

City of Keene
New Hampshire

PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
MEETING MINUTES

Wednesday, September 25, 2019

7:00 PM

Council Chambers

Members Present:

Philip M. Jones, Vice-Chair
George S. Hansel
Robert J. O'Connor
Kate M. Bosley

Members Not Present:

David C. Richards, Chair

Staff Present:

Elizabeth A. Dragon, City Manager
Thomas Mullins, City Attorney
Rhett Lamb, Community Development
Director
John Rogers, Building and Health Officer
Mark Howard, Fire Chief
Captain Todd Lawrence, Commanding
Officer Administrative Services

Vice Chair Jones called the meeting to order at 7:00 PM and explained the proceedings of the meeting.

1) **Donna Forte – Request for Lodging House License Renewal – 57 Winchester Street**

Vice Chair Jones stated that this is a repeat request they have had for a couple years.

Tracy Parkhurst, and Donna Forte, both of 281 Moran Road, Hopkinton NH, and both representing Keene Student Rentals, introduced themselves.

Vice Chair Jones stated that his understanding is Mr. Parkhurst and Ms. Forte have seen the license and the conditions put upon it. Mr. Parkhurst and Ms. Forte replied yes.

Vice Chair Jones asked if they had any questions. He asked if PLD Committee members had questions. He asked why the resident agent, Brianna Glasser, has one address on the application, in Hopkinton, and a different address, 23 Ralston Street, on the license. Mr. Parkhurst replied that the latter is their office. Vice Chair Jones asked if Ms. Glasser can be contacted at the Ralston Street address. Mr. Parkhurst replied yes.

Vice Chair Jones asked to hear from staff.

John Rogers, Building and Health Officer, stated that the Housing Inspector conducted an inspection on September 8. He continued that he noted minor issues on the housing side. He has been in contact with Mr. Parkhurst about those items, and all of them have been fixed, except for one very minor item, which is in process right now – a window pane, which is not high on the City’s list of issues.

Vice Chair Jones replied that that is good news, and thanked Mr. Rogers. He asked to hear from the Fire Department.

Fire Chief Mark Howard stated that the Fire Department inspected the property on September 9. He continued that they found minor, “housekeeping matters” the property owners needed to address, and they had 30 days to do so. They called the Fire Department yesterday or this morning for a follow-up. Staff has now completed that follow-up inspection, and Mr. Parkhurst and Ms. Forte are all set from the Fire side.

Vice Chair Jones replied that that is good to hear. He asked if anyone had questions for the Police Department or if Captain Todd Lawrence had anything to add. Captain Lawrence shook his head. Vice Chair Jones asked if there were questions or comments from the public. Hearing none, he asked for a motion.

Councilor Hansel made the following motion, which was seconded by Councilor O’Connor.

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends that a lodging house license be granted to Donna Forte to engage in the operation of a lodging house at 57 Winchester Street, Keene, New Hampshire. This license is conditional upon:

- Compliance with all applicable laws, ordinances, codes, rules, and regulations.
- No more than 16 persons may reside on the premises.
- No less than eight vehicular parking spaces must be provided on the premises.
- The names, home addresses, and motor vehicle registrations of the residents of the licensed premises shall be available on the premises at all times for inspection upon request by the Police, Code Enforcement, or Fire Departments.
- Continued violation of the City parking ordinances by residents of the premises or their guests, as determined by the Police or the Code Enforcement Department may be grounds for suspension or revocation of the license.
- No alcoholic beverages may be sold on the premises except by written permission of the New Hampshire Liquor Commission.
- Loud noises or other disturbances after 10:00 PM that continue after warning by the Police Department may be grounds for suspension or revocation of the license.
- Access to the common areas of the licensed premises shall be granted to the Police, Code Enforcement, Fire, and Health Departments of the City of Keene at all reasonable times.
- The cellar space does not meet the qualifications for public assembly and therefore cannot be used as a gathering space.

- The continuation of the license is subject to and conditioned upon successful passage of two inspections to be conducted by the City.
- Compliance with any recommendations of City staff.

In addition, the owner shall notify City staff of any changes in building operator; failure to do so may be grounds for suspension or revocation of this license. This license expires on the 20th day of October, 2020 and may be revoked by the City Council in accordance with Sec. 46-590 "Suspension or Revocation".

Vice Chair Jones asked the Community Development Director/Assistant City Manager, for the benefit of the petitioners: is there a chance that next year this would come under a different license? He continued that he knows the City is changing the definitions on the codes. Will it be a different set up next year?

