

City of Keene
New Hampshire

HISTORIC DISTRICT COMMISSION
MEETING MINUTES

Tuesday, July 20, 2021

4:30 PM

**Council Chambers,
City Hall**

Members Present:

Andrew Weglinski, Chair
Russ Fleming, Vice Chair
Councilor Catherine Workman
Hans Porschitz
Hope Benik
Sam Temple

Staff Present:

Tara Kessler, Senior Planner

Members Not Present:

David Bergeron, Alternate
Tia Hockett, Alternate
Peter Poanessa, Alternate

1) Call to Order and Roll Call

Chair Weglinski called the meeting to order at 4:30 PM. Roll Call was taken.

2) Minutes of May 19, 2021

Hope Benik made a motion to approve the minutes of May 19, 2021 as presented. Councilor Workman seconded the motion, which passed unanimously.

3) Public Hearing:

COA-2021-05 – 122 & 124 Water St – Demolition and Construction of Homeless Applicant Hundred Nights Inc., on behalf of owner Green Diamond Group LLC, proposes to demolish two structures on the property located at 124 Water St (TMP# 585-028-000) and construct a 3 story, 15,000 sf homeless shelter that will be partially located within the Downtown Historic District at 122 & 124 Water St. Waivers are requested from Sec. XV.A.2.b.2 and XV.D.2.b.5 of the HDC Regulations regarding fence height and use of vinyl siding. The 124 Water St property is ranked as a Non-Contributing Resource and is located in the Business Growth and Reuse district.

Chair Weglinski read the applicant's request and asked for staff recommendation on completeness of the application.

Tara Kessler recommended the Commission accept the application as “complete.”

Mr. Fleming made a motion to accept the application as complete. Councilor Workman seconded the motion, which passed unanimously.

Chair Weglinski opened the public hearing and invited the applicant to present.

Jim Phippard showed the commission an image of the new building they are looking to construct. He stated the request is for permission to demolish 3 existing buildings, two Non-Contributing Resources located at 124 Water Street and another building located at 122 Water Street. He drew attention to the existing conditions plan on page 36 of the agenda packet, explaining that the property to the right at 124 Water Street is within the Historic District, and the one to the left is not. The proposal is to merge the two existing parcels of 122 and 124 Water Street and construct a 3-story building to be used as a homeless shelter, which will be partially located within the Historic District.

Mr. Phippard then referred to the proposed site plan on page 38. He pointed out the 3-story building, roughly 5 feet from the edge of the right of way on Water Street, which would honor zoning district rules and keep the existing location to what it has historically been. He went on to state that the right hand portion of the site would become a courtyard area and the rear would be a parking lot with 24 parking spaces. He further explained that per current zoning rules, 1 parking space for every bed in the facility is required. The existing homeless shelter in Keene has 48 beds and they are trying to build a new facility to improve service and efficiency, but are not looking to increase bed size. Mr. Phippard pointed out that at the existing facility individuals walk out of the building and right onto a city sidewalk. The new facility will increase green space by allowing for a courtyard area, and will also have an enclosed resource room with heat and air conditioning.

Mr. Phippard showed the existing fencing on the 122 Water Street property along Community Way and a chain link fence along the rest of the property. He noted that the plan is to replace the vinyl sections of the existing fence with cedar fence and install a 6 foot cedar fence around the perimeter of the property. He explained the reasoning behind the 6ft fencing is due to zoning rules that will take effect September 1, 2021. The recently adopted Land Development Code states that all outdoor areas of homeless shelters must be screened with a minimum 6ft high solid fence, and thus he requested a waiver to allow for this condition to be met. Next, Mr. Phippard described the lighting which would match the fixtures of the buildings in the surrounding area. This will include five, 12 foot light fixtures.

Sam Temple arrived at 4:36 PM.

Mr. Phippard introduced the architect, Christina O’Brien with Market Square Architects in Portsmouth, NH. Ms. O’Brien stated the proposed new building is a 3-story, 15,000 sf in gross

floor area structure with a 5,000 sf footprint, designed with exterior elements that complement the nearby buildings. It will have board-and-batten siding and a gable and hip roof. She noted that cedar wood clapboard siding will be used on the first and second levels and vinyl siding on the third level. Vinyl siding is proposed to reduce construction costs and a waiver is requested to allow for the use of vinyl siding. She went on to state that the main entry will be a grey stone veneer and framed with vertical board-and-batten. The windows are all 6 over 6 aligned vertically and the roof will consist of dark gray asphalt shingles. She showed cut sheets for all materials and Mr. Phippard showed samples of the material in person to the commission.

