

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

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

**Monday, February 22, 2021**

**6:30 PM**

**Remote Meeting via Zoom**

**Members Present:**

Pamela Russell Slack, Chair  
David Orgaz, Vice Chair  
Mayor George Hansel  
Councilor Michael Remy  
Roberta Mastrogiovanni  
Emily LaVigne Bernier  
Harold Farrington, Alternate  
Gail Somers (arrived late)  
Andrew Weglinski (arrived late)

**Staff Present:**

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

**Members Not Present:**

Tammy Adams, Alternate

**I. Call to Order – Roll Call**

Chair Russell Slack began by reading Emergency Order #12, issued by the Governor of the State of New Hampshire pursuant to Executive Order #2020-04, which indicates that certain provisions of RSA 91-A regulating the operation of public body meetings have been waived during the declared COVID-19 State of Emergency.

Chair Russell Slack called the meeting to order at 6:30 PM and roll call was taken. Harold Farrington was recognized as a voting member on the Board.

**II. Election of Planning Board Steering Committee Member**

Community Development Director Rhett Lamb addressed the Board and explained when the Steering Committee was formed about three years ago it was decided in addition to the Chair and Vice Chair there should also be a third member on this committee. This committee meets once a month on the 2<sup>nd</sup> Tuesday at 11 am. They meet before the advertisement of applications for the next agenda. It is also a quick review of what is going to be on the agenda.

A motion was made by Mayor George Hansel to nominate Gail Somers as the third member of the Steering Committee. The motion was seconded by Councilor Michael Remy and was unanimously approved by roll call vote.

**III. Minutes of Previous Meeting – January 25, 2021**

A motion was made by Mayor George Hansel to accept the January 25, 2021 minutes. The motion was seconded by Councilor Michael Remy and was unanimously approved by roll call vote.

**IV. Public Hearings:**

- A. Amendments to the Planning Board Regulations: The Planning Board proposes to amend its Development Standards and the Keene Site Plan & Subdivision Regulations by incorporating these regulations into Articles 19, 20, and Sections 25.10 through 25.14 of the proposed City of Keene Land Development Code (see Ordinance O-2020- 10A). Proposed amendments to these regulations include but are not limited to changes to the landscaping, lighting, screening, noise, and architecture and visual appearance development standards, changes to the standards and process for conservation residential development subdivisions, changes to the thresholds for site plan review, and the establishment of a Minor Project Review Committee in accordance with NH RSA 674:43(III) to review and decide on minor site plan application.**

Senior Planner Tara Kessler addressed the Board first and reminded the Board these amendments to the Board's site plan and subdivision regulations are something the Board has been reviewing for the past six months at the Joint Committee.

Ms. Kessler went on to say that the Joint Committee concluded its public workshop on February 8. The current phase is for public hearings to be held by the boards that have authority over specific sections of the land use regulations such as the Planning Board and Historic District Commission. At the conclusion of these public hearings, an amended version of O-2020-10 and O-2020-11 will go before the City Council for a public hearing and then a final vote by the City Council on the Ordinances.

Ms. Kessler explained one of the biggest changes is the consolidation of the Planning Boards Site Plan and Subdivision Regulations and Development Standards into the proposed Land Development Code. By consolidating the Planning Board's regulations into the Land Development Code ultimately how these regulations would be amended into the future would be different as the City Council would have the final vote on the proposed amendments. The Planning Board would still need to vote on any amendments, however,

Ms. Kessler stated that she would be giving a high level overview of the proposed changes. All materials are included in the meeting packet, and if the Board or members of the public would like more information, she is prepared to provide it upon request.

She reviewed some of the major changes proposed to the subdivision regulations. She indicated subdivisions are not often associated with new development and are primarily a

reconsolidation of lot lines. With the proposed code there will be a standalone chapter for Subdivision Regulations, some changes to Conservation Residential Subdivisions as well as consolidation of standards for Conservation Residential Development Subdivisions which is currently in two locations.

Ms. Kessler went on to review the major changes proposed to the Site Development Standards. The Board currently has 19 Site Development Standards. Under the proposed Land Development Code there are amendments proposed to landscaping, lighting, screening, noise, and architectural and visual appearance standards. Traffic Standards and Comprehensive Access Management would be merged into one standard, as well as Surface Water Standards with Wetlands. Floodplain, air quality, and stump dump standards have been removed, however there would still be regulations that need to be adhered to with respect to these standards.

Ms. Kessler stated there was a question raised at the December Joint Committee meeting as to whether solar systems would be subject to the proposed screening standards. Solar systems are different than traditional mechanical systems such as roof mounted HVAC systems. As a result staff proposes the following new standards to be added to Article 20 Screening Standards that are specific for solar systems that are roof-mounted, small-scale (less than 2000 square feet), and accessory solar energy systems:

- In order to minimize visual impacts, colors of roof-mounted solar energy system equipment and assemblies shall either be muted or shall match nearby materials and colors.
- Roof mounted solar photovoltaic systems on pitched roofs shall be on the same plane as the roof.
- All supplementary equipment and supply lines shall be placed in inconspicuous locations and/or concealed from view with architectural elements (e.g. downspouts) or other screening.

