

City of Keene
New Hampshire

PLANNING BOARD
MEETING MINUTES

Monday, December 16, 2024

6:30 PM

**Council Chambers,
City Hall**

Members Present:

Harold Farrington, Chair
Roberta Mastrogiovanni, Vice Chair
Mayor Jay V. Kahn
Councilor Michael Remy
Sarah Vezzani
Armando Rangel
Ryan Clancy
Kenneth Kost

Staff Present:

Mari Brunner, Senior Planner
Megan Fortson, Planner

Members Not Present:

Randyn Markelon, Alternate
Michael Hoefler, Alternate
Tammy Adams, Alternate
Stephon Mehu, Alternate

I) Call to Order

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

II) Minutes of Previous Meeting – November 25, 2024

A motion was made by Roberta Mastrogiovanni to approve the November 25, 2024, meeting minutes. The motion was seconded by Mayor Jay Kahn was unanimously approved.

III) Final Vote on Conditional Approvals

Chair Farrington stated as a matter of practice, the Board will now issue a final vote on all conditionally approved plans after all of the “conditions precedent” have been met. This final vote will be the final approval and will start the 30-day appeal clock. The Chair asked whether there were any applications tonight that were ready for a final vote.

Senior Planner Mari Brunner stated there were two applications ready for final vote.

Ms. Brunner stated the first application was PB-2024-13 – A two-lot subdivision for Habitat for Humanity at 0 Old Walpole Road.

The conditions included were as follows: Owner's signature appears on the plan, inspection of lot monuments by the Public Works Director or their designee, subdivision approval from New Hampshire DES (the site is a lot that is less than five acres in size with no city sewer), Submittal of four full size paper copies and two mylar copies of the plans, and submittal of a check to cover the cost of recording fees.

Ms. Brunner stated that all of the conditions have been met.

A motion was made by Roberta Mastrogiovanni that the Planning Board issue final approval for PB-2024-13. The motion was seconded by Mayor Kahn and carried on a unanimous vote.

Ms. Brunner stated the second application was PB-2024-16 – a Site Plan for the construction of a new building at the Kia site located at 440 Winchester Street.

The application had several conditions of approval: Owner's signature; Submittal of five paper copies and a digital copy of the final plans; Submittal of a security to cover the cost of sediment and erosion control measures, landscaping and an as built plan; Submittal of an updated grading plan with a note added stating annual drainage inspections shall be performed and that such documentation will be submitted to the Community Development Department.

Ms. Brunner stated there was one final condition of approval that has not been met, but after consultation with the City Attorney, staff does not feel that it does need to be met. It is Condition 1e.

Submittal of draft easement language and any other legal instruments required for this application to the Community Development Department for review by the City Attorney's Office.

Ms. Brunner stated the intention of that condition was due to the fact that access to the site is off of an adjacent property. Typically, the Planning Board would require some sort of access easement to show that the Applicant is able to get access to their site from the adjoining site. In this instance, both sites are owned by the same owner, who cannot give an easement to themselves.

She stated if the Board wanted to, it is possible for a condition to be added that says *if and when the parcel is sold in the future, an easement should be added*. Staff felt a condition like this is vague and difficult to enforce. At this point Staff's suggestion is to delete that condition.

A motion was made by Roberta Mastrogiovanni that the Planning Board issue final approval for PB-2024-16, 440 Winchester Street. The motion was seconded by Mayor Kahn.

Chair Farrington asked for comments from the Board regarding the waiving of the requirement for an easement.

Mr. Kost asked for clarification if the easement is not addressed now, and if the property is ever sold separately, an agreement would be worked out so a new owner would have access to the property. Mr. Kost stated that the property won't have any value if an owner can't access it.

Chair Farrington answered that if the property is sold, he is sure access to the property would be put into the sales agreement.

The motion carried on a unanimous vote.

IV) Public Hearing

a. PB-2024-18 – Cottage Court Conditional Use Permit – 133 Roxbury St - Applicant Unicron Management, on behalf of owner Mahantrashti Real Estate LLC, proposes the conversion of an illegal 7-unit building at 133 Roxbury St (TMP #569-099-000) into four units. The parcel is 0.25-ac in size and is located in the High-Density District.

