

**City of Keene**  
**New Hampshire**

**PLANNING BOARD**  
**MEETING MINUTES**

**Tuesday, May 26, 2020**

**6:30 PM**

**Remote Meeting via Zoom**

**Members Present:**

Douglas Barrett, Chairman  
Chris Cusack, Vice-Chair  
Councilor Michael Remy  
Pamela Russell Slack  
Mayor George Hansel  
David Orgaz

**Staff Present:**

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

**Members Not Present:**

Gail Sommers  
Andrew Weglinski  
Michael Burke

**I. Statement of Authority to Hold Remote Meeting**

Chair Barrett began the meeting by reading the following statement with respect to holding remote meetings:

*“In Emergency Order #12, issued by the Governor of the State of New Hampshire pursuant to Executive Order #2020-04, certain provisions of RSA 91-A regulating the operation of public body meetings have been waived during the declared COVID-19 State of Emergency.*

*Specifically:*

- *The requirement that a quorum of a public body be physically present except in an emergency requiring immediate action under RSA 91-A:2, III(b);*
- *The requirement that each part of a meeting of a public body be audible or otherwise discernible to the public at the location specified in the meeting notice as the location of the meeting under RSA 91-A:2, III(c).*
- *Provided, however that the public body must:*
  - *Provide access to the meeting by telephone, with additional access possibilities by video or other electronic means;*
  - *Provide public notice of the necessary information for accessing the meeting;*
  - *Provide a mechanism for the public to alert the public body during the meeting if there are problems with access; and*
  - *Adjourn the meeting if the public is unable to access the meeting.*
- *All votes are to be taken by roll call.*
- *All board participants shall identify the location from where they are participating and who is present in the room with them.”*

Chair Barrett said the public may access the meeting online by visiting the Zoom website, [www.zoom.us/join](http://www.zoom.us/join), and entering the Meeting ID, which he stated. The Meeting ID also appeared on the Agenda for the meeting. The public can, listen, but not view, the meeting by calling the toll-free phone number (888) 475-4499 and entering the Meeting ID. He noted that if someone is unable to access the meeting, they should call 603-757-0622.

## **II. Call to Order – Roll Call**

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

## **III. Minutes of Previous Meetings – April 13, 2020 & April 27, 2020**

A motion was made by Mayor George Hansel to accept the April 13, 2020 & April 27, 2020 meeting minutes. The motion was seconded by Councilor Michael Remy and was unanimously approved by roll call vote.

## **IV. Boundary Line Adjustment**

**S-03-20 - 522 & 526 Main Street - Applicant 522 Main Street Keene LLC, on behalf of owner Sandri Realty Inc., proposes a boundary line adjustment between the property located at 522 Main St (TMP #112-008-000) and the adjacent lot at 526 Main St (TMP# 114-001-000). This adjustment would result in a net transfer of 47-sf of land from the 80,566-sf parcel at 526 Main St to the 9,636-sf parcel at 522 Main St. This adjustment would transfer 3,297-sf from the southern portion of the parcel at 522 Main St to the parcel at 526 Main St, and would transfer 3,345-sf from the parcel at 526 Main St to the eastern portion of the parcel at 522 Main St. Both properties are located in the Commerce District.**

### **A. Board Determination of Completeness.**

Senior Planner Tara Kessler stated the applicant has requested exemptions from providing a separate proposed conditions plan, grading plan, landscaping plan, lighting plan, drainage report, and traffic report. Because this is a boundary line adjustment and no new development is proposed, after reviewing this request, staff has determined that exempting the Applicant from submitting this information would have no bearing on the merits of the application. Ms. Kessler recommended to the Board that Application SPR-108 Modification 1 was complete.

A motion was made by Mayor George Hansel that the Board accept this application as complete. The motion was seconded by Councilor Michael Remy and was unanimously approved by roll call vote.

### **B. Public Hearing**

Mr. Michael Petrovick of Michael Petrovick Architects addressed the Board and stated he represents 522 Main Street LLC. He indicated 522 Main Street LLC has an agreement to purchase 522 and 526 Main Street from Sandri Realty. The 522 Main Street property is a 0.2-acre lot and 526 Main Street is a 1.8-acre lot. Both of these properties have existing structures on them. The applicant's proposal is to rehabilitate the main structure located on 526 Main Street and to that end, they are requesting additional frontage for the 526 Main Street parcel and to adjust the boundary line to the south. He referred to an image of the boundary line adjustment

plan, which showed the 3,297-sf area proposed to be conveyed from 522 Main Street to 526 Main Street in gray and the 3,345-sf area to be conveyed from 526 Main Street to 522 Main Street in orange.

