

City of Keene
New Hampshire

HISTORIC DISTRICT COMMISSION
MEETING MINUTES

Wednesday, July 15, 2020

4:30 PM

Remote Meeting via Zoom

Members Present:

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

Staff Present:

Rhett Lamb, Community Development
Director/Assistant City Manager
Mari Brunner, Planner
Megan Fortson, Planning Technician

Members Not Present:

Nancy Proctor
Hanspeter Weber, Alternate
Joslin Kimball Frank, Alternate
Tia Hockett, Alternate
Dave Bergeron, Alternate
Peter Poanessa, Alternate

1) Call to Order & Roll Call

Chair Weglinski called the meeting to order at 4:34 PM and read the executive order authorizing a remote meeting: Emergency Order #12, issued by the Governor of the State of New Hampshire pursuant to Executive Order #2020-04.

Pursuant to this order, Ms. Brunner called roll and members present, all of whom called alone, stated their locations. The Chairman, Councilor Workman, and Mr. Temple called from their home addresses, Ms. Benik called from 34 Court Street, and Mr. Porschitz called from 169 South Lincoln Street.

2) Minutes of the Previous Meeting – June 17, 2020

Councilor Workman moved to adopt the minutes of June 17, 2020, which Mr. Porschitz seconded, and the motion passed by unanimous roll call vote.

3) Public Hearings

- a. COA-2016-01, Modification #1 – 85 Emerald St – Rooftop Solar – Applicant Green Energy Options, on behalf of owner, 85 Emerald St. LLC, proposes to**

install a rooftop solar PV array on the building located at 85 Emerald Street (TMP# 584-072-000). The property is ranked as a Non-Contributing Resource and is in the Central Business District.

Ms. Fortson stated that Staff recommended accepting this application as complete. Mr. Porschitz recommended accepting application COA-2016-01, Modification #1 as complete, which Mr. Temple seconded, and the motion passed by unanimous roll call vote.

Chair Weglinski welcomed the applicant Pablo Fleischmann (calling alone from 37 Roxbury Street) of Green Energy Options, which was contracted by the property owner, 85 Emerald St. LLC, to install a solar photovoltaic (PV) array on the west side of their building at 85 Emerald Street. Mr. Fleischmann explained that other than the array on the roof, all related electrical equipment would be housed in an interior utility room. However, a Rapid Shutdown Switch – a small electrical box with a button – is required by Fire Code for emergency access and would be visible from the street, located on the east corner wall of the building near the loading dock.

Mr. Fleischmann showed a general graphical representation of the array layout on the west roof, an aerial view of the site, the view from the parking lot west of the building, the view from the street facing the building, and an outline of the basic roof area that would be covered by the array. He continued showing street view photos to show how the brick façade on the building front extends 5” past the building width and the Rapid Shutdown Switch box would be attached to the east side of the building, partially screened from street view by that 5” brick extension. He shared data sheets for some of the equipment, including the modules and basic rail system that would support the rooftop array. Mr. Fleischmann explained that this would be essentially the same model as the solar panels on the Grace Methodist Church on Court Street and he showed a photo of the church as an example.

Mr. Temple asked if/what anti-glare technology would be used on the array and whether similar technology was used at the church. Mr. Fleischmann said the specification sheet states that the panels are treated with an anti-reflective coating, which he said is conventional for most rooftop arrays. He said the church might have more reflectivity because its roof is pitched steeper. Chair Weglinski asked the proposed angle of the solar array and Mr. Fleischmann said it would be flush with the roof, which is a 25 degree angle.

The Chairman requested Staff comments. Ms. Fortson explained that the parcel is located at the corner of Emerald and School Streets and was once two separate lots. She continued by explaining the property has been sold a number of times in its history. Notable owners included the Maine & Boston Railroad and Mr. Abraham Cohen, who combined the two parcels. In 2016, the property sold to its current owner, 85 Emerald Street LLC. The building that currently sits on the site was constructed in 1957 and has served as the location for many local businesses, such as Economy Coal & Oil, which occupied the building in 1958. This property is ranked as a Non-Contributing Resource and the property inventory form does not list any significant architectural or historic features of the building or site. In 2016, the building and site were reviewed by the Historic District

Commission (HDC) for two proposed additions to the north and west building façades and changes to the site; however, these changes never occurred prior to sale to the current owner in August 2016.

