



City of Keene Planning Board

AGENDA - AMENDED

Monday, October 24, 2022

6:30 PM

City Hall, 2nd Floor Council Chambers

- I. **Call to Order** – Roll Call
- II. **Minutes of Previous Meeting** – September 26, 2022
- III. **Final Vote on Conditional Approvals**
- IV. **Public Hearings**

SPR-11-16, Modification #10 – Site Plan – Covenant Living Site Modifications, 95, 100, & 118 Wyman Rd - Applicant SVE Associates, on behalf of owner Covenant Living of Keene, proposes site modifications including the creation of an on-site pedestrian walkway and sidewalks, two crosswalks, and the relocation of seven street trees and fourteen shrubs on their properties at 95 Wyman Rd (TMP #221-019-000), 100 Wyman Rd (TMP #221-018-000), and 118 Wyman Rd (TMP #210-010-000). These properties are a combined 67 acres in size and are located in the Rural District.

CLSS-CUP-01-22 – Congregate Living & Social Service Conditional Use Permit – Unity House, 39 Summer St - Applicant The Home for Little Wanderers, on behalf of owner William K. Schofield, proposes to operate a Small Group Home on the property located at 39 Summer St (TMP #568-037-000). A waiver is requested from Sec. 25.14.7.A of the Land Development Code regarding the requirement to submit a complete plan set stamped and signed by a NH licensed engineer or architect. The site is 0.40 acres in size and is located in the Downtown Transition District.

- V. **Staff Updates**
 - a. Downtown Infrastructure Improvement and Reconstruction Project

VI. **New Business**

VII. **Upcoming Dates of Interest – August 2022**

- Joint Committee of the Planning Board and PLD – November 14, 6:30 PM
- Planning Board Steering Committee – November 15, 11:00 AM
- Planning Board Site Visit – November 23, 8:00 AM – To Be Confirmed
- Planning Board Meeting – November 28, 6:30 PM

1 **City of Keene**
2 **New Hampshire**

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4
5 **PLANNING BOARD**
6 **MEETING MINUTES**
7

8 **Monday, September 26,**
2022

6:30 PM

Council Chambers,
City Hall

Members Present:

Pamela Russell-Slack, Chair
David Orgaz, Vice Chair
Mayor George S. Hansel
Councilor Michael Remy
Emily Lavigne-Bernier
Armando Rangel
Harold Farrington
Randyn Markelon

Staff Present:

Mari Brunner, Senior Planner
Evan Clements, Planner

Members Not Present:

Roberta Mastrogiovanni
Kenneth Kost, Alternate
Gail Somers, Alternate
Tammy Adams, Alternate

9
10 **I) Call to Order – Roll Call**

11
12 Chair Russell-Slack called the meeting to order at 6:30 PM and a roll call was taken.
13

14 **II) Minutes of Previous Meeting – August 22, 2022**

15
16 A motion was made by Mayor George Hansel that the Planning Board approve the August 22,
17 2022 meeting minutes. The motion was seconded by Councilor Michael Remy and was
18 unanimously approved.
19

20 **III) Final Vote on Conditional Approvals**

21
22 Senior Planner, Mari Brunner, stated that this is the first time the Board is casting a final vote on
23 a conditionally approved site plan. She explained that the recent City of Dover NH Supreme Court
24 Case has changed how things are done. Going forward, once the conditions of approval have been
25 met, the Board will be making a final vote on site plans and subdivision applications. The item
26 before the Board tonight is Site Plan application, SPR-898 Modification #1, for the construction
27 of an addition to the existing EVS Metal building at 50 Optical Ave (TMP #241-007-000). The
28 conditions of approval for this application are owner's signature on the plans and the submittal of

29 a security for landscaping, erosion control and as built plans. These two conditions have been met,
30 so staff is requesting final approval for the project, which would permit the Chair to sign the final
31 plans and start the 30 day clock for the appeal process for abutters.

32
33 A motion was made by Mayor George Hansel that the Planning Board issue final approval for
34 SPR-898 Modification #1, as all conditions have been met. The motion was seconded by Councilor
35 Michael Remy and was unanimously approved.

36
37 **IV) Boundary Line Adjustment**

38
39 **S-09-22 – Boundary Line Adjustment – 24 & 28 Salisbury Rd** - Applicant Doucet Survey
40 LLC, on behalf of owners Michael J. Miles & the Zecha 2021 Rev. Family Trust, proposes
41 a boundary line adjustment between the properties located at 24 Salisbury Rd (TMP# 563-
42 010-000) and 28 Salisbury Rd (TMP# 563- 011-000). This adjustment would result in a
43 transfer of 0.04-ac from the 0.47-ac parcel at 24 Salisbury Rd to the 0.29-ac parcel at 28
44 Salisbury Rd. Both properties are located in the Low Density District

45
46 **A. Board Determination of Completeness**

47 Planner, Evan Clements, stated that the Applicant requests exemptions from submitting separate
48 Existing and Proposed Conditions Plans, a Grading Plan, a Landscaping Plan, a Lighting Plan, and
49 Technical Reports. After reviewing this application, staff have determined that exempting the
50 Applicant from submitting this information would have no bearing on the merits of the application
51 and recommend that the Board accept the application as complete.

52
53 A motion was made by Mayor George Hansel to recommend that the Board accept application S-
54 09-22 as complete. The motion was seconded by Councilor Michael Remy and was unanimously
55 approved.

56
57 **B. Public Hearing**

58 Mr. Alec Kurowski, project manager for Doucet Survey, addressed the Board and stated that this
59 is a straight forward boundary line adjustment. He explained that the Zechas purchased a 0.04 acre
60 parcel of land from the Miles' on the common line between the two houses. Mr. Kurowski stated
61 that all aspects of this application comply with the Board's Land Development Code for the Low
62 Density District. This concluded Mr. Kurowski's presentation.

63 Staff comments were next. Mr. Clements stated that as the applicant had noted, 0.04 acres of land
64 is being transferred from 28 Salisbury Road (TMP #563-011-000) to 24 Salisbury Road (TMP
65 #563-010-000). Mr. Clements stated that most of the Site Development Standards don't apply to
66 this application. He further stated that as Ms. Brunner had mentioned previously, conditions of
67 approval are not a single meeting issue anymore. In this case, the Applicant requested to bring a
68 check for recording fees and final plans for signature. Staff's recommendation is to approve this
69 application with no conditions.

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

71 **C. Board Discussion and Action**

72 A motion was made by Mayor George Hansel that the Planning Board approve S-09-22, as shown
73 on the plan identified as “Lot Line Adjustment Plan for Zecha 2021 Revocable Family Trust and
74 Michael J. & Christine A. Miles of Tax Map 563 Lots 10 & 11 28 & 24 Salisbury Road Keene,
75 New Hampshire” prepared by Doucet Survey, LLC at a scale of 1”=20’, dated August 18, 2022
76 and last revised September 2, 2022.

