



**CITY OF KEENE**  
NEW HAMPSHIRE

**WRITTEN ZONING INTERPRETATION**

**Applicant:** Tailfeather Strategies  
**Owner:** Jared Goodell  
**Code Reference(s):** Article 8, Sections 8.1.3 and 8.3.1.E  
**Date of Decision:** June 25, 2024  
**Subject:** ZBA-2024-20 Relating to the use definition for “Dwelling, Two-Family / Duplex”

Dear Mr. Hansel,

We are in receipt of your request for a written interpretation of the City of Keene Zoning Regulations. In response to your request, this letter shall serve as a written zoning interpretation.

You, representing the owner, submitted a request for an interpretation of use standards impacting potential development on two parcels: the first located at 57 Marlboro Street, located in the Downtown Edge District (TMP#: 590-093-000) and the second, 3 Aliber Place, located in the Residential Preservation District (TMP#: 590-092-000). The proposal is to merge these lots and construct three duplexes on the portion of the parcel that is located within the Downtown Edge District. This would result in a single lot with a single-family home located in the Residential Preservation District and a multi-family structure and three duplexes located in the Downtown Edge District.

Article 8, Section 8.3.1.E defines “Dwelling, Two-Family / Duplex” as *“One building on a single lot containing 2 independent dwelling units, which is designed, occupied or intended for occupancy by 2 separate families.”* There are no use standards associated with this use definition. This definition implies that the use is tied to the structure, or in other words, each duplex on a lot would be a separate principal use. Furthermore, Section 8.1.3 of Article 8 (“Multiple Principal Uses”) states *“With the exception of lots located in a residential zoning district, a lot may contain more than one principal use, so long as each use is allowed in the zoning district, unless otherwise specified in this LDC”*.

According to Table 4.1 of Article 4 of the LDC, “Dwelling, Two-Family / Duplex” is an allowed use within the Downtown Edge District. Since the Downtown Edge District is not a residential zoning district as specified in Table 2-1 of the LDC, it is my interpretation that multiple duplexes are allowed on a single lot within this district.

**In accordance with NH RSA 676:5 and Section 26.2 of the LDC, any aggrieved party may appeal this decision to the Zoning Board of Adjustment within 30 days of the date of decision.**

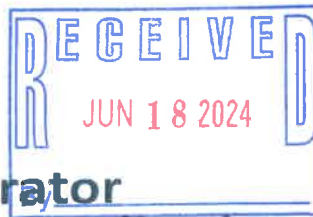
If you have any questions about this decision, please do not hesitate to contact me at (603) 352-5440. Please be aware that this is not an approval for a specific development, and planning approval and/or building permits may still be required.

Thank you,

Michael Hagan  
Acting Zoning Administrator/ Plans Examiner



City of Keene, NH



|                             |             |
|-----------------------------|-------------|
| <b>For Office Use Only:</b> |             |
| Case No.                    | ZBA-2024-20 |
| Date Filled                 | 6/18/24     |
| Rec'd By                    | MB          |
| Page                        | 1 of 4      |
| Rev'd by                    |             |

# Zoning Administrator Written Interpretation Application

If you have questions on how to complete this form, please call: (603) 352-5440 or email: [communitydevelopment@keenenh.gov](mailto:communitydevelopment@keenenh.gov)

## SECTION 1: CONTACT INFORMATION

I hereby certify that I am the owner, applicant, or the authorized agent of the owner of the property upon which this appeal is sought and that all information provided by me is true under penalty of law. If applicant or authorized agent, a signed notification from the property owner is required.

### OWNER / APPLICANT

NAME/COMPANY: Jared Goodell

MAILING ADDRESS:

PHONE:

EMAIL:

SIGNATURE: see attached letter for signature

PRINTED NAME:

### APPLICANT (if different than Owner/Applicant)

NAME/COMPANY: Tailfeather Strategies

MAILING ADDRESS: PO Box 283, Keene, NH

PHONE: 603-903-3677

EMAIL: gsh@georgehansel.com

SIGNATURE:

PRINTED NAME: George Hansel

### AUTHORIZED AGENT (if different than Owner/Applicant)

NAME/COMPANY:

MAILING ADDRESS:

PHONE:

EMAIL:

SIGNATURE:

PRINTED NAME:

## SECTION 2: PROPERTY INFORMATION

Property Address: 57 Marlboro St. and 3 Aliber Pl.