Ms. Fortson explained that the applicant proposes to install a 44.2 kW rooftop solar PV system on the western portion of the roof facing School Street. A Rapid Shutdown Switch would be installed on the southeastern corner of the building facing east toward Main Street. Per Section III.D.19 of the Historic District Commission Regulations, “Installation of renewable energy systems,” this work is classified as a “Major Project” for review by the HDC. Ms. Fortson identified the HDC standards relevant to this application.

A. Streetscape and Building Site

7. Renewable Energy Systems

b) Design Standards

1) The renewable energy system (hereafter “system”) shall be installed in a location and manner on the building or lot that is least visible and obtrusive and in such a way that causes the least impact to the historic integrity and character of the historic building, structure, site or district while maintaining efficient operation of the system. The order of preference for the system location is as follows:

A. The rear or side of the property not facing a public right-of-way;

B. On accessory buildings or structures (such as sheds and garages) in a location that is least visible from the public right-of-way;

C. On newer additions to the primary structure in a location that is least visible from the public right-of-way;

D. On the flat roof of the primary structure, set back so as to be in the least visible location;

E. On secondary façades or roofs (i.e. not facing the public way) of the primary structure; and

F. On facades or roofs facing the public way. An applicant is required to prove the higher priority locations are not feasible in order for the HDC to approve system installations on more significant parts of the site.

Ms. Fortson explained that the proposed 44.2 kW rooftop solar PV system on the western portion of the roof facing School Street would be installed in a rectangular configuration. The applicant stated that this location was chosen because the site is “constrained by usable space.” There are no accessory buildings, structures, newer additions, flat roofs, or secondary roofs that would serve as suitable locations for a solar array of the appropriate size. Ms. Fortson said that virtually all of these locations are visible from School and/or Emerald Streets and that *Standard 1* appeared to be met.

2) The system must be installed in such a manner that it can be removed and not damage the historic building, structure, or site it is associated with.

- 3) *In order to minimize visual impacts, colors of equipment and assemblies shall either be muted or shall match nearby materials and colors. The solar panels should be positioned to minimize glare onto neighboring properties.*
- 4) *Roof mounted solar photovoltaic systems on pitched roofs shall be on the same plane as the roof and positioned so as to be in the least visible location.*
- 5) *Solar array grids should be regular in shape and jointed. Multi-roof solutions should be avoided.*
- 6) *All supplementary equipment and supply lines shall be placed in inconspicuous locations and/or concealed from view with architectural elements (e.g. downspouts) or other screening.*

Ms. Fortson said that because the existing asphalt shingle roof is not considered historic, *Standard 2* appeared to be met. Regarding *Standard 3*, Ms. Fortson said the applicant proposed to install solar panels with “clear” or silver frames and had also confirmed that the selected panels feature an anti-reflective coating to reduce glare. Regarding *Standard 4*, Ms. Fortson said the applicant proposed to install the rooftop solar PV system on the western portion of the roof using “Flush Mount” racking that would sit 4” above the existing roof surface and would be tilted at a 25 degree angle to match the existing roof pitch. The solar array would be visible to traffic traveling north or south along School Street and traffic headed east along Emerald Street. The applicant stated that this is the most feasible location for the solar array due to space constraints on the site and because there are no additions/structures, secondary roofs, newer roofs, or flat roofs on which an array of the appropriate size could be sited. As such, Ms. Fortson believed that *Standard 4* appeared to be met. Regarding *Standard 5*, Ms. Fortson explained that the rooftop solar PV system will be configured in a rectangular arrangement along the western portion of the roof with an access aisle down the middle, which is required by Fire Code. She specified that the solar panels would be set back a minimum of 18” from the ridge of the roof and would have an access aisle measuring at least 36” wide. Ms. Fortson thought *Standard 5* appeared to be met.

Ms. Fortson continued discussing *Standard 6*. She said that the applicant specified that the only ancillary equipment installed on the exterior of the building would be a Rapid Shutdown Switch measuring 4”x 6” that would be installed in a gray metal box and mounted at the southeastern corner of the building, along the eastern building façade and screened to traffic heading east on Emerald Street by the southern building façade, which extends 5” beyond the eastern block wall façade. The applicant was willing to paint the metal Rapid Shutdown Switch box to match the existing block wall color.