77 The motion was seconded by Councilor Remy and was unanimously approved.

78 **V. Continued Public Hearing**

79

80 **S-04-22 – Conservation Residential Development Subdivision & SPR-04-22 – Site**
81 **Plan – 0 Drummer Rd** – Applicant and owner Christopher Farris proposes to subdivide
82 the 13.1-ac parcel located at 0 Drummer Rd (TMP #515-015-000-000-000) into 6 lots and
83 construct 5 multi-family buildings. Four of the lots are proposed to be developed into 5-
84 unit multifamily residences, one lot is proposed to be developed as a 6-unit multifamily
85 residence, and the remaining lot would be conserved as open space. The developable lots
86 are proposed to have access from Timberlane Dr via a shared private driveway and vary in
87 size from 0.3 to 1.2 acres. The open space lot is 9.5 acres. Waivers are requested from
88 Section 25.10.8.B.2 of the Land Development Code regarding the requirement to prepare
89 a survey that shows all metes and bounds of the revised parcels, Section 20.14.3.D
90 regarding the requirement that all off-street parking be located to the side or rear of
91 buildings, and Section 19.3.5.A.3.a regarding the requirement that all structures be
92 accessed from interior streets. The site is in the Low Density District.

93

94 Ms. Brunner noted that pages 24 and 25 of the Board’s packet include a memo that explains the
95 reason for the continuance and the applicant’s request to continue this application to the Board
96 meeting scheduled for Monday, November 28th.

97

98 A motion was made by Mayor George Hansel that the Planning Board continue this public hearing
99 to the November 28, 2022 Planning Board meeting. The motion was seconded by Councilor
100 Michael Remy and was unanimously approved.

101

102 **V) Public Hearings**

103

104 **SPR-16-14, Modification #8 – Site Plan – Mint Carwash, 435 Winchester St** – Applicant
105 and owner MOC76 Realty Co. LLC proposes to modify the Mint Carwash site located at
106 435 Winchester St (TMP #115-029-000-000-000) by reconfiguring the parking and reducing
107 the width of the Wetmore St curb cut for the former Ocean Harvest Restaurant. A waiver is
108 requested from Sec. 20.14.3.D of the Land Development Code to allow for parking with
109 vacuum stations in front of the building. This parcel is 1.33 ac in size and is located in the
110 Industrial, Commerce, and High Density Districts

111

112 **A. Board Determination of Completeness**

113 Ms. Brunner stated that the applicant has requested exemptions from providing a traffic report,
114 drainage report, soils report, and architectural elevations. Staff recommend that the Board grant
115 the requested exemptions and accept the application as complete.

116

117 A motion was made by Mayor George Hansel to recommend the Board accept Application SPR-
118 16-14, Modification #8 as complete. The motion was seconded by Councilor Michael Remy and
119 was unanimously approved.

120

121 B. Public Hearing

122 Mr. Jim Phippard addressed the Board on behalf of the owner, MOC76 Realty Co. LLC. Mr.
123 Phippard stated that an earlier plan with conditions was approved by the Board in November 2021
124 as part of SPR-16-14, Modification #7. However, signing of the final plan was missed, which
125 meant that the applicant's conditional site plan approval expired in May 2022. In April, the
126 contractor applied for a building permit, which was issued. Mr. Phippard took this to mean that
127 the plan had been signed, which was not the case. Hence, the plan before the Board today is a plan
128 that has been completely constructed.

129

130 Mr. Phippard stated that when he realized they did not have a signed site plan, he attempted to
131 obtain a waiver and looked for ways to avoid coming back to the Board for approval; however, the
132 City Attorney felt that there was no way around it because the time frame for signing the plan had
133 expired. Hence, he is before the Board asking the Board to approve a site plan that has already
134 been constructed but includes changes to the curb cut on Wetmore Street. He explained the vacuum
135 stations used to be located at the front of the car wash tunnels, but the applicant felt moving the
136 vacuums would be better for traffic circulation. Mr. Phippard stated that he applied for a waiver to
137 allow the parking spaces associated with the vacuum pumps to be located at the front of the
138 building line. He noted that the Board's regulations call for parking to be located to the side or rear
139 of a site and noted that this waiver was granted as part of the original approval in November 2021
140 He explained that he is requesting that this waiver be approved again, as this configuration works
141 well for customers entering and exiting the site.

142

143 Mr. Phippard stated that they also made some changes to landscaping, which were not part of the
144 previous plan. Based on availability, the new species of landscaping to be planted includes
145 Colorado Spruce, a different type of Maple tree, and other shrubs and plantings to serve as
146 additional screening for the vacuums stations from Winchester Street.

147

148 Mr. Phippard went on to say that this site used to be three separate lots. The carwash is in the
149 Industrial District, the former Ocean Harvest Restaurant was in the Commercial District, and the
150 site to the rear was in the High Density District. The lots were merged in March 2022 and satisfy
151 all setback requirements and lot coverage requirements. He noted even though the property is still
152 in three separate zones it is now compliant with all zoning requirements. Because the lot coverage
153 was reduced, the applicant felt there was no need to submit a drainage report. A new infiltration
154 area is being added to the site and another large green space provides flood storage. The applicant
155 was required to provide compensatory flood storage, as this entire section of Winchester Street is
156 in the 100 year flood zone. When the restaurant was removed and the basement was filled in, Code
157 Enforcement Staff determined that compensatory flood storage needed to be provided.

158

159 Lighting has not changed; it is as was previously approved. The item that is not 100% completed
160 are the speed bumps. Mr. Phippard stated the speed bumps been ordered, but noted that they are
161 not in yet. The speed bumps are for the two curbs cuts onto Wetmore Street in an attempt to slow
162 traffic coming out of the neighborhood. This concluded Mr. Phippard's comments.

163
164 Staff comments were next. Ms. Brunner stated all conditions exception for the installation of speed
165 bumps have been met. This concluded staff comments.

166
167 The Chair asked for public comment. Chris Drakiotes of Wetmore Street addressed the Board and
168 reiterated the need for speed bumps and asked that it be made a requirement. He added if there are
169 no other changes to the plan since the last time he was before the Board, he has no objections. Mr.
170 Phippard stated there are no physical changes except for change to plant species. He reiterated the
171 addition of the speed bumps.

172
173 Mr. Farrington asked what material the speed bumps are made of and how they are secured to the
174 ground. Mr. Phippard stated they are made of plastic and are drilled into the ground

175
176 Mayor Hansel stated he had no problem not including the speed bumps as a condition of approval,
177 as they are going to be included on the plan. The Chair agreed.

178
179 With no further comment, the Chair closed the public hearing.

180
181 C. Board Discussion and Action

182 A motion was made by Mayor George Hansel that the Planning Board grant a waiver from Section
183 20.14.3.D of the Land Development Code to allow for five parking spaces with vacuum stations
184 in front of the building; and approve SPR-16-14, Modification #8 for modifications to the Wetmore
185 Street curb cut and site, as presented in the plan set identified as “Proposed Two Bay Car Wash,
186 435 Winchester St. Keene, NH” prepared by Brickstone Land Use Consultants at a scale of 1 inch
187 = 20 feet on September 19, 2014 and last revised on September 6, 2022 with the following
188 conditions precedent to final approval and signature by the Planning Board Chair:

- 189
190 1. Owner’s signature appears on the plan.
191 2. Submittal of five (5) full size paper copies and a digital copy of the final plan set.