Tax Map Parcel Number: 590-093-000 and 590-092-000

Zoning District: ~~Zoning Districts~~ DT-E and RP

Lot Dimensions: Front:                      Rear:                      Side:                      Side:

Lot Area: Acres:                      Square Feet:

% of Lot Covered by Structures (buildings, garages, pools, decks, etc): Existing:                      Proposed:

% of Impervious Coverage (structures plus driveways and/or parking areas, etc): Existing:                      Proposed:

Present Use: single-family and multi-family

Proposed Use: single-family, duplexes, and multi-family

## SECTION 3: WRITTEN NARRATIVE

**Article 25.5.4.A.:** Describes the property location and owner of the subject property if the question of interpretation relates to a specific tract of land.

see attached

## SECTION 4: ZONING INTERPRETATION REQUEST

A written interpretation is requested from Article (s) 8.3.1-E, 8.1.3 of the Zoning Regulations

**Article 25.9.4.C:** An explanation of the zoning question or issue for which the applicant is seeking an interpretation and any supporting documentation. (use additional sheets if needed)

see attached

## SUBMITTAL REQUIREMENTS

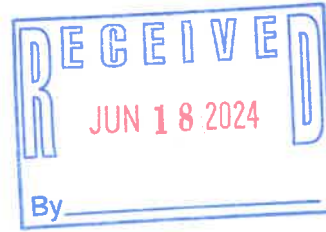
A complete application must include the following items and submitted by one of the options below:

- **Email:** communitydevelopment@keeneh.gov, with "ZBA APPLICATION" in the subject line
- **Mail / Hand Deliver:** Community Development (4th Floor), Keene City Hall, 3 Washington St, Keene, NH 03431

The submittal requirements of a Zoning Administrator Written Interpretation are outlined further in **Article 25.9** of the [Land Development Code](#).

|   |   |
|---|---|
| <input checked="" type="checkbox"/> <b>WRITTEN NARRATIVE:</b><br><i>This narrative is an explanation of the zoning question or issue for which the applicant is seeking an interpretation and any supporting documentation.</i> | <input checked="" type="checkbox"/> <b>ZONING INTERPRETATION REQUEST:</b><br><i>This narrative describes the property location and owner of the subject property if the question of interpretation relates to a specific tract of land.</i> |
| <input checked="" type="checkbox"/> <b>SECTION OF ZONING REGULATION:</b><br><i>Section from which a written interpretation is requested.</i>  | <input type="checkbox"/> <b>APPLICATION FEE:</b> <i>Waived per Jesse Rounds</i><br><i>\$125 (checks made payable to City of Keene, credit cards accepted via phone or in person)</i>  |





6/14/2024

City of Keene, Community Development Department  
3 Washington St., Keene, NH 03431  
Attn: Michael Hagen, Acting Zoning Administrator

Re: Use determination for 3 Aliber Pl and 57 Marlboro St development

Administrator Hagen,

Tailfeather Strategies, on behalf of property owner Mr. Jared Goodell, submit the following information to aid in making a use determination for a proposed development on the lots located at 3 Aliber Place (TMP#: 590-092-000-000-000), and 57 Marlboro Street (TMP#: 590-093-000-000-000).

We offer the following responses to the criteria outlined in Section 8.2.7 of Keene's Land Development Code:

1) *How the proposed use aligns with the intent of the zoning district.*

The proposed development will add (3) two-family structures to a currently vacant section of 57 Marlboro Street. 3 Aliber Place and 57 Marlboro Street will be impacted by the planned development; However, the use will not change. No commercial uses are proposed for either parcel.

3 Aliber Place is in the Residential Preservation (RP) zoning district. While this parcel will be voluntarily merged with 57 Marlboro Street, the existing single-family home will remain. This is consistent with the intent of the RP district that strives to "return this area of the of the City to neighborhoods composed predominantly of moderately dense single-family residential development".