Mr. Petrovick stated the proposed adjustment would result in the net conveyance of 47 square feet of land from 526 Main Street to 522 Main Street. This concluded the applicant's presentation.

Staff comments were next. Ms. Kessler stated as indicated there is going to be a swap of land between 522 and 526 Main Street. She noted this adjustment is proposed because of the next item on the Board's agenda – a site plan application. Along the northern boundary of 526 Main Street there is an existing parking area which would be calling for the location of striped parking with the next application. This lot line adjustment would allow the applicant to locate parking along that entire length. Ms. Kessler stated under the comprehensive standards, this boundary line adjustment would make both lots more in line with the Board standards. This adjustment will locate the parking entirely on 526 Main Street and create a distinct barrier between the two sites.

Currently, 522 Main Street is 9,636 square feet in the Commerce District, which requires a minimum lot size of 20,000 square feet. With the proposed land swap, they will gain an additional 47 square feet and become more conforming. She noted that 526 Main is currently well over the minimum lot size at 80,566 square feet.

With reference to the development standards, a portion of 526 Main Street is located in the 100-year floodplain but no work is being proposed as part of this proposal – so this standard does not apply.

Ms. Kessler noted that there is proposal for lighting at 526 Main Street with the next item. If this lot line adjustment is approved, the applicant will not need waiver for lighting for the next item.

There are no known surface waters or wetlands on site.

This concluded Ms. Kessler's comments.

The Chairman asked for public comment. With no comments from the public, the Chairman closed the public hearing.

### **C. Board Discussion and Action**

A motion was made by Mayor George Hansel that the Planning Board approve S-03-20, as shown on the plan identified as "Boundary Line Adjustment 522 Main Street Keene, LLC Tax Map 112, Lot 8 & Tax Map 114, Lot 1" prepared by Little River Land Surveying Inc. at a scale of 1" = 20' on May 9, 2020 and last revised on May 12, 2020 with the following conditions prior to signature by the Planning Board chair:

1. Owners' signatures appear on plan.

The motion was seconded by Councilor Michael Remy and was unanimously approved by roll call vote.

#### **IV. Public Hearings**

**SPR-108, Modification 1 – 522 & 526 Main Street, VIP Tires & Service - Applicant John Quirk, on behalf of owner, Sandri Realty Inc., proposes to renovate the existing building and modify the parking lot and curb cut for the property located at 522 Main Street (TMP# 112- 008-000) and 526 Main Street (TMP# 114-001-000). Waivers are requested from Development Standards #8 – Screening, and #10 – Lighting. The parcel at 522 Main St is 0.26-acres and at 526 Main St is 1.85-acres. Both properties are located in the Commerce District.**

##### **A. Board Determination of Completeness.**

Planner Mari Brunner stated the applicant requests an exemption from submitting a traffic report. She noted the use of the property is not changing and the size of this property is decreasing so the expected traffic will be less than the prior use. Staff has determined that exempting the applicant from submitting this information would have no bearing on the merits of this application and recommends that the Planning Board accept the application as complete.

A motion was made by Mayor George Hansel that the Board accept this application as complete. The motion was seconded by Councilor Michael Remy and was unanimously approved.

##### **B. Public Hearing**

Mr. Petrovick addressed the Board again with reference to 522 and 526 Main Street. He indicated 522 Main Street LLC has an agreement to purchase 522 and 526 Main Street from Sandri Realty. He indicated this application is in reference to the renovation of the existing building on the 526 Main Street site for use as a VIP Tires & Services store.

The existing site has primary access from Main Street and a secondary access from Manchester Street. The 522 Main Street property is currently occupied by Buff Master.

The proposal is also to remove a portion of the existing building located on the northwest corner.

The applicant's proposal is to modify the Main Street access to have a single curb cut along Main Street, delineate 32 parking spaces including ADA accessible spaces, install a dumpster and a tire storage trailer, and modify the second access point on Manchester Street.

Mr. Petrovick referred to the existing drainage plan and noted that there are three drainage areas today. These include the west side of the site which drains into an existing catch basin on Main Street, the southeast area of the site that sheet drains towards Manchester Street, and the northeast area of the site that sheet drains towards the gravel area to the north. The proposed condition would have five areas of drainage – the southeast area would continue to sheet drain towards Manchester Street, the northeast area would continue to sheet drain towards the gravel area to the north, and three areas on the west side of the site would drain toward the catch basin on Main Street. Even though there is additional paving proposed, there will be a reduction in drainage with the addition of roof drain and proposed greenspace.