Mr. Phippard referred to pages 30-32 of the agenda packet demonstrating that the existing buildings surrounding the site had either vinyl siding or painted brick, demonstrating that the new build will be similar in materials and scale. He noted that the cost for cedar siding is \$12 per square foot and vinyl is between \$4 and \$5 per square foot to install. He hoped they would consider that with the request.

Chair Weglinski opened the floor for applicant questions.

Mr. Fleming mentioned the green space and parking and wondered why, if the homeless population doesn't have cars, are they still pursuing a waiver. Mr. Phippard answered that they would like to reduce lot coverage to eliminate pavement but have the 1 parking space per 2 bed rule to consider. Chair Weglinski mentioned that he is aware of other projects where the parking was waived but the space remained reserved if needed in the future.

Mr. Temple asked if the term "adequate screening" was due to the Land Development Code specification that requires a 6ft high solid fence. He added that he liked the lower fencing and felt it gave more of an accessible community feel. Mr. Phippard stated it is purely a zoning requirement that there needs to be 6ft screening minimum between public rights of way and property for homeless shelters. He added that it will allow the people inside to enjoy their privacy.

Mr. Temple asked what happens when there is a conflict between the Historic District Commission and zoning rules. Ms. Kessler stated the more stringent restriction would apply in that instance, which would be the zoning requirement for 6-ft high solid fence screening; however, this regulation does not take effect until September 1, 2021.

Chair Weglinski asked about vegetation, shrubbery and trees on the property. Mr. Phippard stated they are proposing to plant 10 new trees. Five of the trees will be Pin Oaks, and the others will be fruit trees of 3 different varieties (apple, peaches and pears), which was a request from staff at the homeless shelter. There was also a request for a large vegetable garden. Additionally, they will have a variety of native shrubs including rhododendrons and juniper adjacent to building. Along the street they propose typical street trees seen throughout the city that can take salt and heat from the pavement.

There being no further questions for the applicant, Chair Weglinski invited staff comments.

Tara Kessler provided an overview of the staff analysis of the application as related to the HDC Regulations. She stated the applicant is seeking approval to demolish 2 buildings in the Historic District on 124 Water Street, which are ranked as Non Contributing Resources due to lack of significant architectural features and historical significance. Ms. Kessler mentioned that the historic resource inventory forms on file for these buildings have nothing of note for their significance. She went on to state that the standard for demolition of non-contributing or incompatible resources states the board shall approve the demolition of a building provided that the applicant apply for approval for construction of a new building that meets new construction design standards. She added that most of the building footprint is on the lot outside of the Historic District but the design needs to be reviewed prior to demolition.

With respect to fences, staff felt the applicant had sufficiently explained why the fence would be needed and she noted that the fence would be replacing an existing fence in many locations on the site.

Ms. Kessler next mentioned the standard for lighting and noted it should be compatible with fixtures on the surrounding properties. She stated the proposed light fixtures meet the lighting standards for full cut off fixtures and are compatible with those in the surrounding area/downtown.

With regards to walkways, driveways and parking, Ms. Kessler stated there is a standard to maintain the existing location and configuration of walkways onsite. She noted that the applicant is proposing to have only one point of entry due to the merging of two properties, and will add a walkway for pedestrian access from Water Street. Parking in the rear of the building will be screened so there is no concern with respect to that standard.

Ms. Kessler next referred to the Commission's architectural standards for new construction. She noted that one standard is to ensure that any new buildings are sited so that the location of the building keeps with the historic streetscape and that massing, scale and orientation are compatible with the surrounding area. She stated that the applicant proposes to build this building in generally the same footprint as the present building at 122 Water Street, and the increase in height would keep with the scale of the buildings surrounding it, as they are 3 story and 2.5 stories. Ms. Kessler added that zoning in the Business, Growth and Reuse District requires new construction to be at least 2 stories high.