Mr. Lamb added these standards apply only to projects that require site plan review and would not be applied to solar energy systems accessory to single and two family dwellings.

Ms. Kessler went on to say the biggest change as it relates to the Planning Board process; is the establishment of the Minor Project Review Committee which is allowed by NH RSA 674:43,III. This committee will review minor site plan review applications. The committee will consist of members of staff. Staff sees this as an opportunity to streamline some of the minor projects and to create a faster timeline for review. The projects that go before this committee will be publicly noticed, abutters will be required to be noticed.

Ms. Kessler went on to say at the present time any new building over 1,000 square feet automatically goes before the Planning Board for review. The new proposal is for any new structure between 1,000 – 5,000 square feet to go before the Minor Project Review Committee and anything over that will go before the Planning Board.

Additions to an existing building that are proposed to be between 10 and 15% of the gross floor area of the existing building would go before the Minor Project Review Committee and anything over that would go before the Planning Board.

If there is an estimated traffic impact of over 100 trips per day or 50 trips per hour, the proposal would go before the Planning Board and anything less than that would be at the discretion of the Community Development Director as to whether it warrants review by the Minor Project Review Committee or should be reviewed administratively.

Projects proposing greater than 10,000 square feet of contiguous impervious surface would go before the Planning Board for major review, anything less than that would be at the discretion of the Community Development Director as to whether it warrants review by the Minor Project Review Committee or should be reviewed administratively. Similarly, projects proposing land disturbance of one acre or greater of disturbance would go before the Planning Board for major review, anything less than that would be at the discretion of the Community Development Director as to whether it warrants review by the Minor Project Review Committee or should be reviewed administratively.

Proposed change of use would be at the discretion of the Community Development Director as to whether it warrants review. Similarly other proposed modifications to a site would be at the discretion of the Community Development Director as to whether they warrant review and at what level.

Ms. Kessler noted the primary benefit of establishing the Minor Project Review Committee is it provides a faster timeline for review for smaller scale projects. Major Project applications are currently submitted 26 business days before the Planning Board meeting. There is review between city staff and the applicant before the item comes before the Board. There are also staff reports providing a review of the application. With the Minor Project Review Committee Public, the only way to fast track the process is if the staff process before the Public hearing is taken out.

Hence the applications for minor project will be submitted 9 business days prior to Committee meeting, and the proposal is for this Minor Project Review Committee, which would consist of city staff, to meet two cycles a month. If it is a straightforward application, it is likely going to be approved at the first meeting. If a project needs to be continued, it would be heard again two weeks from that date.

The Planning Board has a 65 day decision deadline. The Minor Project Review Committee would decide on applications within 60-days and the appeal timeframe would be 20-calendar days after decision is issued and that appeal would be to the Planning Board. This committee cannot act on site plan applications where a waiver is request from the standards or a conditional use permit is required.

Ms. Kessler went on to say any item that does not fall under minor site plan or major site plan would still be conducted administratively. These applications need to be decided on within 14 days of complete application submittal. This concluded staff's presentation.

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

Mayor Hansel stated this item represents a lot of work from staff. He indicated the lack of questions is not an indication this item has not been reviewed. He stated he is happy with the work staff has put into this project. Chair Russell Slack commended staff's work on this project as well.

With that a motion was made by Mayor George Hansel to amend the Planning Board's Site Plan & Subdivision Regulations and Development Standards by consolidating these regulations into Articles 19, 20, and Sections 25.10 through 25.14 of the City of Keene Land Development Code as proposed in Ordinance O-2020-10A including the proposed screening standards for solar energy systems. Such amendments of consolidation will not become effective until the City of Keene Land Development Code takes effect. The motion was seconded by Gail Somers and was unanimously approved by roll call vote.

Ms. Kessler thanked the Planning Board for all their work on these regulations and the land development code project. She went on to say in order to formalize this ordinance there is one final step; each member of the Planning Board would need to come into City Hall and sign off on a document to certify these amendments.

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

Mr. Lamb extended his appreciation to the Board and all the effort the Board has put into this item.

#### **VI. New Business**

None

#### **VIII. Upcoming Dates of Interest**

- Planning Board Steering Committee – March 9, 11:00 AM
- Planning Board Site Visit – March 17, 8:00 AM – To be confirmed
- Planning Board Meeting – March 22, 6:30 PM

The meeting adjourned at 7:09 PM.

Respectfully submitted by,  
Krishni Pahl, Minute Taker

Reviewed and edited by: Tara Kessler, Senior Planner