During construction, silt fencing will be installed along the perimeter of the site. The area to the northeast is located in the floodplain and the area being proposed to be paved in the flood plain is less than 1,000 square feet.

The dumpster will be located at the rear of the site next to the existing storage building. The lighting being proposed meets the Board regulations and will not spill over onto adjacent sites. There will be three fixtures in the parking area while the remainder will be mounted on the building. The lights will be on a timer to reduce the light levels during the night.

Parking will be striped along the north and towards the east of the site behind the building. There is also existing parking along the northwest corner next to the customer entrance. Wheel stops and fencing will be installed to prevent vehicular travel between the 526 and 522 Main Street sites.

A single curb cut is being proposed along Main Street (36 feet wide) allowing for two exit aisles and one entrance aisle. There are currently two curb cuts on Manchester Street and a single curb cut that is 22 feet wide is proposed.

The building being proposed to be reconstructed uses familiar architectural elements, including a gable roof, and horizontal clapboard siding with trim detail. The south façade will have exposed block and will be painted to match the siding. The proposed building will have a customer service area, a nine-bay repair shop, and tire storage area. This concluded the applicant's presentation.

Chair Barrett asked for the siding material. Mr. Petrovick stated it would be clapboard siding (hardy plank).

Staff comments were next. Ms. Brunner noted the only comments the applicant did not address were from Code Enforcement and added those comments are no longer relevant.

With respect to Board Standards:

**Drainage** - The Applicant proposes to repave the existing parking area, which is currently a mix of asphalt and gravel, and install several landscaping areas in previously paved areas. The existing drainage pattern in the northeast and southeast portions of the site would not change; however, due to the installation of curbing along the frontage with Main Street, runoff from the southwest portion of the site would be directed to a catch basin that connects to the City drainage system on Main Street. Runoff from the northwest portion of the site will continue to flow into a catch basin on Main Street. The pre and post hydro cad reports show that the proposed development would not increase the amount or velocity of runoff from the site. This standard appears to be met.

**Sedimentation and Erosion Control** -The Applicant proposes to install silt fencing along the north and northeast portions of the site to prevent sediment from flowing onto the 492 and 522 Main Street. Details are provided for both silt fencing and straw wattles - this standard appears to be met.

**Hillsides** – There are no hillsides present on the site, hence this standard does not apply.

**Snow Storage** - Snow storage areas are shown on the proposed site plan and the project narrative states that any excess snow will be trucked off site. This standard appears to be met.

**Flooding** - The northern portion of this property is located in the 100-year floodplain and the applicant is proposing to pave about 1,000-sf area within the floodplain, which would result in the placement of 250 cubic feet of fill. Per Sec. 54-62 of City Code, entitled "Exception for minor fill projects," a project which involves less than 500 cubic feet of fill is considered a minor fill project and does not require a Floodplain Development Permit. As a result this standard has been met.

**Landscaping** - The applicant proposes to install four crab apple trees and a mixture of 107 shrubs. The Board's standard requires one tree for every 10 parking spaces provided. The Applicant is proposing to provide 32 parking spaces and install four trees. The location of landscaping does not appear to impede visibility or safety for vehicles entering or exiting the site, and the crabapple trees appear to be located in areas where they would not interfere with above-ground or below-ground utilities. This standard appears to be met.

**Screening** - The Applicant has requested a waiver from screening dumpsters. The waiver request is attached to this staff report on page 47 and the Planning Board waiver criteria is listed on page 38 of the packet.

**Lighting** - The applicant proposes to install two pole-mounted lights and 8 wall-pack lights to illuminate the parking area. The Applicant submitted light fixture cut sheets to demonstrate that all light fixtures will be full cut-off LEDs with a color temperature of 4,000K. The pole lights would each be 17.5-ft above grade. According to the lighting plan, the average illumination for the parking area would be 1.38-foot-candles (fc), the minimum illumination would be 0.4-fc, and the uniformity ratio would be 3.45. These values fall between the illumination levels for medium activity and low activity parking lots based on the lighting table included in the Board Standards. Ms. Brunner noted the applicant had originally requested a waiver from lighting to allow light levels to cross the property line; however, since the Boundary Line Adjustment was approved that waiver is no longer required.

**Sewer and Water** - This site is currently connected into the City's sewer and water system. The Applicant noted in the project narrative that no changes to the existing sewer and water connections are proposed. This standard appears to be met.