A. Board Determination of Completeness

Planner Megan Fortson stated the applicant has requested exemptions from submitting a grading plan, drainage report, traffic analysis, soil analysis, historic evaluation, and screening analysis. After reviewing each request, Staff have made the preliminary determination that granting the requested exemptions would have no bearing on the merits of the application and recommend that the Board accepts the application as complete.

Councilor Remy stated it seems like a grading analysis may be required and may be recommended as a condition of approval. He questioned if this site would need a grading plan in the future, why a submission of a grading plan would be waived. Ms. Brunner stated occasionally an applicant may request a waiver of a grading plan and Staff determine their request to be acceptable. Upon further review, this Board may determine that a grading plan might be necessary. She indicated the Board could always wait until a grading and drainage plan is submitted before opening the public hearing and accepting the application as complete. Ms. Brunner clarified that the Board will not be able to open the Public Hearing until there is a completeness vote. Ms. Brunner stated that because the Board can require additional information, Staff still recommend that the application be accepted as complete and then determine if additional information is needed. Ms. Brunner stated if the Board feels it already has enough information that a grading plan is warranted then it is up to the Board to determine a completeness vote.

Councilor Remy stated he did not want to comment on the merits of the application, but looking at the location of the site being within a floodplain and the potential modifications to the parking within that floodplain, he questioned how the Board could go without a drainage and grading plan. Chair Farrington stated in reading the agenda package, it seemed clear that a drainage and grading plan was likely going to be required. Ms. Brunner stated in the initial submission, the applicant was not planning to make any changes to grading, which is why there wasn't a grading plan submitted with the initial application. She stated she would still recommend accepting the

application as complete and opening the public hearing, because the Board can always require that information if needed. Ms. Brunner stated, again, the decision is under the purview of the Board if the members feel they will need the information from a drainage and grading plan before reviewing the application.

Councilor Remy stated he is okay with the Board voting either to accept the application as complete or not to accept the application as complete, but the clock for approval or denial will begin if the Board accepts the application as complete.

Mayor Kahn stated that the proposed project could have an impact on abutting properties, and he stated he hoped abutters are here.

Chair Farrington clarified he is sure the applicant is at the meeting and the abutters who wanted to be are also in attendance.

Chair Farrington stated he was inclined to go forward with completeness but was happy to hear other input.

A motion was made by Roberta Mastrogiovanni that the Board accept PB-2024-18 as complete. The motion was seconded by Mayor Kahn and was unanimously approved.

B. Public Hearing

Mr. Michael Petrovick, Architect of Michael Petrovick Architects, addressed the Board. Mr. Petrovick stated their proposed project is to take the building, which contains seven nonconforming units, and operate it as a four-unit building. He stated he and his colleagues have been working with Staff on this application. Mr. Petrovick stated that he and Staff have developed a plan to legally operate the building as a four-unit building with places of egress. In order to have four units, the site needs to provide adequate parking. The issue around the grading plan just came up a couple days ago. Staff recently realized—after assuring that the building was not in the floodplain—that a portion of the parking area was in the floodplain.

As a result, Staff have stated that a condition of the building permit will now be to create a grading plan, which protects the neighboring properties from runoff. A grading plan will be created using a civil engineer and submitted with the building permit application.

Mr. Petrovick stated the applicant seeks to rectify a very serious problem in that building, in which the building is in poor condition. The owner has recognized the issues and is supportive of moving forward with addressing these issues. The applicant's management company is Unicron, who is the applicant and representative of the building. Mr. Petrovick stated that this application seeks to provide housing in the City and fix a problem that has been a bit of a headache for the City.

Mr. Petrovick went on to say a five-space parking area would be created off Harrison Street. The snow removal area needs to be looked at because of the grading plan. There will be two units in the front of the building and two units at the rear of the building. One unit will be on the first

floor in the front, which is a two bedroom, and one unit on the front on the second floor, and two two-bedroom units at the back of the building. There will be one extra parking spot on site above the four required spots. There will be a closed-in area for a dumpster and there will be lighting. The building will be accessed through the front of the building or through the existing porch on the side. The porch will be repaired and cleaned-up. The building will be painted, and new windows will also be added to the site. There will be egress through all the existing doors. No new entrances need to be created.