57 Marlboro Street is in the Downtown Edge (DT-E) zoning district. This district is meant to "provide for a heterogeneous mix of commercial and residential uses and varied development forms...". The planned development will add (3) two-family structures to a currently vacant section of the lot. No change of use is expected for the existing 3-family home. Abutters to these properties include a commercial office building and multi-family residential structures. Within a 300' radius of the subject properties, existing commercial uses include: a bank, a neighborhood grocery store, a funeral home, and a restaurant.

The proposed development will serve to enhance the intent of the DT-E zoning district, adding more housing units to an already diverse mixed-use neighborhood. Along with amenities in the immediate vicinity, this parcel is connected to Main Street and downtown by approximately 400' of sidewalk. This will allow residents to have easy access to the commercial heart of



Keene. The parcels are less than a ¼ mile from the rail trail for recreation and safe biking opportunities.

- 2) *The actual or projected characteristics of the proposed use.*  
The proposed use is residential and will create living units that will represent a walkable development that compliments the existing uses in the neighborhood.
- 3) *The relative amount of site or floor area and equipment devoted to the proposed use.*  
Both parcels have existing residential structures providing a total of 2,538 square feet of living space and (4) total units of housing. The planned development will add (3) structures to the site representing (6) new units of housing and a combined 1,920 square feet of living space.
- 4) *The anticipated impacts (e.g. noise, sewer/ water demand) of the proposed use on the surrounding environment, abutting properties, city infrastructure, and city services.*  
The planned development will add (6) units of single-bedroom housing. Each unit will be 320 square feet and connected to city water and sewer. This will increase the current demand for water/sewer service in the area. A marginal increase in vehicle trips is also expected.
- 5) *The anticipated number of employees.*  
No commercial uses are planned as part of this development.
- 6) *Hours of operation*  
No change of use is being proposed. Hours of operation will be consistent with existing residential use.
- 7) *Types of vehicles used and their parking requirements.*  
New one-bedroom residences will be assigned 1 parking space per unit. Residents are expected to have standard passenger vehicles. Public two-hour parking is available along Marlboro Street. Permitted overnight parking is available within a (10) minute walk in the Railroad Street garage.
- 8) *The number of vehicle trips generated.*  
According to the ITE, 10th Edition, Code 220 (Multifamily Housing [Low-Rise]), the project will have the following traffic impact:
  - In the AM Peak Hour, the 6 new dwelling units will result in an additional 4 external trips consisting of 1 entering trip, and 3 exiting trips.
  - In the PM Peak Hour, the 6 new dwelling units will result in an additional 5 external trips consisting of 3 entering trips, and 2 exiting trips.Note that, as defined by ITE, multifamily housing (low-rise) includes apartments, townhouses, and condominiums located in buildings with less than three (3) stories.





- 9) *Whether the activity is likely to be found independent of the other activities on the site.*  
We expect the proposed residential use to be found consistent with existing uses on the site.
- 10) *Any additional supporting information deemed necessary by the Zoning Administrator.*  
See draft site plan attached.

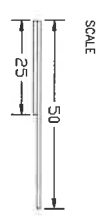
Please let me know if there are any clarifying questions or concerns.

Thanks and best regards,

  
George Hansel, Tailfeather Strategies

*Submitted with permission on behalf of:*

  
Jared Goodell, Property Owner



|   |  |           |  |       |  |     |  |
|---|--|-----------|--|-------|--|-----|--|
| Project   |  | Concept 1 |  | Sheet |  | 001 |  |
| Date  |  | 6/18/2024 |  | Scale |  |     |  |
| Project Name and Address                          |  |           |  |       |  |     |  |
| 57 Marlboro Street<br>Keene, NH                   |  |           |  |       |  |     |  |
| Title/Author/Designer                             |  |           |  |       |  |     |  |
| Taddeus Strangas<br>PO Box 283<br>Keene, NH 03431 |  |           |  |       |  |     |  |
| No.   |  |           |  |       |  |     |  |
| Revision/Date                                     |  |           |  |       |  |     |  |
| Date  |  |           |  |       |  |     |  |
| General Notes                                     |  |           |  |       |  |     |  |