192
193 The motion was seconded by Councilor Remy and was unanimously approved.

194
195 **CLSS-CUP-01-21, Modification #1** – Congregate Living & Social Service Conditional
196 Use Permit – Monadnock Area Peer Support Agency, 32-34 Washington St #Rear -
197 Applicant and owner Monadnock Area Peer Support Agency proposes to modify
198 Conditional Use Permit CLSS-CUP-01-21 to include an outdoor activity area. The 0.28-ac
199 property is located at 32-34 Washington St #Rear (TMP #568-058-000-000-000) and is
200 located in the Downtown Core District.

201
202 A. Board Determination of Completeness

203 Ms. Brunner stated that the applicant has requested exemptions from submitting an existing
204 conditions plan, a grading plan, a landscaping plan, a lighting plan, building elevations, and all
205 technical reports. Staff recommends the Planning Board grant the requested exemptions and accept
206 the application as complete.

207

208 A motion was made by Mayor George Hansel to recommend the Board accept Application CLSS-
209 CUP-01-21, Modification #1 as complete. The motion was seconded by Vice-Chair Orgaz and was
210 unanimously approved.

211
212 B. Public Hearing

213 Ms. Christine Allen addressed the Board on behalf of Monadnock Area Peer Support and stated
214 that they purchased this building two years ago and have been utilizing the parking lot for their
215 clients to take a break. She indicated that they were completely unaware that they were in violation
216 of the Land Development Code and apologized. She indicated that she assumes this was because
217 she had purchased 12 colorful Adirondack chairs and noted that this may have drawn some
218 attention to the site.

219
220 Ms. Allen explained that their agency serves 488 individuals within the community who have
221 experienced various forms of trauma and many of their clientele are smokers. If there is no
222 smoking area on the site, then they are likely to go across the street placing undue burden on the
223 neighborhood. She noted that the smoking area is not within 25 feet of any abutters and stated that
224 she is surprised at the complaint.

225
226 Ms. Allen stated they have contacted their architect, Tim Sampson, and have come up with a plan
227 to remedy this situation by placing two 20-foot fences on wheels to make for ease of moving. The
228 fence would be painted white and there is a nine foot picnic table that they would also place
229 outside. Ms. Allen stated this arrangement would result in the loss of two parking spaces. The
230 fence would obscure any passersby from seeing people outside smoking. The same exact fencing
231 will also be located at the corner of the 911 dispatch area. She felt this is the best solution they
232 have.

233
234 Ms. Allen went on to say their clientele are in recovery most have undergone trauma and their
235 agency is serving an incredible need in the community. She added their membership population
236 had been good about respecting their boundaries and respecting the neighborhood. They are saving
237 lives every day and felt it was necessary to have a smoking section for these individuals.

238
239 Councilor Remy asked whether the fencing would be secured. Ms. Allen stated there is already a
240 hole in the ground that had a street sign, the sign will be removed and a wooden structure will be
241 installed to hold the fence steady. When it is not in use it can be rolled to be flush with the wall.
242 Every Tuesday, Keene Housing Authority has Waste Management pick up trash at 6 am, so it is
243 necessary for this fence to be able to swivel for the truck to access the trash receptacles.

244
245 Ms. Lavigne-Bernier clarified the same would be the case for plowing. Ms. Allen agreed it would.

246
247 Staff comments were next. Ms. Brunner addressed the Board and stated Monadnock Peer Support
248 Agency received a conditionally approved conditional use permit from the Planning Board in
249 January 2022. They also received an extension and hence still need to meet their conditional
250 approval to receive a Congregate Living & Social Service License from Congregate Living &
251 Social Services Licensing Board. The initial approval is still pending. The request before the Board
252 today is to modify the initial approval they received to add an outdoor activity area. Previously,
253 when the conditional use permit was granted by the Board, it was stated by the applicant that there

254 would not be any outdoor areas; this was reflected in their narrative, the staff report, and the
255 minutes. This issue was brought to staff’s attention through a complaint that people were outside
256 smoking and gathering.

257
258 Ms. Brunner then went over the conditional use permit criteria that are relevant to this application.
259

260 ***15.2.C. The proposed use will be established, maintained, and operated so as to be harmonious***
261 ***with the surrounding area and will not impede the development, use, and enjoyment of adjacent***
262 ***property. In addition, any parking lots, outdoor activity area, or waiting areas associated with***
263 ***the use shall be adequately screened from adjacent properties and from public rights-of-way.***
264

265 Ms. Brunner stated the that applicant is proposing to have two separate outdoor activity areas; one
266 for smoking and for one nonsmoking, which is proposed to be screened by a six foot tall vinyl
267 fence. The fencing would be movable to access the area.
268

269 The next relevant standard is as follows:
270

271 ***15.2.D. The proposed use will be of a character that does not produce noise, odors, glare, and/or***
272 ***vibration that adversely affects the surrounding area.***
273

274 Ms. Brunner stated that the outdoor area is intended to create space smokers while remaining
275 enclosed to keep the smoke contained. This area is set back from the public right of way and from
276 any of the entrances to the building. Hence, this standard appears to be met.
277

278 Ms. Brunner added that this site is also in the Historic District, so the applicant would also need
279 HDC approval, which would take place after the Board makes its determination. This concluded
280 staff comments.
281

282 Councilor Remy referred to parking and asked whether any of the parking spaces are going to be
283 impacted. Ms. Brunner stated the applicant had indicated there will be a loss of two spaces. One
284 space is used by Keene Housing Authority and the other is used by staff. Ms. Brunner added this
285 agency also provides transportation for its clients.
286

287 Mr. Farrington clarified whether it would be a wooden fence or a vinyl fence. Ms. Brunner stated
288 the plans and application both say it would be a vinyl fence.
289

290 Mayor Hansel did not feel the fencing was necessary and wasn’t sure if there was a way to approve
291 this application without the requirement that a fence be installed, as he felt it might become
292 something too difficult for the applicant to manage. Ms. Allen stated she has noticed at different
293 sites in Keene, including the nursing home on lower Main Street, that there are residents who are
294 wheelchair bound and are wheeled to the end of the driveway to be able to smoke. She asked how
295 an issue such as this is handled in the downtown district and stated that she can’t help but feel that
296 this is the “not in my backyard” mentality that is causing the complaint. She questioned based on
297 the nature of the complaint whether or not there was anything that they can do to help the situation
298 without installing a fence.
299

300 Ms. Markelon stated that she didn't understand how a picnic table and a few chairs are considered
301 to be outdoor activity. Ms. Brunner in response stated in the initial application and at the hearing
302 it was clearly stated none of the residents would be outside for any reason except to exit and enter
303 the building. Because it was stated as such and it was indicated there would not be any outdoor
304 gathering spaces, when staff received the complaint and they looked at the regulations, it stated
305 that outdoor activity areas needed to be screened. This requirement is only for congregate living
306 and social service uses. Ms. Brunner added that the next option would be for the applicant to
307 request a variance from this standard, which has a high threshold for approval, as the applicant has
308 to prove hardship. It can also be an expensive process and would require several steps of approvals.
309