There will be no change to the building footprint architecturally.

Mayor Kahn asked what the change in conditions are that required this item to be brought forward. Mr. Petrovick stated there were some issues in the building, which were brought to the city's attention. City staff then went out to look at the building when it was determined that that building needed to be brought up to compliance. Mr. Petrovick introduced the property manager.

Ms. Erin Connor of Unicorn Management, 4 Terrace Street Marlborough addressed the Board. Ms. Connor stated the issues with the existing conditions of the building were brought to her attention when she took over management in April and performed an inspection of the house. Ms. Connor realized the dire state the building was in and went over the problems with City Staff. Ms. Connor contacted the owner and stressed the need to bring the building up to code.

The Mayor clarified the shrinkage of the number of occupants in the building is a part of that overall plan. Ms. Connor agreed and added when she came on board there were seven apartments—one being unoccupied. She has evicted two full apartments. Only three are being occupied currently, and the occupied units would be retained as such until the renovation process begins. Ms. Connor clarified that three units is what the building is zoned for.

The plan is to empty the building eventually and subsequently renovate every single apartment with new appliances, floors, windows, etc. Then, Ms. Connor would start over with new tenants. The proposed project would result in making the building a four-unit house.

Ms. Vezzani asked whether there were seven bathrooms in the building and if these seven bathrooms would remain. Ms. Connor answered in the negative. There would be four bathrooms. Ms. Vezzani asked about lead paint. Specifically, Ms. Vezzani asked if all the surfaces are being redone, will any of the existing lead paint be left in the building. Ms. Connor stated she is looking at putting siding on the building as opposed to painting, but if they do paint, it will be painted by a lead-certified company. All new windows and doors will be added. The existing walls will be painted with fresh paint.

Mr. Kost referred to page 31 and noted the diagram looks like it shows the floodway right across the back of the building. Mr. Petrovick stated that recently, Staff re-certified the building is not in the floodplain and added that diagram is not up to date. Mr. Petrovick further clarified that Staff certified the building is not in the floodway, but the parking area is in a floodway. Staff agreed to this.

Mr. Clancy asked if each unit also had a kitchen. Ms. Connor said they did.

Councilor Remy asked whether the applicant was open to adding more screening. Mr. Petrovick stated they have been asked to trim down the hedges by Staff. Mr. Petrovick stated there is a sight line issue, and the hedges are also obstructing a City sidewalk. The Applicant had planned to maintain the existing fences; however, the fences belong to the neighboring property. Councilor Remy stated that having two fences that face each other would not be necessary.

Mr. Kost stated that the Cottage Court Overlay District requires screening; however, for lower-density housing that may be developed with small roads, using screening may cause less uniform-looking developments than the screening requirement intends.

Mayor Kahn referred to the Harrison Street sidewalk, which is indicated in the staff report as not being safe due to the ponding of water. Mayor Kahn asked how the sidewalk improvements are going to be handled. Mr. Petrovick stated this is one of the issues that will be addressed with the grading of the parking. An engineer will be used to grade the parking properly, which will correct the ponding on City property.

Mayor Kahn noted when the City created a Cottage Court Overlay District, this was not the kind of project that was envisioned. Mayor Kahn stated he guessed that this is an area in which multi-family housing is part of the zoning and asked what it is about this site that makes it appropriate for a Cottage Court overlay. Mr. Petrovick stated under Cottage Court, the applicant could get an additional housing unit. He stated it was suggested to them by staff to take the Cottage Court approach.

Mr. Petrovick continued by stating the building is big. The reality of the situation is that having three big units, which are more expensive, would be less desirable than having four smaller units that both cost less in rent and provide more housing. He restated that the current multi-family zoning, would only allow three units.

The Mayor restated this to clarify that the number of units is what optimizes the use of the property for the Cottage Court overlay as opposed to the current multi-family zoning.