Mr. Porschitz was pleased that the proposed array configurations would comply with Fire Code. He asked whether there was a chance that the two large rectangle arrays proposed would be dissected further. Mr. Fleischmann said an access aisle is needed for the solar arrangement and he was not planning to further separate the arrays on the roof.

With no public questions, the Chairman closed the public hearing. There was no further Commission deliberation.

Councilor Workman made the following motion, which Mr. Porschitz seconded.

With a roll call vote of 5-0, the Historic District Commission approved COA-2016-01, Modification #1 for the installation of a rooftop solar PV system on the western-facing portion of the roof of the building located at 85 Emerald Street (TMP# 584-072- 000) as presented in the application and supporting materials submitted to the Community Development Department on June 24, 2020 with no conditions.

- b. COA-2016-06, Modification #6 – 31 Washington St – Applicant Tony Marcotte, on behalf of owner, Washington Park of Keene LLC, proposes modifications to the buildings and site located at 31 Washington St (TMP# 569-056-000). Proposed building modifications include penetrations for exterior ventilation, the installation of rooftop condensers, and the addition of 8 new electric meters on the former Middle School building and the removal of “Juliette” balconies on the upper stories and installation of glass sliding doors on the first story of the new apartment building. Proposed site alterations include modifications to the landscaping layout and the addition of new landscaping. The former Keene Middle School building is ranked as a Primary Resource. The site is located in the Central Business District.**

Ms. Brunner recommended accepting this application as complete. Mr. Porschitz moved to accept application COA-2016-06, Modification #6 as complete, which Councilor Workman seconded and the motion passed by unanimous roll call vote.

The Chairman welcomed the applicant, Tony Marcotte (calling alone from 172 Deer Meadow Road in Pittsfield), who works for MDP Development and is representing the owner, Washington Park of Keene, LLC. He said that this application combined a minor application submitted long ago and a major application submitted recently, which is why it is so lengthy.

Mr. Marcotte explained that the five-acre property contains the existing historic Middle School building and the new apartment building, both of which were modified during construction, along with the landscaping. Mr. Marcotte showed photos of the former Middle School building that is used as an apartment building today and where two additional brick penetrations were proposed for external ventilation to those units. He showed the former Middle School building overview and where eight electrical meters are required by Eversource and eight HVAC condensers that service heat pumps would be installed on the north façade facing School Street and the rooftop, respectively. The northeastern section of the former Middle School building was to be leased originally as a whole to one commercial tenant and now it would be leased to eight residential tenants, and therefore those units need to meet electric and HVAC requirements. The electrical meters could be installed on the building interior and out of view as they are elsewhere on the property, but Eversource requested that the applicant seek permission from the HDC for exterior installation, which allows easier access in case of emergencies or maintenance. Mr. Marcotte showed the proposed meter location, which due to a Fire Department (FD) connections there, would

require moving an existing window 3' to the left on the north façade of the former Middle School building. He said he tried to minimize that necessity but it is the only feasible way to install the meters on the building exterior per Eversource's request. The proposed condensers would be in two groups of four, located near the center roof of the 20' tall building, and therefore not be visible from the ground. Mr. Marcotte showed the condenser setup that was previously approved by Code Enforcement Staff to comply in the case of a hurricane. Two additional vent penetrations were proposed that he said the HVAC installer did not request initially, one facing MoCo Arts and the other facing Washington Street, which must be installed in this location due to a Code requirement, which he tried to avoid. One of the proposed penetrations is already drilled because the HVAC engineer did not know they were not approved. The exterior vent coverings would be the same aluminum painted brick color as approved by the HDC elsewhere on the property.

Mr. Marcotte continued explaining that there was a dumpster placed on the property during construction, where landscaping was proposed; however, they decided to install the landscaping throughout the site, which he said was better than clustering it all in one place. That landscaping included six holly shrubs and many perennial flowering plants. Mr. Marcotte showed the new locations where those plants were placed ultimately, including some holly bushes that would help to screen two existing Eversource transformers, which he thought was better than the location proposed originally.