Mr. Lamb replied that there is an ordinance currently in front of the City Council that would make changes to the Zoning Ordinance and also to Chapter 46, the Licensing chapter of the City Code that would affect this type of use. He continued that there will be a new definition for "lodging house," and the definition will likely be exactly the type of lodging house Ms. Forte and others are operating in the city. They currently require a license. From a procedural standpoint, he does not think much will change for true lodging houses. There will be new definitions that address things like homeless shelters and that type of a residential setting. But the traditional lodging houses, such as Ms. Forte's, are not likely to see any significant changes.

Vice Chair Jones stated that this matter will go before the full City Council next Thursday. He thanked Ms. Forte and Mr. Parkhurst, and wished them good luck.

2) Periodic Report – Boards and Commissions - Heritage Commission

Vice Chair Jones stated that every other year, the City Council seeks reports from the city's boards and commissions. He continued that tonight they have reports from two public bodies, and he thinks it is great to do both of these (the Heritage Commission and the Historic District Commission) at the same time. Many people have a hard time differentiating between the two and what their purposes are. He asked Rosemary Carey to speak.

Rosemary Carey, of 206 Washington Street, Chair of the Heritage Commission (HC), read the following report:

"The HC is an advisory and review commission of the City of Keene. It is mandated to inventory, promote, protect, and preserve all Keene resources which are valued for their historic, cultural, aesthetic, archeological, and community significance. Activities include: survey, National Register, preservation planning, and educational projects.

It has been a few years since we have presented to you. I have served on the HC for the past five years; this is my third year as Chair. This is not a long time, yet it marks a shift

in the activities of the Commission from its focus on the Proposed Lower Main Street Historic District to those that inspire community involvement and pride of ownership. We have emphasized citizen awareness and appreciation of Keene's cultural and historic resources.

This year and for the past two years our programs have been funded through Certified Local Government Grants. We have held workshop series based on themes that would benefit our citizens, our homeowners, and educate the public in general as to culture, historical significance, and preservation of structures and neighborhoods.

This year's theme was early farming and agriculture. 'Harvesting Our Heritage and 'Cooking Up History' were our first two workshops and were well attended. Our final event "Urban Barn Tour" this August was a talk and walking tour of barns and carriage houses. It told the early story of the Washington Street historic area north of Central Square and was received enthusiastically by homeowners and the public. Research of eleven properties was done by the HC members.

In 2017-2018 we created three workshops within an Architectural Roadshow Series designed to educate and assist the public and historic homeowners in the preservation of their homes. The workshops were: Research Your Old House, Restore Your Old House (featuring local contractors, artisans, and craftsmen), and an enthusiastically received Architectural Tour of the School Street neighborhood. These workshops were very well attended with around 100 attendees at each.

The final event raised the enthusiasm of the entire School Street neighborhood. Forty-four historic homes were featured and seven of those were ones in which each homeowner presented the history of their home to the touring crowd. Two homes were open for inside touring. Research of the 44 homes in the area was completed by HC members.

In 2015 we held five monthly events throughout the spring and summer called 'Sunday Social's. Homeowners of historical homes hosted an afternoon of live music which was open to the public. Each home was researched and its history presented. All proceeds benefitted the restoration fund of the Summer Knight Chapel.

Current plans for 2019-2020 are for the HC to conduct an inventory of historic barns within a specified area of the city. It will include an at-risk barn inventory. We have received CLG grant funding in the amount of \$15,000 for this inventory. We are also interested in supporting the Transportation Heritage Trail project.

In closing I would like to emphasize the 'good will' through promoting these events, that individual homeowners, businesses, and organizations have come forward in support of the city. The HC has been given free access to beautiful venues in which to host events as well as partners that assist with advertising and community involvement. I would like to thank especially those individuals, businesses, and organizations who have contributed so greatly to our success."

Vice Chair Jones stated that our heritage is very important, and the City Council appreciates what the HC does. He asked, regarding the tours, if the HC members are looking into it and validating the heritage. Ms. Carey replied that HC members research and document the history of the houses. She continued that those histories are placed in a HC file for others to access, such as future homeowners or people conducting research.

Councilor Hansel stated that he was lucky enough to attend the Urban Barn Tour that the HC hosted. He continued that it was so fun, and he thinks they should do it every year. They only had a portion of the barns, just up Washington Street, and approximately 15 homeowners welcomed people to view their barns. The HC had an expert there to point out different eras and how they were constructed. Ms. Carey replied that it was hopefully a prelude to the HC's research project of all the historic barns in Keene.