The Chair asked for staff comments next. Ms. Fortson, Planner, stated the subject parcel is about a quarter of an acre in size with its primary frontage along Roxbury Street. Ms. Fortson indicated that Under the Land Development Code, the primary frontage for a corner lot is determined as the shortest length of frontage. Roxbury Street, where the front of the building faces, is the primary frontage, not Harrison Street. As was explained, the building on its tax card is approved to operate as a three-unit apartment building, but it has most recently been operating as an illegal seven-unit building. To come into compliance with the Land Development Code requirements and more with the City code, given the existing issues that are known on the site, the property owner and applicant are proposing to convert the inside of the building into four units.

Ms. Fortson went on to say the notable features on the site include the existing parking area, which is going to be expanded into five parking spaces. There is an existing dumpster to the south of the building and an 8'x8' storage shed at the southeastern portion of the site.

Ms. Fortson then addressed the Mayor's question related to why the Cottage Court process would be the most appropriate for this application. The property is located in the high-density district, and the lot is about a quarter of an acre (10,890 square feet) in size. For the applicant to have four units total on this site, the applicant would need to have 6,000 square feet for the first primary residence and then an additional 5,000 square feet for each additional unit. In total, for all four units, the property would be required to have a 21,000 square foot lot, whereas this lot is slightly under 11,000 square feet. Under the Cottage Court process, an applicant can get increased density in the high-density district without having to have that bigger lot size. There is currently an ordinance going through the review process to remove that density factor of 5,000 square feet for each additional unit, but that is probably not going to be adopted until around February. Ms. Fortson stated applicants are applying for conversion of existing buildings using this process, because it is a way for applicants and property owners to be able to have that extra density without having to get a variance from the zoning board.

Ms. Fortson went on to say there is an existing walkway that can be used to access this site from Roxbury Street. The applicant is proposing to extend that walkway and connect it to the new parking area. Because there are fewer than five units that are proposed to be created, the project does not meet the threshold for major site plan review. Planning staff have made the preliminary determination that the project doesn't meet the thresholds to be reviewed as a development of regional impact, but the Board will need to make a final determination regarding regional impact.

With respect to departmental comments, Ms. Fortson stated the City Engineer did have concern regarding ponding in the parking area adjacent to Harrison Street. Hence, the re-grading of the parking area was recommended and requested by Staff. In addition, while the applicant is going to be maintaining the existing hedge, it is overgrown on the Roxbury and Harrison Street sides of the property. City Staff were concerned that traffic exiting the site did not have safe-sight distances from vehicles that might be traveling on Harrison or Roxbury Street. The hedges are being proposed to be lowered, and the hedges will be maintained.

Ms. Fortson stated that City Staff said that if the recommendations by the City Engineer's office were to be put into play, this application would require a flood plain development permit. Ms. Fortson stated this is separate from the Board's review of this application, but it is something the Board should be aware of. Ms. Fortson noted there is a difference between the floodway and the floodplain. The floodway is part of the floodplain and is more likely to experience flooding. When the floodplain manager reviews this application, what he is going to be looking for is that there is no net loss in the storage area of the compensatory flood storage on the site.

Ms. Fortson next reviewed the applicable standards:

Development Types - The applicant is proposing to redevelop the site as a four unit building managed by a property management entity. This standard has been met.

Dimensional Standards – The site complies with all height requirements. The height requirement of the high-density district is three stories. The applicant complies with this standard. The site also complies with the 15-foot rear set back and the 10-foot side set back standard.

Density – The density standard is one unit per 1/16th of an acre or 16 units per acre. This standard appears to be met.

Dwelling Unit Size - The size of the units will range from 510 square feet, the smallest unit size, to 1,620 square feet, the maximum unit size, which creates a maximum average unit size of 900.25 square feet of gross floor area. Ms. Fortson noted this section of the code says that *cottage units created as part of the cottage court process can have a maximum average size of 1,250 square feet of gross floor area and a max building footprint of 900 square feet.* This standard is met.

Parking – The Applicant is providing five parking spaces. For this standard, you can have a minimum of one parking space per unit provided or a maximum of one parking space per bedroom provided. With a total of eight bedrooms, they are between the four to eight spaces allowed on the site.