Mr. Marcotte continued describing proposed changes to the newly constructed apartment building on site, many of which have already occurred. These changes included choosing not to install the 45 French windows & Juliette balconies on the upper floors that were previously approved by the HDC and to instead install double windows, which Mr. Marcotte said was a decision to reduce noise in the surrounding residential neighborhood and to eliminate fall-risk. Sliding glass doors were installed on the first floor, which he thought was consistent with the aesthetic the HDC sought originally for a commercial-appearing first floor and residential-appearing upper floors. Mr. Marcotte showed the plans and architectural elevations approved originally and made comparisons to the changes that were ultimately made. He explained that the first floor sliders are required to have an adjacent exterior outlet and light by Code. He specified that these lights are positioned to be entirely downcast. He said the north elevation facing Spring Street was built according to plan but later in the meeting said the contrary was true.

Regarding moving the window on the north façade on the former Middle School building, Mr. Porschitz asked whether the FD connection in question could be relocated instead to avoid disrupting the uniformity of the windows on that façade. Mr. Marcotte said no, due to the location of adjacent handicapped parking there is little flexibility to move the FD connection to another location. Mr. Porschitz asked whether the handicapped parking could be relocated. Mr. Marcotte said the handicapped parking is located there next to the auditorium entrance for potential future auditorium use; the apartment's handicapped spaces are typically used to capacity and he thought it a disservice to future event visitors to eliminate that parking. Mr. Porschitz shared his perspective that moving one window on the whole northern façade would have a major impact on the exterior appearance, let alone with the addition of eight meters.

Chair Weglinski asked whether Eversource grants special approval for indoor meter banks. Mr. Marcotte said that Eversource would allow the meters to be installed inside but prefer them outside and requested that the applicant seek that permission from the HDC; if the HDC denied the request, the meters would be placed inside. Mr. Marcotte said there is a sprinkler room just inside the window in question and the meters can be placed there with some minor adjustments to the unit. Chair Weglinski referred to a photo on page 40 of 44 in the meeting packet that depicted two existing vent penetrations on the southwest corner of the former Middle School building and asked when those occurred. Mr. Marcotte replied that one penetration was approved and the other was not, the lower of which is what he sought retroactive approval for at this meeting. The Chairman recalled earlier modifications to this application and a history of this project altering HDC-approved plans, constructing without HDC approval, and seeking forgiveness retroactively.

Mr. Temple asked whether the Juliette balconies were installed and subsequently removed; the application language was unclear. Mr. Marcotte said no, they were not installed due to the aforementioned noise and safety concerns. Mr. Temple asked the original impetus for the balconies and Mr. Marcotte said it was a misunderstanding between what the owner wanted and what the architect thought the owner wanted.

The Chairman requested Staff comments. Ms. Brunner explained that the former Keene High School building was constructed in 1912 and was later used as Keene Middle School. She explained that the building was purchased and renovated relatively recently by the present owner, who also constructed the new apartment building. The design of the former Middle School building includes many architecturally significant features that contribute to its ranking as a Primary Resource, including arched third-floor windows; monitor and large single light sashes; full entablature with projecting cornice, triglyph, and metopes; projecting brick pilasters; a belt course; cement keystones centered above all windows; and rhythm of fenestration.

Ms. Brunner said that the HDC also reviewed the property on many occasions, starting in August 2016, when the owner proposed renovations to the former Middle School building and the construction of a new apartment building (COA-2016-06). The property was first reviewed by the Planning Board in September 2016 for the initial apartment building development and parking area behind the former Middle School building (SPR-08-16). She explained that the property has been back to the Planning Board and HDC since these initial approvals. Subsequent approvals included administrative approval to cover the openings at the tops of 9 chimneys with brown PVC exterior grade planking in October 2016 (COA-2016-06, Mod. 1); HDC approval to install cement board siding on the northern façade of the former Middle School building in September 2017 (COA-2016-06, Mod. 2); HDC approval for parking lot alterations, including the installation of a low retaining wall and removal of a concrete island in August 2018 (COA-2016-06, Mod. 3); HDC approval for the installation of seven vent penetrations (6 on the south façade and 1 on the west facade), the replacement of an exterior stairway, and modifications to three entrances on the south side of the former Middle School building in August 2019 (COA-2016-06, Mod. 4); and administrative approval to increase the height of the fence used to screen the trash compactor from 6' to 8.5' in October 2019 (COA-2016-06, Mod. 5).