Councilor Bosley stated that the work the HC is doing is a wonderful asset to the community. She continued that she hopes they would open the opportunity for additional home tours. It would be great for homeowners and for the public. She asked if the HC is looking into that. Ms. Carey replied possibly. She continued that the home tours were very well received. People thoroughly enjoyed that. Councilor Bosley replied that Keene has spectacular architecture and it is great to show it off. Many people walk the streets of Keene and wonder about the backstory. Ms. Carey replied that the HC has two tours they are trying to make public and put on the website – the barn tour and the walking tour of School Street.

Community Development Director Rhett Lamb stated that he wants to personally thank the HC members, and Ms. Carey in particular. He continued that she only gave a synopsis of the HC's work tonight, and what the HC has done is nothing short of incredible. When people ask him for advice on how to energize groups, he tells them to go talk to Ms. Carey. He wanted to take a moment to recognize her and the other HC members.

Vice Chair Jones asked if there were questions or comments from the public. Hearing none, he thanked Ms. Carey for her presentation. He stated that she and the HC are part of what make this community special.

Councilor O'Connor made the following motion, which was seconded by Councilor Hansel.

On a vote of 4-0, the Planning, Licenses, and Development Committee accepted the Heritage Commission's Report as informational.

3) Periodic Report – Boards and Commissions – Historic District Commission

Vice Chair Jones asked Hanspeter Weber to speak.

Hanspeter Weber, of 22 Douglas Street, Chair of the Historic District Commission, read the following report:

“The Historic District Commission (HDC) is tasked with reviewing development on sites within the Historic District in downtown Keene. There are seven regular members and two alternate positions, and we currently have seven member positions and two alternate positions.

There are approximately 188 properties located in the downtown district, which extends north to south from Mechanic Street to Marlboro Street, and east to west from Norway Avenue to the western end of Gilbo Avenue. Each property has a ranking related to the integrity of the resource.

In 2018, the HDC met six times and reviewed 12 Major Project applications, all of which were approved. A number of these, eight, were applications related to the Walldogs mural festival that recently occurred downtown. So far, in 2019, the HDC has met seven times and reviewed nine Major Project applications; three were Walldogs mural applications.

Minor projects can be approved administratively by staff for changes that will not impact any historic features on site. Six such applications were approved by staff in 2018, and so far in 2019, staff have approved six applications. Activities considered ordinary maintenance do not require a review at all.

About a year ago, the HDC updated its regulations to respond to the new trends we were seeing in the community and streamline the review process for projects that are becoming more common. For example, in anticipation of the Walldogs mural festival, we created standards to review murals proposed on historic buildings within the downtown in order to create a path for the Walldogs festival to move forward. In addition, we revised the review criteria for renewable energy systems to make the standards more clear, and we changed the major project review threshold for certain activities, such as masonry cleaning and repointing.

Looking forward, the HDC is working on updating the resource ranking list for properties within the district that have not yet been ranked or that may warrant a new ranking based on improvements made to the property. We are also planning on revising our Regulations to be consistent with the new downtown form-based zoning, if and when that is adopted.

I am closing by saying thank you for your support of the Commission and our work, and I would be happy to try and answer questions that you might have.”

Vice Chair Jones stated that the City Council was witness to a great portion of the HDC’s work when they (the Council) saw the application from the owner of the new Methodist church. He continued that that was a great combination of historic preservation and

renewable energy. That shows how it can work. The Council thanks the HDC for that; it is very much appreciated.

Mr. Weber replied that today was the first time he saw the church roof, when he was walking up Court Street. He continued that he saw the gleaming solar collectors and it pleased him greatly. It did not take away from the character of the building. Vice Chair Jones replied yes, it shows that they can accomplish both.

Councilor Carl Jacobs, stated that in regards to both commissions, they have a wonderful inventory of houses and barns that have brought us to today. This balance between preserving that heritage and what those who have lived in Keene before have given to us while being open to ways of having events like the Walldogs festival is vital. He continued that the City Council just had an application from a person on Washington Street who is putting in a bed and breakfast on a property which had one of the barns on the Urban Barn Tour. This heritage, and historic aspect, is good for Keene's economy and good for business in Keene. Sometimes there is a notion that people want to live in the past, but both of these groups deserve credit for finding ways to preserve the past while moving toward the future.

Vice Chair Jones replied that that was very well said.

Councilor Bosley made the following motion, which was seconded by Councilor O'Connor.

On a vote of 4-0, the Planning, Licenses, and Development Committee accepted the Historic District Commission's Report as informational.

The meeting adjourned at 7:24 PM.

Respectfully submitted by,
Britta Reida, Minute-taker

Additional edits by,
Terri M. Hood, Assistant City Clerk