Driveway – This driveway is for two-way traffic, which allows for a minimum driveway width of 20 feet and a maximum driveway width of 24 feet. The applicant's existing driveway is slightly wider than the standard at 26 feet wide. The Applicant is not proposing to change the width as part of this application. The travel aisle for the parking area is going to be a little over 23 feet wide, which complies with the 22-foot-wide travel aisle requirements for 90° parking.

Screening – There are existing hedges that run along the western and northern portions of the property that are going to be maintained and trimmed. As was mentioned, there is an existing fence along the eastern property line and the southern property line. Ms. Fortson stated Staff recommends the Board include a recommended condition of approval related to the submittal of an updated proposed conditions plan showing the appropriate property line and fence locations prior to the issuance of final approval. Ms. Fortson noted that since the date of the staff report, this condition has been met. The applicant has removed the fences that were shown on the plan.

Architectural Guidelines – This standard is not applicable, given the fact that the Applicant's proposal is considered ordinary maintenance and repair, and the Applicant has stated that they are not going to be making any changes to the architectural features of the building.

Ms. Fortson next addressed the Planning Board site development standards next.

Drainage and Stormwater Management – There is an existing ponding point on the rear portion of the site. In addition, this site's existing grading is such that it would drain towards the rear of the property, potentially onto the adjacent parcel at 16 Harrison Street. As a result, Staff recommend the Board include submittal of a grading and drainage report as one of the precedent conditions of approval as well as an approved floodplain development permit application as part of the parking lot changes.

Snow Storage and Removal – The snow storage area is located at the southeastern corner of the property, but this is where the water is going to drain onto the neighbor's property to the south. Again, Staff recommend that this be addressed as part of the grading plan that is submitted, which would be reviewed by the City Engineer's office.

Landscaping – No landscaping is being proposed to be installed as part of the application, and the existing mature tree and hedge will be maintained.

Screening – The project narrative states that there is not going to be any new mechanical equipment installed on the exterior of the building. The existing dumpster is going to be screened by either a wooden or PVC fence. The site itself will be screened by the existing hedge. The standard appears to be met.

Lighting – There are eight new wall pack light fixtures that are proposed to be installed along the western building façade facing Harrison Street. The proposed light fixtures’ cut sheet that was submitted complies with the standard, as it was fully cut off and it had the correct color temperature. That standard appears to be met.

Sewer or Water – No changes are being proposed.

Traffic and Access Management – The expected traffic generation would be reduced, due to the number of units going from seven to four. Any increase in traffic that would come from going from the three approved units to a fourth unit is expected to be very minor.

Filling and Excavation – To assess this standard, the Applicant will need to submit a floodplain development permit for this project, which was mentioned previously.

Surface Waters and Wetlands – The City database did not show the presence of surface waters or wetlands. This standard isn’t applicable.

Ms. Fortson stated there isn’t supposed to be any overall change to the visual appearance of the building. Ms. Fortson noted when the Board makes a motion, item 1C, regarding the issue of fencing, can be removed. Fencing has been addressed by the applicant.

This concluded staff comments.

Mr. Clancy asked when the engineering report was submitted, and he noted it has been pretty dry in this area. Ms. Fortson stated it was submitted as part of the initial application. Ms. Fortson added that if you look at google images, there is a large hole on the Harrison side of the property. Staff, in an effort not to impact the city’s infrastructure, are requesting that the Applicant make the repairs to that area.

Chair Farrington clarified there is an existing curb cut on the Harrison Street side and asked if that curb cut is the only one and if that is going to change. Ms. Fortson answered that the existing curb cut would remain and there would be no additional curb cuts. The Chair noted engineering comments use the terminology “driveway reclaimed” and asked if this means taking the driveway up. Ms. Fortson stated she assumes this means taking up what is there right now, re-grading it and repaving it to ensure there is not going to be any runoff.

Mayor Kahn noted the proposal calls for each apartment to have a full kitchen and full bathroom. However, the bath in the second-floor unit appears to be very small. He stated he did not want to question what size it is, but there is a statement on page 42, "*built as proposed with full kitchen and full bathroom*", which seems like an important condition to the approval of four units.