Ms. Brunner said that the applicant requested approval for modifications to both the former Keene Middle School building and the new apartment building, as well as the site. The proposed modifications include the following:

- Renovation of the northeast section of the former Middle School building into eight apartments;
- Installation of eight rooftop condensers on the northeast section of the former Middle School building;
- Installation of 17 new vent penetrations and 1 existing vent penetration on the former Middle School building: 16 that would be drilled through the existing HardiePlank siding on the north and south façades of the northeast section of the building, one along the west façade facing Washington Street, and one that was already drilled along the south façade facing the MoCo Arts building (*retroactive approval);
- Installation of eight electric meters on the north façade of the former Middle School building facing Spring Street;
- Installation of double windows on the upper floors of the new apartment building, where 45 French windows with Juliette balconies (a.k.a. “balconettes”) were approved previously (*retroactive approval);
- Installation of sliding glass doors on the first floor of the new apartment building, where double windows were previously proposed (*retroactive approval);
- Relocation and installation of additional landscaping on the southern portion of the site, near the former Middle School building (*retroactive approval).

Ms. Brunner explained that the sliding glass doors had already been installed on the first floor of the new apartment building and the double windows had already been installed on the upper floors of the building. In addition to this, the landscaping has already been relocated.

Per Section III.D.3, “Renovation, rehabilitation or restoration of a building or structure,” this work is classified as a “Major Project” for review by the HDC. Ms. Brunner reviewed the HDC regulations relevant to this application, beginning with proposed modifications to the former Middle School building and site.

A. Streetscape and Building Site

1. Trees, Landscaping and Site Work

b) Design Standards

- 1) Trees that contribute to the character of the historic district and that exceed 15” in diameter at a height of 4’ above grade shall be retained, unless removal of such tree(s) is necessary for safety reasons as determined by a professional arborist or other qualified professional.*
- 2) Grading or changes to the site’s existing topography shall not be allowed if existing mature trees might be negatively impacted by altered drainage and soil conditions.*

3) During construction, paving and any site work, existing mature trees must be protected.

Ms. Brunner said that the applicant sought approval to relocate plants near the southeastern corner of the former Middle School building. Mr. Brunner stated that she thought the applicant had adequately explained this request. The applicant also proposed to install three Dwarf Alberta Spruce trees to screen the eight new electric meters proposed along the north façade of the former Middle School building.

5. Utility, Service and Mechanical Equipment

b) Design Standards

1) On commercial and industrial buildings, mechanical equipment, such as compressor units, shall be set back on the roof of the building, so as to be minimally visible, or ground-mounted toward the rear of the building, with appropriate screening or landscaping to minimize visibility.

2) Every effort shall be made to position heating and air-conditioning equipment, fire alarm panels, telecommunications equipment, satellite dishes, and freestanding antennas and other equipment as low to the ground as possible, and where they are not readily visible from the public right-of-way.

3) New mechanical supply lines, pipes and ductwork shall be placed in inconspicuous locations and/or concealed with architectural elements, such as downspouts.

5) Walls on front or street-facing facades shall not be penetrated for vent openings larger than seventy (70) square inches. Vent caps shall not be larger than two hundred (200) square inches.

Ms. Brunner said that as a part of renovations to the northeast section of the former Middle School building into eight new apartments, the applicant proposed to install eight condensers, 16 new vent penetrations in the existing HardiePlank siding, and eight new electric meters in this area of the building. The 16 proposed 4" diameter vent penetrations are required for bathroom and kitchen exhaust in the eight apartments. Eight of the penetrations would be drilled through the HardiePlank siding on the northern façade of the northeastern section of the former Middle School building and the other eight vent penetrations would be drilled similarly on the southern façade of this section of the building, facing MoCo Arts. The vents would be covered with the same 25 square inch metal vent caps metal painted dark brown as the HDC approved before. The applicant also sought approval to install an additional vent penetration in the brick wall 3' above grade in front of the existing accessible parking space along the northern portion of the western building façade facing Washington Street, as well as a vent penetration that was drilled in the southern façade of the former Middle School building facing MoCo Arts.