310 Ms. Allen indicated that as social workers, this is not their expertise and noted that she didn't quite
311 understand what they were writing as a narrative. She stated that may not have understood that
312 eating lunch outside or smoking outside is considered a meeting. The Mayor stated it would
313 ultimately be up to staff's interpretation of the ordinance. Ms. Brunner stated she had discussed
314 this item with the Zoning Administrator, who had indicated if the individuals were just standing
315 outside it would not be an issue, but having a picnic table and chairs and encouraging people to sit
316 and gather in a specific location is what seems to be the issue.
317

318 Councilor Remy stated that on the submitted plans it is labeled as an "exterior meeting area." Ms.
319 Allen stated they had submitted an amended plan. Ms. Brunner stated it was corrected in some
320 areas, but the main plan still says "exterior meeting area."
321

322 The Mayor stated he did not want to approve this application as it had been submitted and noted
323 that he understands that the applicant wants clarification as to what they can do on their property.
324 He stated that his suggestion would be to wait a month to see if a better solution could be arrived
325 at. However, if the applicant wants to move forward with the application as is, he is agreeable to
326 that as well. Ms. Allen stated that she is looking for long-term, sustainable solution to support her
327 membership and her staff. She stated this organization serves troubled individuals who are looking
328 for a community. She stated that she likes to know where her clients are and it is helpful to have
329 them in their parking lot. They have about 50 groups coming in each week and they can be very
330 difficult groups to have. She noted that at times those individuals need place to regroup and take a
331 breath and stated that smoking tends to be a healing process for some.
332

333 Chair Russell-Slack asked what was shown on the plan approved in January. Ms. Brunner stated
334 that it was just a parking space; there was no designated outdoor areas. Chair Russell-Slack
335 clarified that this complaint was driven by individuals smoking outside and not congregating
336 outside. Mr. Clements stated the complaint was specific that there were people gathering outside
337 and that the complainant knew there was not supposed to be an outside gathering area. The Chair
338 stated she was struggling with what the Board is asking this applicant to do – moving a fence
339 around in the middle of winter.
340

341 Councilor Remy stated that a fence won't look bad, but noted that he wasn't sure how easy it
342 would be to move around.
343

344 Mr. Clements stated that as part of the application, the Zoning Administrator did make a
345 determination that this is an outside meeting area and the only avenue the applicant has to challenge
346 the Zoning Administrator’s determination is to go before the Zoning Board of Adjustment (ZBA).
347

348 Ms. Markelon asked when the Zoning Administrator made this determination. Ms. Brunner stated
349 after the complaint came forward she reached out to the Zoning Administrator.
350

351 Chair Russell-Slack indicated to the applicant they have two options for tonight; the Board can
352 vote on what is before them or the applicant could go before the ZBA and appeal the Zoning
353 Administrator’s decision. Mr. Clements stated there was no risk in going before the ZBA and
354 appealing the Zoning Administrator’s decision. Explained that should that fail, they can always
355 come back before the Planning Board; unlike with a variance where if it is denied, they cannot ask
356 for the same variance again.
357

358 Ms. Allen asked if it was appropriate to ask for a temporary fix for individuals to go outside for a
359 few minutes even if it is not for smoking. The Board stated that was not an option for the applicant.
360 Ms. Allen stated she will advise her clients to go across the street to smoke.
361

362 Ms. Brunner noted if this item is approved today, they can also submit an appeal to the ZBA.
363 However, by the time the fencing is installed they are likely to have received an answer from ZBA.
364 Ms. Allen added if there is anything they can do to accommodate their neighbors; if they have
365 fallen short in any way, it is up to her to correct that and the membership is willing to do anything
366 they can to make everyone happy. The Chair stated that she didn’t feel this the applicant did
367 anything wrong but someone noticed the outside congregation and filed a complaint.
368

369 Ms. LaVigne-Bernier asked if the Board is saying the clients cannot even go and outside to smoke
370 without the furniture. Ms. Brunner stated she can have this clarified by the Zoning Administrator.
371

372 The Chair asked for public comment. With no public comment, the Chair closed the public hearing.
373

374 Ms. Brunner suggested if the Board approves the motion with conditions subsequent it would allow
375 the plans to be signed tonight. Councilor Remy asked whether the City Attorney has a preference
376 to what is referred to as subsequent versus precedent. Ms. Brunner explained usually a motion
377 would indicate submittal of a plan set with owner’s signature on the plan with conditions precedent
378 because a plan cannot be signed without that. However, in this case to move this matter forward it
379 could be conditions subsequent.
380

381 C. Board Discussion and Action

382
383 A motion was made by Mayor George Hansel approve Conditional Use Permit, CLSS-CUP-01-
384 21 Modification #1, for the addition of an outdoor activity area in the existing parking lot, as shown
385 on the plan identified as “Outside Gathering Space, Monadnock Area Peer Support Keene, NH
386 03431” prepared by Timothy Sampson Architects at varying scales and dated August 23, 2022,
387 with the following subsequent conditions:

- 388 A. Prior to signature by the Planning Board Chair, the following conditions subsequent
389 shall be met:

- 390 1. Owner’s signature appears on the plan.
391 2. Submittal of five full-size paper copies and one digital copy of the final plan.
392 B. The condition of approval for CLSS-CUP-01-21 shall remain in full force and effect.
393

394 The motion was seconded by Councilor Remy and was unanimously approved.
395

396 Vice-Chair Orgaz stated that he appreciates what this organization is doing for the community.
397

398 **SPR-870, Modification #2 – Site Plan** – Building Addition, 310 Marlboro St – Applicant and
399 owner 310 Marlboro St. LLC proposes to construct a 48,460 sf, three-story addition containing
400 57 apartments on the existing 86,689 sf, two-story building. In addition, the applicant proposes
401 site modifications including changes to parking, landscaping, and street access for the property
402 located at 310 Marlboro St (TMP# 595-001-000-000). The site is 4.25 ac in size and is
403 located in the Business Growth and Reuse District.
404

405 A. Board Determination of Completeness

406 Mr. Clements stated the applicant requests exemptions from submitting a grading plan and a
407 drainage report. After reviewing each request, staff has determined that exempting the applicant
408 from submitting this information would have no bearing on the merits of the application and
409 recommends that the Planning Board grant these exemptions and accept the application as
410 complete.
411

412 A motion was made by Mayor George Hansel to recommend the Board accept application SPR-
413 870, Modification #2 as complete. The motion was seconded by Vice-Chair Orgaz and was
414 unanimously approved.
415