Mr. Petrovick stated, as an architect, he can assure the Board the bathrooms would be comfortable in size. He stated the plans are very schematic, and everything that is going to be submitted will meet the building code. The Mayor asked whether a condition could be added to reflect this item.

Ms. Fortson asked if the Mayor is asking to add a condition of approval related to how the interior of the building is going to be laid out. Ms. Fortson continued by stating the Planning Board's purview relates to the building exterior. She stated Mr. Petrovick is correct, and the Applicant will have to submit a building permit application for any of the renovations being proposed to the building. As part of that review process, because the property is a commercial property, Planning Staff are automatically sent copies of the plans. If staff had any concerns about what was shown on the plans, Staff would coordinate with the applicant to get those questions answered. Planning Staff do not review any of the interior changes, they just review the exterior changes.

Ms. Fortson continued by clarifying the interior modifications are addressed through the building permit and building code process. Life safety standards are reviewed by the city's building official and Fire Marshall.

The Mayor felt if this proposed project was only concerned with the use of the building as three versus four units, it would be a moot point. When the applicant is trying to get four units within the building, and this is the condition on which the Cottage Court is being used, it has to be built in order to accommodate four units. Ms. Fortson stated this is a great concern to think about but indicated the interior of the building is out of the Planning Board's purview. Once you get to the interiors of a building, it must be handled by the City's building official.

Ms. Brunner further clarified that the Board does not have the ability to put a condition like that on an application, as the Board is just approving the use, changes to the site, and minor changes to the exterior of the building. Ms. Brunner agreed this a great conversation to have because the Cottage Court part of the use it is about the number of units. Ms. Brunner agreed with where the Mayor is coming from here. She stated the Board needs to be careful about looking at what falls under the Board's purview. She stated the building permit review process in Keene is rigorous, and the applicant must submit a professionally prepared plan, which goes through the plan review process. Once that is completed, Staff conduct inspections during key points of construction. Staff have eyes on the project from inception to finish.

Ms. Vezzani asked whether there are requirements to make sure there is no lead paint in the building. Ms. Brunner stated there are disclosure requirements. If someone is going to rent a house that has led paint in it, you must disclose that to your tenants. She stated there have been landlords in the city that have had tenants with a young child who tested for high lead exposure and then have had to do remediation. She indicated full lead remediation is very expensive, and it

is difficult for landlords to proactively remediate lead. She stated this is a huge problem in the city because the city has very old housing stock. Specifically, there are a lot of houses with lead paint and a lot of old apartment buildings with lead paint. It is a big struggle for landlords, and even landlords who are trying to be proactive and do the right thing have a difficult time. What is often done is lead remediation on the outside of a building and not the interior, and then interior lead paint is addressed on a case-by-case basis. Ms. Vezzani noted kids don't usually eat the outside of the building. Ms. Brunner suggested it is a good thing the applicant is replacing the windows, because the windows are usually one of the likely places for lead paint to be located.

The Chair asked for public comment, and with no comments from the public, the Chair closed the public hearing.

C. Board Discussion and Action

A motion was made by Roberta Mastrogiovanni that the Planning Board approve PB-2024-18 as shown on the plan set identified as “Conditional Use Permit” prepared by Michael Petrovick Architects, PLCC at varying scales on November 7, 2024, and last revised on December 13, 2024, with the following conditions:

1. Prior to final approval and signature by the Planning Board Chair, the following conditions precedent shall be met:

- a. Owner’s signature appears on the plan.
- b. Submittal of five (5) full sized paper copies of the final signed plan set.
- c. Submittal of existing and proposed grading & drainage plans prepared by an engineer licensed in the State of NH subject to review and approval by the City Engineer’s Office.

2. Subsequent to final approval and signature by the Planning Board Chair, the following condition shall be met:

- a. Prior to the commencement of parking lot modifications, the submittal of an approved Floodplain Development Permit, if deemed necessary by the Floodplain Manager.

The motion was seconded by Councilor Remy.

