

City of Keene
New Hampshire

**JOINT PLANNING BOARD/
PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
MEETING MINUTES**

Monday, November 8, 2021

6:30 PM

Council Chambers, City Hall

Planning Board

Members Present:

Pamela Russell-Slack, Chair
David Orgaz
Mayor George S. Hansel
Councilor Michael Remy
Emily Lavigne-Bernier
Harold Farrington, Alternate

Planning, Licenses &

Development Committee

Members Present:

Kate M. Bosley, Chair
Mitchell H. Greenwald
Philip M. Jones
Gladys Johnsen
Catherine Workman

Staff Present:

Rhett Lamb, Community
Development Director/Assistant
City Manager
Mari Brunner, Planner

Planning Board

Members Not Present:

Roberta Mastrogiovanni
Gail Somers
Andrew Weglinski
Tammy Adams, Alternate

Planning, Licenses &

Development Committee

Members Not Present:

All Present

I) Roll Call

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

II) Approval of Meeting Minutes – September 13, 2021

A motion was made by Mayor George Hansel to approve the September 13, 2021 meeting minutes. The motion was seconded by Councilor Phil Jones and was unanimously approved.

III) Public Workshop

Ordinance O-2021-14 – Relating to amendments to the Business Growth & Reuse Zoning District. Petitioner, Randall Walter, proposes to amend Table 8-1 and Section 5.4.5 of Chapter 100 of the Land Development Code (LDC) of the City Code of Ordinances to permit “personal service establishment” as a principal permitted use in the Business Growth & Reuse Zoning District (BGR).

Mr. Randall Walter of Westmoreland addressed the committee first. Mr. Walter began by addressing how his request fits in with the master plan and is consistent with the BGR District as

well as how this use is similar to other uses in the area. He noted this application is not for a single use but a relatively small zoning district, which has two very large properties; the Kingsbury property and the City property. Mr. Walter stated 310 Marlboro Street is a mixed use building under a redevelopment plan with the hope of making it a very active and vibrant site. It includes new tenants and fit ups. Residents who are going to be occupying the site will be Modestman Brewing, MC2 School, and Jack's Crackers, to name a few. They are also working with Revision Energy to bring solar to this site.

Mr. Walter stated this request to include a personal service establishment in the zone stems from what is permitted in this zone; light industrial, multi family, small restaurants (under 50 seats), neighborhood grocery stores, and gyms and felt these uses are not that different from personal care service. He added with this redevelopment they are looking for a healthy mix and added the small businesses are ones who have just graduated from being an in home business and felt the BGR District can accommodate some of these transitions. Mr. Walter felt personal care service is compatible as it is permitted in the Neighborhood Business District, which is an adjoining zone. As far as patterns and consistency with others, this use is similar to a gym or having a meeting in an office. Parking for this use is minimal, meetings are only by appointment and hence the use is less intrusive when compared perhaps to a restaurant for 50 people or a small grocery store.

Mr. Walter stated he would like to explain how buildings like this can be developed in the spirit of the master plan. For instance, light industrial uses are typically on the first floor of a building. The buildings in the BGR District have second floors and the second floor is where these uses would be conducted, which could be difficult for light industrial uses. There will be an elevator added at 310 Marlboro Street for second floor access. This concluded Mr. Walter's presentation.

Councilor Jones thanked the petitioner for bringing this item forward and felt this is a good fit for the BGR District.

Chair Russell-Slack asked for staff comments.

Planner Mari Brunner addressed the committee. She indicated with respect to rezoning, the committee should be looking at the suitability of this use for the entire district. Hence, looking at the consistency of the proposed rezoning request with the Master Plan.

Ms. Brunner went on to say that the Business Growth and Reuse (BGR) District was established in 2017 as part of the Marlboro Street rezoning effort. The intent of the District is to serve as an additional downtown zoning district that provides opportunity for redevelopment of this area which was zoned industrial. Also, for revitalization of a former industrial area in an environmentally sensitive manner that is of a scale and type compatible with adjacent residential neighborhoods.

Ms. Brunner went on to say, the intent of the rezoning initiative in 2017 was to encourage redevelopment of the area with industrial and business uses that were cleaner and more environmentally friendly than traditional smoke stack industrial uses. This Ordinance proposes to introduce Personal Service Establishment as a principal permitted use in the BGR District. Personal Service Establishment is defined in the Zoning Regulations as an establishment that

provides services of a personal nature including, but not limited to, barbershops or hair salons, spas, nail salons, laundromats, dry cleaners, tailors, tattoo or body piercing parlors.

The BGR District is surrounded by the Residential Preservation District to the west, which is largely limited to single family dwellings. The Neighborhood Business District is to the south along Marlboro Street, which promotes small-scale commercial development. The Medium Density District and a small portion of the Downtown Growth District are to the north. The Low Density District is to the east. Personal Service is already permitted in the Neighborhood Business and Downtown Growth Districts. Ms. Brunner called the committee's attention to page 9 of their packets, which outlines the current uses in the BGR District.

With respect to consistency with the master plan, the plan includes Marlboro Street as a Strategic Planning Area. On Page 119 of the Plan, it states, *"To the east side of Main Street, along Marlboro Street, there are similar opportunities to balance higher density housing with the existing single- and two-family residential neighborhoods. There is also the opportunity to extend light commercial uses from the Main Street roundabout to the Public Works Facility just before Optical Avenue. As this area transitions towards the Optical Avenue gateway into the community from Route 101, the inclusion of a higher density of industrial/manufacturing/business/office uses should be pursued with the provision of connections to adjacent neighborhoods, creating a walkable area."*

Ms. Brunner noted there is also reference to the 2002 Transportation Master Plan, which talks about making connections between this area, the Rail Trail and some of the adjacent neighborhoods. Ms. Brunner stated some of the uses have limitations in this district, such as restaurants calling for 50 seats or less, or for instance 30,000 square feet or less. This concluded staff comments.

Councilor Jones asked whether there was any other district where this use does not exist and might be a good fit. The Councilor asked whether now would be the time to change other zones to be able to accommodate this use. Ms. Brunner said the use is just being proposed today for the BGR District. If other districts were to be considered, then the item would have to be re-noticed.

The Chair asked for public comment. With no public comment, the Chair closed the public hearing.

A motion was made by Mayor Hansel that the Planning Board find this Petition consistent with the City's Master Plan. The motion was seconded by Councilor Remy and was unanimously approved.

A motion was made by Chair Bosley of the Planning, Licenses and Development Committee requesting that the Mayor set a public hearing for Ordinance O-2021-14. The motion was seconded by Councilor Philip Jones and was unanimously approved.

- IV) **Next Meeting – December 13, 2021**
- V) **Adjournment**

There being no further business, Chair Russell-Slack adjourned the meeting at 6:47 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Reviewed and edited by,
Rhett Lamb, Community Development Director/ACM
Megan Fortson, Planning Technician