416 B. Public Hearing

417 Mr. Randall Walter, owner of 310 Marlboro Street (TMP #595-001-000), addressed the Board. He
418 introduced his partner, Hilary Harris, who is also an architect. Mr. Walter stated he was before the
419 Board regarding the development of 310 Marlboro Street and noted there is clearly a shortage of
420 housing in this region. This proposal is to add 57 apartment units and the project will be in keeping
421 with the City of Keene’s sustainable and clean energy goals. Mr. Walter stated that there are local
422 businesses growing and thriving in this facility right now and noted that for this project, they will
423 be adding onto the existing building to provide housing without clearing any vegetation (they will
424 be moving just one tree). This will be high performance housing; all utilities will be supported by
425 renewable energy.
426

427 Mr. Walter explained on the plan that the existing building is a 60 foot steel structure built in 1947
428 to look like a brick mill building. It was built as a paint brush factory and operated as such for
429 about 30 years. It was then was purchased by Kingsbury and operated for another 20 years as
430 Kingsbury assembly. Being able to support additional floors is a unique characteristic of this
431 building. One end of the building fronts on Marlboro Street and the other onto the Rail Trail. To
432 the right is the HCS building, which is the same setback as the proposed housing. To the west is
433 the Kingsbury property.
434

435 Mr. Walter referred to the existing conditions plan. The existing building is sprinkled and the
436 addition would be as well. The proposal is to improve the existing paving, which comes with
437 drainage. Mr. Walter referred to the setback lines, which will continued to be preserved without
438 the need for a variance. Mr. Walter stated at a special session of the Zoning Board of Adjustment
439 (ZBA), he was granted a variance to build three additional stories of housing where previously one
440 story would have been allowed. The second variance was for a parking reduction of 49% based on
441 a traffic and parking analysis provided by a consultant. The ITE study shows there will be an
442 overlap of parking use (business versus residential) and the required number of parking spaces
443 would have been 258 spaces and the reduced number equates to 137 spaces.
444

445 Mr. Walter went on to explain that drainage and stormwater will continue to be handled similarly
446 to how they are currently. He then outlined some of the proposed site modifications, including the
447 proposal to relocate the main curb cut, which at the present time is centered at the middle of the
448 metal building. The plan is to move it 100 feet to the west, which would center it adjacent to all
449 the existing parking. He explained that this is not only a better curb cut location for this site, but
450 also for the neighbors across the street to reduce conflict with other drivers. This curb cut will
451 allow for entrance and exit onto the site; however, the curb cut to the east will be an “exit only”
452 curb cut to encourage the clockwise circulation of vehicles on site to reduce impact on the adjacent
453 property at 312 Marlboro Street, there is a shared easement in this area with the adjacent property
454 owner at 312 Marlboro Street. To also bring some organization for the different occupants of the
455 site, another proposed change is to add a drop off lane for the Charter High School to use.
456

457 The overall site remains the same. Snow storage would be as shown on the lower left corner of
458 plan. The plan is also to pull pavement back and give a better sense of landscaping. The only soil
459 disturbance would be the construction of the egress stair tower and elevator shaft. There will be
460 some utility trenching to bring water and sewer into the building. There are no wetlands or
461 hazardous or toxic material on this site. As far as noise during construction, this building will be
462 fabricated mostly off site transported as a panelized building to the site for fast construction, which
463 will reduce construction time by a third.
464

465 Mr. Walter referred to the screening, which is going to be skip/lap fencing and would be used for
466 the dumpster screening and for the loading dock area.
467

468 The lighting will be dark sky compliant, full cut-off lighting. There will be some residual light at
469 the setback line, but no light will be leaving the property line. Most of the lighting will be building-
470 mounted, but perimeter lighting will be needed to light some of the furthest parking area for safety.
471

472 Mr. Walter referred to the existing conditions plan. He felt that the addition being proposed would
473 enhance the look of the building. He added that they are trying to become a fossil fuel free location,
474 as they have eliminated the use of oil and are planning on eliminating the use of propane as well.
475 In that vein, they have contacted an artist from California who is going to be creating an outdoor
476 sculpture out of their 8,000 gallon outdoor tank. This would be his first installation in New
477 Hampshire. This concluded Mr. Walter’s comments.
478

479 Staff comments were next. Mr. Clements addressed the Board. Mr. Clements stated the site as it
480 exists now as a mixed use site; there are close to 40 businesses within the site, some are personal

481 services, a school, light manufacturing, and Mr. Randall is now proposing to add 57 residential
482 dwelling units. Staff’s review is of how this residential use is going to fit in with the existing uses.

483
484 Drainage – There will be very little impact. The applicant is proposing to reduce the net amount
485 of impervious surface.

486
487 Sedimentation and Erosion Control – There is going to be very little site work; there is no silt
488 fencing being proposed during site development.

489
490 Snow Storage and Snow Removal – The applicant has identified an area along the western
491 boundary for snow storage. As the snow melts, there are catch basins along the northern edge of
492 the property that the snow will run into. Hence, this standard appears to be met.

493
494 Landscaping – The applicant is proposing to remove and relocate an existing tree to make room
495 for the curb cut and install 24 new trees along the perimeter of the site, which will include seven
496 Sun Valley Red Maples, ten Green Vase Zelkova, and seven Starburst Amur Maackia.

497
498 Screening – The proposed site plan consists of both existing and new parking areas and drive
499 aisles. Section 9.1.2.E.1 states that, “*When any existing parking area is expanded, the design*
500 *standards in Section 9.4 shall apply to the new parking.*”

501
502 Section 9.1.2.E.2 states, “*Where the proposed expansion increases the number of existing spaces*
503 *by 100% or more, the design standards in Section 9.4 shall apply...* Mr. Clements stated the
504 applicant has indicated they are only adding a few more new spaces on the eastern and northern
505 sides of the building. He noted that these new spaces are not adjacent to any residential zoning
506 district and stated that the new parking area located to the north of the building is not visible from
507 the public right-of-way, so the screening standards don’t necessarily apply. However, he noted that
508 it would ultimately be up to the Board to decide if the tree locations would be sufficient screening.

509
510 Section 9.4.3.A of the LDC, which outlines the requirements for “Interior Parking Lot
511 Landscaping” states that, “*For parking lots of 10 or more parking spaces, either 1 tree at least 3-*
512 *in diameter as measured 6-in from the ground after planting, or groupings of 3 or more trees at*
513 *least 6-ft tall or 2-in diameter as measured 6-in above grade after planting, shall be required at*
514 *the ratio of 1 tree per 10 parking spaces.*” The applicant is proposing to provide 15 additional
515 parking spaces and install 24 new trees, which exceeds the number of trees required under this
516 standard. Mr. Clements noted this standard has been met.

517
518 As the applicant, noted the material for the dumpster screening would consist of skip/lap fencing.
519 Light would be able to come through but the dumpsters will not be visible. It is up to the Board to
520 determine if this standard has been met.

521
522 Lighting – The applicant has presented a new lighting plan to show that the light trespass has been
523 resolved. Mr. Clements stated staff has not seen this plan. Mr. Walter stated the plan is the same
524 as was submitted previously. He indicated that they misinterpreted what was the property boundary
525 versus the setback boundary and it appears the standard has been met, as there is zero light level
526 at the property boundary, but there is an allowable lighting level at the ten foot setback.