**Traffic** - The Zoning Administrator has determined that the proposed use for this site, an automotive retail and minor repair shop, is the same as the previous use of this site and the Applicant proposes to utilize the existing structure on the site and remove the 963-sf, 2-story section of the building, which would decrease the size of the building. Because the use of the property is not changing and the size of the building is decreasing, the expected traffic generation for the proposed use would be less than the previous use. For this reason, the Applicant has requested an exemption from providing a full traffic report.

With regards to interior circulation of traffic on the site, as the Applicant noted they propose to install wheel stops and a split rail fence along the northern edge of the parking area to separate traffic on the 526 Main Street site from the 522 Main Street property. A total of 32 parking spaces, including two accessible spaces, are proposed which exceed the required parking for this use.

In the initial plan set submitted for this application, a bicycle rack was proposed to provide parking for 8 bicycles; however, in the revised plan the bicycle rack was removed from the plan. Sub-section c.2. of the Board's traffic standard states "For Commercial and Multi-Family residential developments, bicycle parking shall be provided in racks or other similar facility. Bicycle parking shall not be located within parking areas for motorized vehicles." Ms. Brunner noted, since the bicycle rack has been removed and it is required under the Board's Standards, staff recommend including a condition of approval which states "submittal of a revised site plan to show the addition of a bicycle rack."

Comprehensive Access Management - The 526 Main Street site currently has two means of access, one from Main Street and the other from Manchester Street. The Applicant is proposing to narrow the Main Street curb opening to be approximately 36 feet wide, with one entry lane and two exit lanes to allow for right turns and left turns onto Main Street. The Applicant proposes to install an asphalt sidewalk with granite curbing along Main Street, with detectable domes at the tip-downs to comply with ADA requirements for accessibility. With regards to the Manchester Street curb cut, the Applicant is proposing to pave the existing gravel drive to be 22-ft wide and narrow the curb cut, which is currently not well-defined. This standard has been met.

Hazardous and Toxic Materials - The Applicant noted in the project narrative and in correspondence with staff that both the 522 and 526 Main Street sites are part of the New Hampshire Department of Environmental Services Brownfields Covenant Program. For this reason, the Applicant notes that the intent of this project is to minimize disturbance to the site and the existing drainage system. There are several ground monitoring wells on the site, which are indicated on the existing and proposed site plans.

Filling and Excavation – There is a small portion in the floodplain that will be paved. However, this qualifies for the "Exception for minor fill projects" as described earlier.

Wetlands and Surface Water - There are no wetlands or surface waters present on the site.

Architecture and Visual Appearance – As the Applicant describes, the proposal is to renovate the existing building including removing a 963-sf, 2-story section in the northwest corner of the existing building. The Applicant is proposing to clad the building in horizontal clapboard siding with traditional New England exterior trim details and install a partial dominant gabled roof and a secondary gabled entrance roof. They are proposing to use existing overhead door openings along the east, west, and south facades of the building and install two new overhead doors on the west façade, for nine car bays with overhead doors.

Ms. Brunner stated that alterations to a driveway, entrance, exit or approach within the City Right of Way shall comply with Section 70-135 of City Code. Ms. Brunner noted the relevant standards from this section are listed in the Board packet starting on page 42. Ms. Brunner went over the criteria as follows:

*(1) If the installation of a driveway requires disrupting an existing sidewalk, the sidewalk must be restored or replaced in compliance with section 70-127.*

The Applicant proposes to replace the existing asphalt sidewalk with a new asphalt sidewalk with a granite curb. The new sidewalk would vary between 5-ft and 5.5-ft in width, and has been

reviewed by Engineering staff to ensure compliance with Section 70-127 of City Code. This standard appears to be met.

*(2) Driveways must be placed so as to ensure that vehicles entering and exiting the driveway have an all season safe sight distance in all directions not only of the road, but also of bicycle and pedestrian traffic on the sidewalk. For purposes of this section, an all-season safe sight distance shall be at least 200 feet in all directions within which there are no visual obstructions.*

The Applicant notes in the project narrative that there is a 200-ft all-season safe sight distance for the proposed driveway. Engineering staff reviewed the proposed curb cut modifications and did not express any concerns. This standard appears to be met.

*(3) For commercial and industrial activities, the use of service roads and/or common driveways is encouraged.*

A service road or common driveway is not being proposed by the applicant; however, they are proposing to use existing points of access.