Ms. Brunner said the applicant also proposed to install eight condensers measuring about 90" wide by 44" tall on 6"x6" wooden blocking in two clusters on the center of the roof on the northeastern section of the former Middle School building. Each cluster would include four condensers and

would be set back a minimum of 15' from the edge of the roof. The applicant stated that no screening is proposed due to the equipment setback from the edge of the roof and the height of the building. Finally, the applicant proposed to install eight new residential electric meters along the northern façade of the former Middle School building facing Spring Street. These meters would be installed in an area measuring 71" wide by 42.4" tall and would be mounted 59" above finished grade. A 2"-3" galvanized conduit would run from the top of the meters to the roof of the building and would be painted to match the existing brick. To accommodate installing these meters, the applicant also proposed to move the existing window 3' to the east as opposed to filling in the window opening.

B. Building Rehabilitation: Primary and Contributing Resources

5. Windows

b) Design Standards

- 1) Removing character-defining historic window sash shall be discouraged, unless repair is not economically feasible.*
- 2) Any windows which are approved for replacement shall convey the same visual appearance in terms of overall dimensions and shape, size of glazed areas, muntin arrangement, and other design details as the historic windows. In addition, they shall have:*
 - Clear-paned, non-tinted glass (except to replace historic stained or other types of translucent or opaque glass); and*
 - True divided lights or a permanently affixed muntin grid on the exterior of the window. In either instance, the muntin shall have a raised trapezoidal profile. Snap-in or between-glass muntin grids are not allowed.*
- 4) If the size or location of the original window opening has been altered, owners shall be encouraged to restore those openings if replacing windows.*
- 6) Enlarging or reducing the window rough opening to fit new stock windows shall generally be prohibited.*

Ms. Brunner said the applicant proposed to relocate an existing window 36" to the east on the north façade of the northeastern section of the former Middle School building facing Spring Street in order to meet Fire and Building Code requirements. The applicant is also seeking retroactive approval for installing double windows on upper floors of the new apartment building instead of the French windows with Juliette balconies approved by the HDC.

Next, Ms. Brunner reviewed the remaining HDC standards relevant to construction of the new apartment building.

D. New Construction

2. Construction of new buildings or structures

b) Design Standards (See also design standards for Streetscape & Building Site)

- 1) New buildings or structures shall be sited so that the existing pattern of the historic streetscape —setbacks, spacing, lot coverage, scale, massing, height, orientation—in which they are located is not disrupted.*
- 2) The shape, scale and fenestration of new buildings or structures shall respect the established historic architectural character of the surrounding area.*
- 3) New buildings or structures shall take into account the historic relationships of existing buildings and site features on the site.*
- 4) Exterior cladding shall be of materials that are common in the district. Acceptable materials include brick, stone, terra cotta, wood and metal. Wood shingles, wooden clapboards, concrete clapboards and brick are also acceptable types of siding.*
- 5) Materials commonly referred to as “vinyl siding” are inappropriate contemporary materials and are therefore prohibited for use on new construction in the Historic District.*

Ms. Brunner said that as part of the original approval for this construction, the applicant proposed a four-story apartment building with the primary entrance oriented toward the parking area on the west-facing façade of the structure. The building design featured a variety of materials and colors, including the installation of tan-colored panels beneath some of the windows and the utilization of a faux brick panel along the length of the first level of the building on Spring Street and Roxbury Street that would wrap around to the east- and west-facing façades.

Ms. Brunner explained that following the initial HDC review of the proposal in July of 2016, the board requested a revised proposal from the applicant showing changes to the Roxbury Street façade of the new apartment building to create more of an orientation to the street, in order for it to fit in with the design of the other buildings in this area of the Historic District. The applicant returned to the August 2016 HDC meeting with a revised proposal for the design of the new apartment building, which included a brick section along Roxbury Street (all four stories) and the addition of double windows instead of the approved French windows with Juliette balconies on the upper stories of the building. As part of the current application, the applicant sought retroactive approval for installing double windows on the upper floors. In the project narrative, the applicant stated that the French windows with Juliette balconies posed safety concerns. In addition, the applicant sought retroactive approval for installing 14 sliding glass doors on the north, south, and east façades of the new apartment building’s first floor instead of the approved double windows.