Lastly, she stated the proposed materials are very similar to those at Cityside housing which has vinyl siding, and a waiver has been requested for vinyl to be on the 3rd story of the building only.

Ms. Kessler offered a recommended motion which includes a condition related to external materials. The proposed condition requires that future changes in materials be reviewed by the

Planning Board because, as of September 1st, buildings less than 50 years old will no longer be reviewed by the Historic District Commission.

Chair Weglinski asked who would be maintaining the public right of way. Mr. Phippard stated the Railroad Condominium Association because it is currently a private road, not a Class V right of way, and is not maintained by the City of Keene.

Mr. Temple asked to revisit the fencing requirements of the HDC versus the new Land Development Code. Ms. Kessler stated a regulation in the zoning ordinance to take effect on September 1, 2021 states that a 6-ft high solid fence is required to screen all outdoor activity areas associated with the homeless shelter use. This standard is more stringent than the 4-ft maximum height rule for fences in the Downtown Historic District. She added that all applications need to comply with zoning prior to a public hearing being opened.

Councilor Workman asked about the siding color choice and why it doesn't match the Cityside building a little more. Ms. O'Brien stated they didn't want to match the colors completely because it's a different entity with a different use. They wanted some separation but wanted it to compliment the surrounding area.

Mr. Temple asked if there could be another material used, other than the cedar, or if it was due to a cost consideration. Mr. Phippard replied that cost is major consideration and noted that cedar fencing is high quality and lasts a long time. He also mentioned that he didn't think it was appropriate to add a lot of design to the fence because they are creating a homeless shelter and trying to meet screening requirements.

There were no further questions for staff. Chair Weglinski invited the public to ask questions.

Tom Stevens of 122 Water Street stated the current fencing on the property sort of acts as a place for graffiti, so the more simple fencing would help with that issue.

There being no further public comments, Chair Weglinski closed the public hearing and began deliberations.

Mr. Fleming made a motion to "Grant waivers from Sections XV.A.2.b.2 and Section XV.D.2.b.5 of the HDC Regulations to allow for a fence along the street frontage that is greater than four feet in height and to allow the use of vinyl siding on the third story of the new building; and approve COA-2021-05 for the demolition of two structures on the 124 Water St. property and the construction of a new building, as presented on the plan set identified as "Proposed Site Hundred Nights Shelter, 122 & 124 Water Street, Keene NH 03431" prepared by Brickstone Land Use Consultants at a scale of 1 inch = 20 feet and dated May 21, 2021 with the following condition:

1. Any requests to change the exterior materials of the new building prior to the issuance of a final certificate of occupancy shall be reviewed by the Planning Board for

conformance with the City's development standards for Architecture and Visual Appearance.”

Chair Weglinski seconded the motion, which passed unanimously.

4) **Staff Updates**

A) **List of 2021 Administrative Approvals as of June 30, 2021**

Ms. Kessler referred to the list of approvals listed in the agenda packet, stating 5 minor projects were approved during the time period from January to June. Three out of the 5 are window replacements. One of them is at Saint James Street for a rooftop solar array that is not visible to public view. The other was at the Monadnock Food Co-op building for rooftop units to modify the visual appearance, as well as installation of a dumpster enclosure on the west side of building. Ms. Kessler reported that the HDC allows for a number of types of work to be approved by staff administratively and they often consult with the Chair to get input before making a decision. It is their intent to come back every 6 months with an overview of those approvals so the commission can have a sense of what's happening.

Chair Weglinski stated that he came up with agreements that fell into the realm of staff review rather than HDC, and asked that if anyone felt any of the reviews should have gone to HDC to feel welcome to let him know.

5) **New Business**

Ms. Kessler stated she will be taking over as staff liaison until Mari Brunner returns from leave.

6) **Upcoming Dates of Interest**

A) **Next HDC Meeting: August 18, 2021**

Ms. Kessler stated there was nothing currently on the docket and that she would let the commission know if anything turns up for the August meeting.

7) **Adjourn**

There being no further business, Chair Weglinski adjourned the meeting at 5:32 PM.

Respectfully submitted by,
Nicole Cullinane, Minute Taker

Reviewed and edited by,
Tara Kessler, Senior Planner