*(6) Driveways must not block the flow of drainage in gutters or drainage ditches or pipes.*

The applicant notes the proposed modification to the Main Street curb cut would not alter the existing flow of drainage on Main Street. This standard appears to be met.

*(7) Driveways must not direct stormwater across sidewalks or onto city streets, except that the portion of a driveway within the public right of way may drain towards the street.*

Ms. Brunner stated currently, runoff sheet flows from the west area of the site onto Main Street, where it enters into an existing catch basin. The Applicant is not proposing to change this existing condition in the northwest portion of the site where the curb cut would be located; however, runoff on the southwest corner of the site would be directed to an on-site catch basin before entering the drainage system in Main Street.

*(9) Industrial, commercial, agricultural, multifamily residential or temporary driveways shall not be more than 25 feet wide at the property line and 50 feet wide at the curbline, unless additional width or lanes are required as the result of a traffic study and/or geometric analysis prepared by an engineer licensed in the State of New Hampshire.*

The Applicant proposes to narrow the existing curb cut on Main Street, which currently extends almost the entire length of the parcel, to be about 36-ft wide at the curb line and the property line to allow for three lanes: a 12-ft entrance lane, a 12-ft right-turn exit lane, and a 12-ft left-turn exit lane. This complies with the requirement not to exceed 50-ft at the curb line, however, it is wider than the 25-foot requirement at the property line. However, it is an improvement over the existing condition and necessary in order to provide both a right-turn and left-turn exit lanes onto Main Street. In addition, the curb cut on Manchester Street is proposed to be 22 feet wide at the property line and 50 feet wide at the curb line – this meets the standard.

*(10) New driveways must be placed so as not to conflict with existing driveways.*



The Applicant proposes to install landscaped islands in order to create more separation between the curb cut for the 526 Main Street property and the curb cuts for the adjacent properties at 522 Main Street and 540 Main Street – for the Buffmaster site and the Cocoplum Appliance site. This proposed change would decrease conflicts with existing driveways. This standard appears to be met.

*11) Driveways on opposite sides of the street shall be aligned or offset sufficiently, so as to avoid turning conflicts.*

Ms. Brunner stated the proposed location of the modified curb cut is located on the property line between the 522 Main Street and 526 Main Street sites, which appears to be offset slightly from a curb cut across the street for the 535 Main Street property (Enterprise Rent-A-Car). However, this condition is an improvement over the existing condition, which had a wider curb cut and greater potential for turning conflicts.

*(13) All driveways shall be constructed to standards approved by the city engineer. Portions of a driveways lying outside of the public right-of-way shall additionally comply with the design standards described in section 102-794. Section 102-794, "Parking lot and parking space requirements," discusses the acceptable standards for parking lots including materials (concrete, gravel, or paving), delineated parking spaces, and wheel stops, as well as size requirements for parking spaces, driveways, and internal travel lanes.*

Ms. Brunner stated engineering and code enforcement staff have reviewed the proposed site plan to ensure compliance with these standards.

This concluded staff comments.

The Chairman asked for public comment next. With no comments from the public, the Chairman closed the public hearing.

### **C. Board Discussion and Action**

A motion was made by Mayor George Hansel that the Planning Board approve SPR-108 Modification #1, including granting a waiver from Development Standard 8, Screening, as shown on the plan set identified as "VIP Tires & Service, 526 Main Street, Keene, New Hampshire" prepared by SVE Associates at varying scales on April 17, 2020 and last revised on May 11, 2020 with the following conditions prior to signature by Planning Board chair:

1. Submittal of a revised site plan to show the addition of bicycle rack.
2. Submittal of a security for landscaping, erosion control measures and "as-built" plan in a form and amount acceptable to the Community Development Director.
3. Owner's signature appears on the plan.

The motion was seconded by Councilor Michael Remy and was unanimously approved by roll call vote.

### **V. Community Development Director Report**

Mr. Lamb thanked the Board for their continued support in being able to conduct meetings remotely. He raised the issue about training sessions that has been suggested previously and stated staff will work with the Steering Committee on this.

**VI. New Business**

**VII. Upcoming Dates of Interest – June 2020**

Joint PB/PLD Committee – June 8; 6:30 PM

Planning Board Steering Committee – June 9; 11:00 AM

Planning Board Site Visits – June 17; 8:00 AM – To Be Confirmed

Planning Board Meeting – June 22; 6:30 PM

The meeting adjourned at 7:22 PM.

Respectfully submitted by,  
Krishni Pahl, Minute Taker

Reviewed and edited by Mari Brunner, Planner