A. Streetscape and Building Site

3. Lighting

b) Design Standards

- 1) Lighting fixtures and poles shall be compatible in scale, design and materials with both the individual and surrounding properties.*
- 2) Only full cut-off fixtures shall be used.*

3) The location, level and direction of lighting shall be appropriate for the character of the area in which it is situated

In the project narrative, the applicant noted that the unapproved installation of sliding glass doors in place of double windows on the first floor of the new apartment building necessitated the installation of light fixtures, as dictated by the Electrical Code. The applicant installed 14 full cutoff Acclaim Lighting Wall Mount Exterior Fixtures with a white finish and facing down.

Mr. Porschitz referred to photos of the proposed window relocation on the former Middle School building, said he could see vent penetrations at that location, and asked what the vents were for. Ms. Brunner referred to the photos and identified where the eight vent penetrations were proposed on that façade to service the eight new apartments as a part of this application.

Chair Weglinski asked whether the Planning Board would vote on information similar to what the HDC reviewed at this meeting. Ms. Brunner explained that Planning Board Standard #19 addresses architectural and visual appearance, but when a property is located in the Historic District, architectural and visual changes are reviewed through the HDC.. The Chairman asked whether the tree removal at the south former Middle School building elevation was approved previously; he felt he received much conflicting information from the applicant as to what was approved originally and what they constructed without HDC oversight and sought retroactive approval for. He questioned why the HDC was only now reviewing the change from Juliette balconies to double windows that occurred without approval more than one year ago.

Regarding trees, Ms. Brunner said that the Planning Board approved a landscaping plan for the number of trees on the property, not where they were to be placed, and so removal of these trees in question did not need approval. Regarding buildings, Ms. Brunner said that the applicant did not consult City Staff before making changes to the HDC-approved plans. When Staff performed the initial inspection before full site completion one year ago, these changes came to light. In November 2019, Mr. Marcotte submitted a modification to the application. Ms. Brunner said that application fell through the cracks during a busy time for Staff, for which she apologized. Mr. Marcotte returned in spring 2020 with this major application and so the minor application items from November 2019 were combined into this one major application. The Chairman asked when the City's Building Inspector last visited the site; he was concerned that this Commission only had HDC purview and he wanted to ensure safety compliance with so many unapproved changes occurring. Ms. Brunner said that Code Enforcement Staff assigned to this project are at the site frequently but are focused on safety related to Building and Fire Codes and not always on adherence to approved plans, which is perhaps why some things were missed.

Mr. Porschitz referred to the façade where spruce trees were proposed to screen the electrical meters and asked for more details on where exactly the trees would be planted with respect to the handicapped parking. Mr. Marcotte said that the handicapped parking striping at that location was painted extra wide because there was sufficient pavement. As such, the pavement would be cut out

from where the meters are to create a landscaped island from the building to the street where the trees and other flowering plants would be located.

Mr. Marcotte continued replying to some of the Chairman's points about the buildings. He said that during construction, the openings for sliding doors on the upper floors were built with structural beams able to support a slider or window. He said that above his commitment as contracted by the property owner, his role during construction was to work closely with Code Enforcement Inspectors to ensure that all safety/life issues were in-line, and so he too might have missed some things. Mr. Marcotte said that the owner chose to change the Juliette balconies for fear of possible falls and thought it unnecessary to return to the HDC for approval because the change enhanced safety. Mr. Marcotte concluded that the vent openings on the former Middle School building would be the same 5" square vents painted the same as those on the new apartment building.

With no comments, the Chairman closed the public hearing.

Ms. Benik expressed concern with moving the window on the former Middle School building. She and Mr. Porschitz agreed that it would have a negative impact on the uniformity of the façade. Councilor Workman agreed and assumed that Eversource's only preference for the meters outside was for easier access. The Chairman saw many inconsistencies in the information provided by the applicant and was unclear on what the HDC would actually be approving moving forward. He and Mr. Porschitz were concerned by the degree of retroactive approvals on this application.

The Chairman reopened the public hearing and Mr. Marcotte confirmed that Eversource feels it easier to read/shut-off meters with exterior placement, but he added that there are multiple interior meter rooms throughout the property. Eversource would allow the meters inside but it was not their preference. With no further public comments, the Chairman again closed the public hearing.

Mr. Porschitz made the following motion, which Councilor Workman seconded.

