locations at the request of the owners. In addition, Ms. Brunner reported that every year the Friends of Public Art create one permanent mural and this year the mural will be installed on the outside of Brewtopia on the corner of Washington Street and Vernon Street.

New and Other Business

The Commission did not present new business.

5.) Next Meeting

The next HDC meeting will be held on April 17, 2019 at 4: 30 PM in the Second Floor Conference Room at City Hall.

6.) Adjourn

Hearing no further business, Chair Weglinski adjourned the meeting at 5:36 PM.

Respectfully submitted by,
Jennifer Clark, Minute Taker

Reviewed and edited by Mari Brunner, Acting Planner