Councilor Remy stated he agrees that this application does not have regional impact. He stated he believes the building code will prevent this building from reverting to the seven illegal units in the future. He stated he likes the proposal being presented to the Board. The Councilor stated he hoped the architect and applicant would work on a good plan for the interior as well.

Ms. Vezzani stated she is happy to see the repairs happening to the building. She stated reducing the units to four is a good idea, and the grading being completed is a good idea.

Councilor Remy asked to see a copy of the grading plan once it has been reviewed by staff.

Mayor Kahn complimented the property manager for following through with the issues that exist in this building. He stated he hoped staff would properly review the building plans and make sure they are complied with. He also complimented the architect who is working on this building.

Ms. Vezzani stated she was comfortable moving forward with this application based on the proposed conditions.

Mr. Clancy stated the modifications being made to the site and the management company agreeing to complete a grading plan and reclaiming the driveway makes him comfortable with moving forward. Mr. Clancy stated this is CIP season, especially on Harrison Street with a slightly raised sidewalk, no curbing, and poor conditions of other sidewalks in the neighborhood. Mr. Clancy stated if the City is going to require poor driveway conditions to be improved, when the CIP comes forward, a little more effort needs to be put into improving sidewalks that connect to those driveways as well.

Mr. Kost asked if vinyl siding is used on the exterior, would the lead paint be covered over? Ms. Brunner answered in the affirmative and stated once you touch it, the lead paint can start spreading.

Mr. Clancy asked whether there should be a condition in the motion to keep the shrubbery along the sidewalk maintained and kept off city property. Councilor Remy stated he likes what Mr. Clancy is proposing but wasn't sure if it needs to be maintained as the city will cut it down if it impacts the sidewalk. The Chair felt this might be an overreach for the Planning Board.

The motion made by Roberta Mastrogiovanni carried on a unanimous vote.

- V) **Advice and Comment Regarding Potential for Regional Impact – Justin Daigneault of Granite Engineering, on behalf of owner G2 Holdings, LLC, requests Planning Board consideration regarding the potential for “regional impact” as defined in RSA 36:55 for a proposed expansion of the gravel pit operation at 57 Route 9 (project EXP-01-22). The property is ~84.7 acres and is in the Rural District.**

Mr. Justin Daigneault of Granite Engineering, on behalf of owner G2 Holdings, LLC addressed the Board next. Mr. Daigneault stated he has a project that he would like to present to the Board for the expansion of the existing gravel pit on Tax Map 215 Lot 7. He explained that this was a gravel pit, which was permitted in 2022. Mr. Daigneault stated the owner is at the point where he needs to expand the operation.

Mr. Daigneault stated the reason for the regional impact is that the expansion is on the owner's two northern lots, which are located in Sullivan. The lot in Keene, Tax Map 215 Lot 7, is bordered by the Town of Sullivan, and there are two lots adjacent to that. The applicant owns Map 5, Lot 46 and Map 5, Lot 46-1. The intent of the proposed project is to expand into Sullivan.

Councilor Remy reviewed the definition for Regional Impact as follows:

It could be reasonably expected to have impact on a neighboring municipality because of proximity to the borders of the neighboring community. He noted the review is required even if the city has a doubt that there could be regional impact. He added that the Town of Sullivan and Southwest Regional Planning Commission have abutter status on this application.

Mayor Kahn asked if the applicant was also going before the Town of Sullivan. Mr. Daigneault stated they would be filing an excavation permit with the Town of Sullivan as well. The Mayor asked what product is being excavated on the site. Mr. Daigneault stated it is a combination of gravel and bedrock. The Mayor clarified this is an expansion with more materials coming off the site and more vehicles introduced to the site. He added there were concerns brought before the City Council recently about traffic conflict and safety concerns on this stretch of roadway, due to a few recent accidents. The Mayor stated he would like to see a traffic report addressing this. Mayor Kahen asked whether this process would add to a length of time, or would it be adding extra vehicles. Mr. Daigneault stated if they are currently running 50 trucks then that would remain; it is an extension of time.