With a vote of 3-1, the Historic District Commission approved COA-2016-06 Modification #6 for modifications to the buildings and site located at 31 Washington Street (TMP# 569-056-000), as presented on the architectural elevations identified as "Washington Park At Keene Apartments, Roxbury Street, Keene, New Hampshire" prepared by Amoskeag Architectural Group on November 24, 2016 at a scale of 1/16" = 1'-0" and last revised on November 11, 2019, and the site plan identified as "Developed Planting Plan, Washington Park Multifamily Housing" prepared by Bedford Design Consultants on April 6, 2016 at a scale of 1"=30' and last revised on November 12, 2019 with the following conditions:

1. Submittal of color architectural elevations stamped by an architect registered in the State of NH for the recently constructed Washington Park Apartment Building.
2. Submittal of color architectural elevations stamped by an architect registered in the State of NH for the former Middle School building.
3. The residential electric meters for the apartments in the northeast section of the former Middle School Building shall be located inside the building.

Chair Weglinski opposed the motion and Mr. Temple was absent for the vote.

4) **Commission Membership**

There are still vacancies on the Commission and a Vice Chair is needed. Send recommendations to the Chairman and/or Ms. Brunner.

5) **Staff Updates**

- a. **Building Better Together – Senior Planner Tara Kessler will provide an update on the draft Land Development Code, including public engagement opportunities and the schedule for review / submission of a draft for adoption.**

The Community Development Director, Rhett Lamb, was present in place of Senior Planner, Tara Kessler. Mr. Lamb provided an update on the draft Land Development Code, which Staff has been working on as a long-term goal from the City's 2010 Comprehensive Master Plan. This project streamlined and simplified the City's various development standards (i.e., Zoning, Historic District, Planning, street standards, etc.) that occupied multiple locations throughout the City, making the regulations challenging to navigate for developers, residents, and Staff. This effort was with the guiding principles of simplicity, efficiency (graphics vs. text), and consideration of long-term City goals. The HDC has heard updates on this project throughout its duration.

Mr. Lamb explained that this project was an effort to not rewrite the City's existing development standards, but rather to reorganize them, joining standards for all regulations from Zoning to the Historic District. The new consolidated document is intended to be easier to navigate, reduce confusion, streamline the review process for all parties, and remove outdated/conflicting provisions. Mr. Lamb explained the objective of the project is to update/modernize the downtown Zoning districts to a form-based approach that will replace the familiar downtown Central Business and Central Business Limited Districts, amongst others; this objective aligns with community goals, creates tools for the future, and encourages new development. The new document creates a consistent, more user-friendly process for (re)development for residents and developers, while also allowing Staff to provide better service.

Mr. Lamb discussed key features of the new document, such as the HDC regulations comprising their own chapter. Now, definitions from all previous documents have been combined and streamlined into one comprehensive definitions chapter. A key component of the document is less text and more graphical representations, which provide a cleaner layout. This process will also provide the Zoning Administrator greater flexibility. Regarding the Historic District specifically, Mr. Lamb said that updated standards for screening, landscaping, more objective architectural standards, and noise could relate to HDC interests. Currently, any new building in the downtown is reviewed by the HDC but in the new process, new buildings will always be approved either through an administrative process in the form-based zone or otherwise by the Planning Board with clearer and more objective architectural standards for height, openings, transparency, massing, and location

of structures on properties to create interest in the building/streetscape. The HDC retains jurisdiction over existing historic structures in the downtown. The form-based process pursues the same rough form of the current downtown, without predicting what buildings must look like architecturally.

The document is under preliminary review by the Joint Planning Board-Planning, Licenses & Development Committee before the draft will be submitted as an Ordinance to City Council in September, with several remote public forums between now and then to seek feedback and to make the relevant refinements to a final document. For more information visit www.keenebuildingbetter.com or email communitydevelopment@ci.keene.nh.us with questions/feedback. Mr. Lamb will share the document and answer Commission questions and future meetings.

- 6) **New Business**
- 7) **Next Meeting – August 19, 2020**
- 8) **Adjourn**

There being no further business, Chair Weglinski adjourned the meeting at 6:55 PM.

Respectfully submitted by,
Katrnya Kibler, Minute Taker
July 21, 2020

Reviewed and edited by Megan Fortson, Planning Technician