

City of Keene
New Hampshire

PLANNING BOARD
MEETING MINUTES

Monday, November 25, 2019

6:30 PM

Council Chambers

Members Present:

Douglas Barrett, Chairman
Michael Burke
Martha Landry
Councilor George Hansel
Andrew Weglinski
Mayor Kendall Lane
Tammy Adams, Alternate

Staff Present:

Rhett Lamb, Asst. City
Manager/Community Development
Director
Tara Kessler, Senior Planner

Members Not Present:

Pamela Russell Slack
Chris Cusack, Vice-Chair

I. Call to Order – Roll Call

Chair Barrett called the meeting to order at 6:30 PM and roll call was conducted.

II. Minutes of Previous Meeting – October 28, 2018

Tammy Adams offered the following correction: Page four of the meeting packet, fifth paragraph down, to change the name “Mr. Poanessa” to “Mr. Panassis.”

A motion was made by Mayor Kendall Lane to accept the October 28, 2019 minutes as amended. The motion was seconded by Councilor George Hansel and was unanimously approved.

III. Public Hearing

S-07-19 – Old Walpole Road – 9-Lot Subdivision – Applicant Brickstone Land Use Consultants, LLC, on behalf of owners Charles and Kathryn Kingsbury, proposes to subdivide the 13-acre parcel located at the intersection of Old Walpole Road and West Surry Road (TMP 220-012-009) into 9 lots. Eight of the proposed lots would be developed as single-family residences and would vary in size from 0.26 to 0.41 acres. The remaining lot would be 10.33-acres and would be used as open space. The site is in the Low Density District.

A. Board Determination of Completeness.

Senior Planner Tara Kessler addressed the Board and stated staff received information from the applicant late this afternoon, which impacts the ability of staff to provide a recommendation of completeness for this application. She went on to say the original narrative from the applicant

and public notice referenced the 10.3 acre lot of the 9 lot subdivision as being permanently protected as open space. However, staff has learned that the current owners intend for this lot to be developable. Staff did not consider this aspect of the proposal as part of their review. As a result, staff is recommending the Board find this application to be incomplete.

Ms. Kessler stated staff is also recommending the applicant submit a revised narrative so that the public hearing could be re-noticed at the applicant's expense. She added that, should the Board want to hear from the applicant, the discussion should be limited to the issue of completeness since this is not a public hearing.

Chair Barret invited the applicant to address the Board, and asked that comments be kept to the issue of completeness. Mr. Jim Phippard of Brickstone Land Use Consultants began by apologizing for the late change to this application. He said that the owners discussed this item with their children and learned that their son is interested in building a single-family home and raising horses and continuing his farming practice on Lot #9. The owners intend to leave the forested area on Lot #9 under a forestry management program (limited cutting and timbering will be allowed). This restriction will be in place for 20 years and they will let it expire after that time. Mr. Phippard stated a re-notice will be provided to all abutters and they plan to come back to the next meeting in December.

Chair Barrett asked for comments and advised that they should be kept to the completeness issue.

Mayor Lane asked how the applicant planned to restrict the future use of the lot. Mr. Phippard stated that in speaking with the applicants, the plan is to place a restrictive covenant that would be recorded at the Registry of Deeds. This is different from a conservation easement. He indicated that he still needs to discuss how this covenant would be enforced.

A motion was made by Councilor Hansel to find the application incomplete. The motion was seconded by Andrew Weglinski and was unanimously approved.

IV. Community Development Director Report **City Council Referral – 95 and 100 Wyman Road, Hillside Village – Regarding Pedestrian Safety**

Mr. Lamb referred to page 21 of the agenda packet, which includes a referral from City Council to the Planning Board regarding pedestrian safety at Hillside Village. He stated this item was brought before the Board at its last meeting, but at that time, the City Council had not voted on this item. At this time, it is an official referral from the Council and in the next few weeks, the City will be reaching out to Hillside Village to see how they wish to proceed.

Mr. Lamb noted this item comes from a Board approval that required the applicant to come back before the Board after a 12-18 month period following the opening of the facility to evaluate pedestrian access and safety. During Board review of the application, concerns were raised about how pedestrians would safely cross the road to get from the health center to the rest of the development. It was noted at that time that, if improvements were necessary, it would be at the expense of the applicant. The applicant is not obligated to come before the Board before the 12-18 month timeframe is up; however, the letter from Councilor Greenwald and the Council referral provides an opportunity for staff to reach out to the applicant to determine a schedule and

ensure they are on a track to comply with the Board's condition. Mr. Lamb noted the request is ultimately coming from residents of Hillside Village.

Ms. Adams asked when the residents started moving in. Mr. Lamb stated that he believes it was sometime in May or June of this year. Chair Barrett referred to language on the top of page 22 where it says "...ended in June 2019" Mr. Lamb agreed it should read "...began in June 2019."

With the agreement of the Board, Mr. Lamb indicated next that the December Planning Board meeting will be moved to December 16 at 6:30 pm and the only agenda item will be the 9-lot subdivision that will be re-noticed.

V. New Business

VI. Upcoming Dates of Interest

December 2019 Planning Board Meeting – December 16; 6:30 PM

Planning Board Steering Committee – December 10; 11:00 AM – Mr. Lamb did not see a reason for Steering Committee meeting as the only item was the 9-lot subdivision that was continued from tonight.

Joint PB/PLD Committee – December 9; 6:30 PM – Mr. Lamb encouraged members to attend this meeting as the Land Use Code project consultant will be making a presentation that night on the Downtown Form-Based Zoning component of the Land Use Code project. The Chair asked for additional information about the workshop scheduled for December 10, 2019. Ms. Kessler explained there will be an open studio at the former Brown Computer Solutions site throughout the day. Consultants and staff will be available all day to answer questions. That evening at 6:30 pm there will be a community workshop in Council Chambers.

Planning Board Site Visits – December 18; 8:00 AM – Chair Barrett said there would not be any site visits as the only project on the agenda is the project that is being re-noticed.

The meeting adjourned at 6:45 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Reviewed and edited by Mari Brunner, Planner