527
528 Mr. Clements went on to say the requirements for light fixtures require a color rendering index
529 grater that 70 and a color temperature of 3,500K or less. He noted that the product specification
530 sheet for one of the fixtures does not meet the 70 CRI requirement and will need to be replaced;
531 however, the rest of the fixtures meet the lighting standards.

532
533 Sewer and Water - The applicant states the site will be utilizing City water service and there is
534 sufficient capacity in the Marlboro Street water main to service the expanded use. In regards to
535 sewer, the applicant states that the existing tie-in to the Marlboro Street sewer main will be used
536 for the existing uses on site. The applicant stated that there is a second sewer connection point that
537 is currently not in use that will be connected for the use of the proposed housing addition. The
538 applicant has been working with Engineering Staff, who do not have a record of the second sewer
539 connection point; however, they are comfortable with this application proceeding with the
540 condition that sewer details shall be reviewed and approved by Engineering Staff prior to the
541 issuance of a building permit.

542
543 Traffic & Access Management - The westerly site access point is proposed to be shifted to the
544 west corner of the lot and remain the same size at the property line, but will include flared ends.
545 The existing easterly exit-only site access point is proposed to remain the same. Mr. Clements
546 suggested that the Board may wish to require signage that says this location is “exit only”. An
547 internal travel lane is proposed to be added in front of the building to allow traffic that utilizes the
548 uses located in the front of the building to circulate without having to navigate entirely around the
549 building. Section 20.9.3, “Access Management” states, “*Interior circulation and parking shall be*
550 *designed to assure safe passage of all vehicles and pedestrians into, out of, and throughout the*
551 *site.*”

552
553 Mr. Clements noted that the proposed conditions plan does not show striping and pedestrian
554 connection between the parking area and building. He added that as the residential tenants will be
555 utilizing parking around the site once the other business tenants leave for the evening, it would be
556 important to learn how pedestrians navigate the through the site. He felt that this should be shown
557 on the proposed conditions plan.

558
559 Section 20.9.4 “Accessibility” states, “*Pedestrian facilities shall be designed to accommodate*
560 *persons with disabilities in accordance with the access standards required by the State Building*
561 *Code...Sidewalks, shared use paths, street crossings and other infrastructure shall be constructed*
562 *so that all pedestrians, including persons with disabilities, an travel independently.*”

563
564 Mr. Clements stated the applicant has stated throughout the discussion that these items will be
565 addressed at the building permit stage. It would be up to the Board to decide if these are items they
566 would like to see on the site plan before it is approved.

567
568 Mr. Clements went on to say that curbing details are missing from the proposed site plan for new
569 parking and landscaping areas. Section 9.4.3.D states that surface parking lots, “*Shall have a*
570 *substantial curb or wheel stop of concrete, masonry, steel or heavy timber placed at or near the*
571 *end of each parking space to prevent vehicles from damaging nearby buildings, lawns, trees or*
572 *shrubs, or from creating a hazard to pedestrians on any sidewalk or walkway.*” In addition,

573 Section 9.4.5.4 states “*Curbs, setbacks or other protection must be provided to prevent damage to*
574 *trees and shrubs from vehicles.*” Mr. Clements stated that there are a lot of existing conditions on
575 this site and with the proposed formalized traffic pattern and additional parking, there needs to be
576 a balance of where curbs need to be located, what that material will look like, would this affect the
577 site in any way. Those details are not included in the proposed conditions plan.
578

579 The traffic study submitted by the applicant states that the proposed residential addition to the
580 property would generate less than 100 vehicles entering and exiting per hour and less than 100
581 total vehicles per hour. The report estimates 386 total daily weekday trips will be added to the site
582 for the proposed use with 23 AM peak hour trips and 29 PM peak hour trips. The study states that
583 standard traffic engineering practice suggests that the proposed development would be expected
584 to result in negligible impacts to the adjacent roadway system. The full traffic analysis is included
585 as an attachment to the staff report.
586

587 Filing and Excavation – As the applicant has stated, this would be very minor because of the close
588 proximity to Route 101, so any dump trucks bringing or moving material would have easy access
589 to and from the site.
590

591 Wetlands – None
592

593 Hazardous & Toxic Materials – The applicant has no knowledge of any hazardous or toxic material
594 on site and does not intend to use any for this project. In the event that anything is discovered, it
595 would be contained and disposed of properly.
596

597 Noise - The applicant has stated in their narrative that the proposed project will not generate
598 negative impacts related to noise to the area. This is a mixed use site with many uses going on and
599 staff does not feel the addition of 57 residential uses is going to significantly impact noise on this
600 site.
601

602 Architecture & Visual Appearance – Mr. Clements referred to the following standards:

603 *20.14.1 Massing/Scale: “For buildings of 150-ft in length of more, facades shall be divided into*
604 *multiple “modules,” expressed through significant architectural changes such as a change in*
605 *materials, a change in pattern elements or a change in building setback through recesses or*
606 *projections. Such modules shall be no wider than 50-ft.”*
607

608 *20.14.2 Visual Interest: “Front facades and exterior walls shall be articulated to express an*
609 *architectural identity to avoid a uniform appearance, and architectural details shall give the*
610 *impression of being integral to and compatible with the overall design.” “Structures shall have*
611 *architectural features and patterns that provide visual interest at the pedestrian scale, reduce*
612 *massive aesthetic effects, and harmonize with the City’s distinctive architectural identity, unique*
613 *character, and prevailing scale.” “Facades shall express a traditional visual distinction between*
614 *the ground floor and upper stories through architectural features or detailing, change in materials,*
615 *or a change in pattern elements such as fenestration.”*
616

617 Councilor Remy referred to lighting and asked how important the 70.1 CRI would be as it pertains
618 to this site. Mr. Brunner stated the Board’s standard used to say 70 or greater but for some reason

619 was changed to say greater than 70. Ms. Brunner did not feel 70 or 70.1 was that significant and
620 explained that CRI stands for color rendering index and it is how true a color looks under that level
621 of light. This standard was put in place before LEDs were widespread in their use. For LEDs, staff
622 look at the color temperature rather than CRI. The standard calls for a color temperature of 3,500K
623 or less. The Councilor noted the particular fixture has three optional color temperature – 3,000
624 which will meet the Board standard. Mr. Clements noted a 70 CRI would require a waiver but not
625 70.1. He added that if this application requires any waivers, it would need to be re-noticed and
626 continued to the next meeting.

627
628 With reference to the location of the dumpsters, the proposed dumpster is adjacent to the stairwell
629 to access the residential units. This again would require re-noticing the application and continuing
630 the application to the next meeting, as it violates the intent of the Board regulations as it pertains
631 to dumpster location. Mr. Walter referred to Board language as it pertains to this. He added there
632 is a primary entrance at the front of the building and noted the entrance next to the dumpster is a
633 service entrance to access the dumpsters. He felt the location being proposed is much better
634 compared to where the dumpsters are located today. Mr. Clements stated he would argue that the
635 stairway tower is the primary entrance to the residential units. This concluded staff comments.