Ms. Brunner stated she would like to provide background on why staff recommended that the applicant come before the Board tonight; this is not a formal public hearing on the actual project. She stated there are no plans and no one was noticed. The reason for that is because state statute requires that the city send the minutes of the meeting where the Planning Board discussed regional impact by certified mail to the Regional Planning Commission and any other towns affected. What this would do, in essence, is that it forces a two Planning Board meeting process at a minimum.

What Staff are hoping for tonight is just to stick strictly to the question of whether this application would have regional impact. That way, a vote could be registered on the record for the minutes. Staff will receive official minutes a week from now and will be able to mail those minutes by certified mail to the Regional Planning Commission and the Town of Sullivan. The applicant will come back before the Board for the traditional public hearing process next month.

Ms. Brunner added both the Southwest Region Planning Commission and the Town of Sullivan would be afforded abutter status and will be invited to attend that meeting. She asked the Board to keep in mind the questions being raised tonight and raise them at the next public hearing when the public will have the notice ahead of time. This way, the public can follow along with the discussion.

A motion was made by Councilor Remy that this application has regional impact on both the Southwest Region Planning Commission and the Town of Sullivan. The motion was seconded by Roberta Mastrogiovanni and was unanimously approved.

VI) Master Plan Update (KeeneMasterPlan.com)

Ms. Brunner addressed the Board and stated the update for this month is that staff are still working with the six task forces. The task forces were formed to address the six pillars outlined in the Master Plan. The task forces will be meeting three times (January, February and March). The topics being covered are housing, thriving economy, connected mobility, vibrant neighborhoods, adaptable workforce, and flourishing environment.

Simultaneously, there are discussion boards, which Ms. Brunner referred to on a rendering for the Board. She noted each of the discussion boards has a section on history, related macro trends, what is currently happening in Keene, results from the community survey, such as highlights that are relevant to the topic, highlights from the community snapshot report, a section on the

consultants' insights, and potential trade-offs. At the very end of the discussion board, there is a place to add comments. Ms. Brunner encouraged the Board to add information if there are items Staff missed.

Ms. Brunner stated there is still time for anyone to join one of the task forces.

Mr. Clancy asked what items that are on the current master plan have been checked off or found to be not important. Ms. Brunner stated she is seeing many of the themes from the prior master plan being carried forward, but with slightly different emphasis. For instance, this master plan talks about population growth and what healthy growth would look like. The current master plan did not refer to growth. In terms of the focus on environmental topics—sustainability, environmental stewardship, climate, walkability, protecting outdoor open spaces and smart growth principles—those items seem to be continuing forward with this effort. The other item that Ms. Brunner sees as being different is the conversation around housing, which feels a lot more urgent this time around. There is a much bigger recognition of the role that housing plays with every other aspect of the plan's goals. The Chair agreed with Ms. Brunner. He noted he is not seeing that the city is losing focus on items such as sustainability and outdoor living but agreed there is emphasis on housing and improving the economy.

Mayor Kahn noted the challenge for staff would be translating the master plan eventually into the Land Development Code and zoning updates. He did not feel the consultants were well engaged in the City's land use code. Ms. Brunner agreed and stated the Master Plan update started with the renewal of the community vision and they will not be doing the future land use section until the very end. She stated this piece, future land use, is what ties it most closely back to the land use regulations. She stated this was done deliberately, because Staff felt that it made sense to do the future land use piece after the community vision and action items were discussed. She noted the second future summit has already been scheduled for Tuesday June 3rd, 2025, from 5 pm to 7 pm. Leading up to that, there are other events that are being scheduled.

VII) Training on Site Development Standards – Snow Storage, Landscaping, & Screening

Not addressed.

VIII) Adoption of 2025 Meeting Schedule

A motion was made by Roberta Mastrogiovanni to adopt the 2025 Meeting Schedule. The motion was seconded by Councilor Remy and was unanimously approved.

IX) Staff Update

Ms. Brunner stated the City applied for and has received the Housing Champion designation and a big portion of that has to do with the zoning changes the Board has been working on. This opens the city up for some grant funding opportunities.

X) New Business

None.

There being no further business, Chair Farrington adjourned the meeting at 8:08 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Reviewed and edited by,
Emily Duseau, Planning Technician