636
637 Mr. Walter noted to where the awning is located is where the primary entrance is located. Mr.
638 Clements referred to where the parking was located and felt that would be the entrance most would
639 use.

640
641 The Mayor asked what the plan for the exit only access was and asked for an added explanation
642 for circulation. Mr. Walter stated circulation on site would be in a clockwise direction. He added
643 that by angling the parking to 45 degrees they are reducing the number of parking spaces to enable
644 them to increase the amount of green space. There will not only be striping for spaces, but also for
645 directional arrows.

646
647 Mr. Walter went on to say that their curbing is a Cape Cod profile; this would be located anywhere
648 there is new parking. This curbing is a plow friendly detail.

649
650 Lighting – Mr. Walter stated if the fixture is objectionable it can be changed. He added they
651 understand the standard and will comply with the standard.

652
653 Mr. Walter felt this is a creative project and something that he felt fits in with the neighborhood.

654
655 The Chair asked for public comment. With no comments from the public, the Chair closed the
656 public hearing.

657
658 The Mayor stated this is an excellent project which shows a lot of forethought. The Mayor stated
659 that as far as conditions he would propose that they only include A, B, and F from the
660 recommended motion language in the staff report. He added that he has hesitation approving the
661 lighting plan, as it does not meet the standard and felt it should be resubmitted.

662
663 Councilor Remy stated with reference to the lighting plan, where it is overflowing into, HCS would
664 perhaps like to have their parking lit.

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C. Board Discussion and Action

A motion was made by Mayor George Hansel that the Planning Board approve SPR-870, Mod. 2, as shown on the plan identified as, “310 Marlboro Street LLC, 310 Marlboro Street Keene, NH 03431 Site Plan” prepared by DB Landscaping LLC at a scale 1 in = 50 ft, dated August 19, 2022 and revised September 12, 2022, and on the architectural elevations received August 19, 2022 and prepared by Randall S. Walter, AIA Design/Build at a scale of 1/16 in = 1 ft and 3/64 in = 1 ft 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 plan.
- B. Submittal of a security for landscaping, sedimentation and erosion control, “as-built plans”, and water & sewer utility work in a form and amount acceptable to the City Engineer.
- C. Submittal of a revised Lighting Plan and fixture cut sheets that meet Planning Board Site Development Standards.

2. Prior to the issuance of a building permit, the applicant shall submit sewer connection calculations and construction plans, subject to review and approval by the City Engineer.

3. If a sewer connection permit is required in accordance with NHDES administrative rule Env-Wq. 703.07, the applicant shall provide a copy of such permit to the Public Works Department.

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

VI) Staff Updates

- a. 2022 Land Use Law Virtual Conference – Saturday, October 15th from 9:00 am – 3:00 pm

Ms. Brunner stated the 2022 Land Use Law Virtual Conference is scheduled for Saturday, October 15th from 9:00 am – 3:00 pm. There is a registration cost associated with this conference; however, the Planning Board has a budget of \$250 to cover some of the cost should anyone be interested in attending the conference.

VII) New Business

Councilor Remy stated he would like to review the lighting issue addressed today. Ms. Brunner stated there has been some internal discussion and there are some changes being brought to the Joint Committee regarding LDC – this is one of the proposed changes.

VIII) Upcoming Dates of Interest – October 2022

- Joint Committee of the Planning Board and PLD – October 17, 6:30 PM
- Planning Board Steering Committee – October 11, 11:00 AM

- 710 • Planning Board Site Visit – October 19, 8:00 AM – To Be Confirmed
711 • Planning Board Meeting – October 24, 6:30 PM
712

713 **IX) Adjournment**

714
715 There being no further business, Chair Russell-Slack adjourned the meeting at 8:55 PM.
716

717 Respectfully submitted by,
718 Krishni Pahl, Minute Taker

719
720 Reviewed and edited by,
721 Megan Fortson, Planning Technician

STAFF REPORT

SPR-11-16, MODIFICATION #10 – SITE PLAN REVIEW – COVENANT LIVING OF KEENE – 95, 100, & 118 WYMAN RD

Request:

Applicant SVE Associates, on behalf of owner Covenant Living of Keene, proposes site modifications including the creation of an on-site pedestrian walkway and sidewalks, two crosswalks, and the relocation of seven street trees and fourteen shrubs on their properties at 95 Wyman Rd (TMP #221-019-000), 100 Wyman Rd (TMP #221-018-000), and 118 Wyman Rd (TMP #210-010-000). These properties are a combined 67 acres in size and are located in the Rural District.

Background:

The subject property contains three parcels comprising the former Hillside Village development, now known as Covenant Living of Keene. The site plan for this development was initially approved by the Planning Board in November 2016. The facility is located at 95, 100, and 118 Wyman Road and includes three main buildings: the Woodside Apartments (~15,910 sf), the Health Care building (~20,005 sf), and the Community building (~71,690 sf). There is also an existing barn on the former Miracles in Motion property that is currently used as an accessory structure (~14,292 sf). The project site includes a 37.5-acre parcel on the east side of Wyman Road where the Community building and Woodside Apartments are located, a 12.6-acre parcel directly across the street where the Health Care building is located, and an 18.5-acre parcel where the barn is located. Currently, there are no sidewalks or crosswalks on Wyman Road; however, there is a speed table located at the driveway entrances for the Community building and the Health Care building.

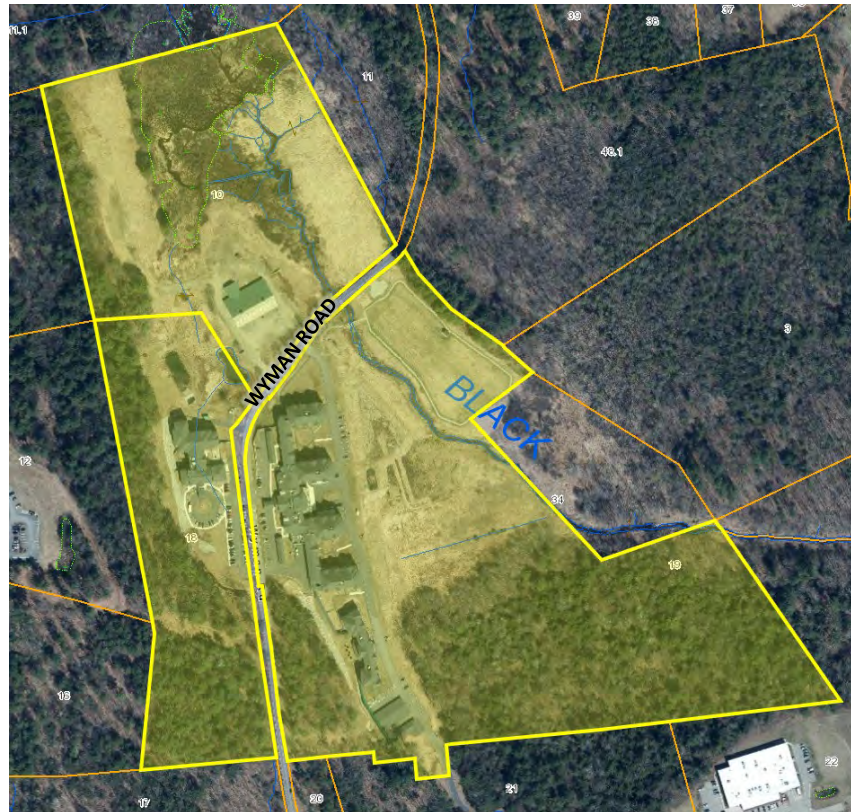


Figure 1. Aerial view of the three parcels that comprise the Covenant Living of Keene site on Wyman Road.

The Applicant proposes to install pedestrian infrastructure to improve safety for residents crossing and/or walking along Wyman Road, create a paved walking path, and relocate existing landscaping to improve visibility for motorists exiting the site.

Completeness:

The Applicant has requested exemptions from submitting a Lighting Plan, Elevations, and technical reports. Staff recommends the Board grant these exemptions and accept the application as “complete.”

STAFF REPORT

Departmental Comments: The departmental comments relevant to the Board's review of this application were provided by Engineering Staff and are included below.

1. Please be aware that the proposed infiltration on the lawn of parcel 210-010-000 (118 Wyman Road / barn property) is likely to become less effective over time and will require maintenance.
2. The proposed crosswalks will connect private sidewalks on each side of the roadway. There is no connection to public sidewalks. Therefore, there is no public interest in accepting or maintaining the proposed systems. Public Works staff recommend that conditions of approval include the following:
 - a. Property owner shall provide a written acknowledgement, acceptable to the Public Works Director, that the proposed pedestrian improvements do not serve the general public and will not be maintained by the City.
 - b. Prior to placement of private signage and pedestrian safety improvements within the right-of-way, the property owner shall obtain a revocable license and maintenance agreement from the Public Works Department.

Application Analysis:

Included below is an analysis of the Planning Board Development Standards that are relevant to this application.

- 20.2 **Drainage & Stormwater Management:** The project narrative states that approximately 2,030 sf of impervious area will be added to the site from the addition of the new sidewalks and paved pathway. The project narrative specifies that the existing impervious areas will continue to drain as they currently do and notes that another catch basin is proposed to be installed. This catch basin will be installed to the southeast of the northern crosswalk, as shown on sheet C2 of the attached plan set. In their response to staff comments, Covenant Living acknowledged that the proposed infiltration on the former Miracles in Motion property will become less effective over time and will require maintenance as indicated by Engineering Staff. The Board may wish to ask the applicant to clarify how they plan on maintaining the lawn in this area in the future to ensure that water continues to infiltrate properly.
- 20.3 **Sedimentation & Erosion Control:** The project narrative specifies that the installation of the new catch basin will include a silt sack and notes the contractor will install, monitor, and repair erosion control measures on a regular basis. The proposed conditions plan shows the installation of inlet protection over existing catch basins and silt fencing adjacent to areas where work is proposed to occur. This standard appears to be met.
- 20.5 **Landscaping:** A total of seven street trees and fourteen shrubs are proposed to be removed and relocated on the Covenant Living site. Two trees and nine shrubs are proposed to be relocated to allow for the creation of the southernmost crosswalk. In addition to this, five trees and five shrubs are proposed to be removed and relocated along the eastern side of Wyman Road. The landscaping in this area was approved as part of the original site plan, SPR-11-16, to screen the Community Building parking area from the road to meet the parking lot screening standards, which are now outlined under Section 9.4.4 of the Land Development Code (LDC). The landscaping standards outlined in Section 20.5.3.A of the LDC state that, "*All landscaping shall be located on site without impeding the visibility or safety of pedestrians, bicyclists, or motorists.*" The Applicant is proposing to relocate the landscaping along the eastern side of Wyman Road to allow for a safer site distance for motorists turning onto the road.

STAFF REPORT

Section 20.9.3.D of the LDC states that, **“Where appropriate, connections shall be made for the continuation of sidewalks [and] walkways...between adjoining properties...”** and goes on to state that, **“Grade changes, textures, colors, or other methods of distinguishing sidewalks, walkways and crosswalks from vehicular travel; and, Appropriate lighting, signage, crosswalks, and other safety devices”** shall be incorporated into the design of pedestrian infrastructure. The Applicant is proposing to add 2'-wide tactile warning plates on each side of the two crosswalks. The crosswalks will also have pedestrian-activated warning beacons at the crosswalk and 100' away on either side of the crosswalk. These beacons will be used to send a signal to oncoming traffic that a pedestrian is in the crosswalk. In addition to this, pavement markings and additional private sidewalks are proposed to be added on both sides of the southernmost crosswalk to create a safe path of travel for pedestrians walking from the entrance of the Community Building to the entrance of the Healthcare Building.

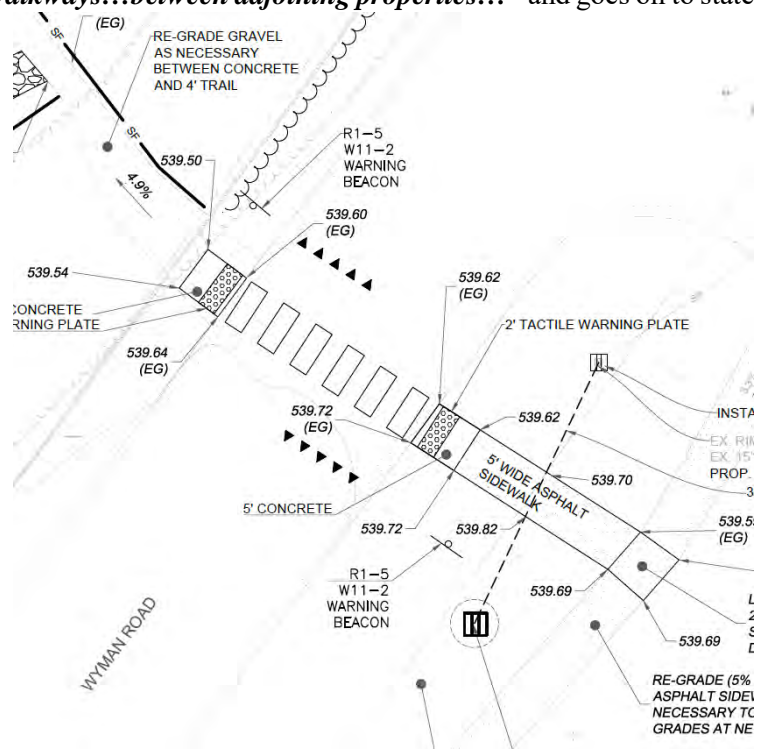


Figure 3. Snippet of northern crosswalk taken from Sheet C2 of the plan set.

During the departmental review process for this application, Engineering Staff provided comments related to the maintenance of the pedestrian infrastructure and its placement within the public right-of-way. Given that the proposed crosswalks would not connect to public sidewalks, the Engineering Staff noted that the City would not be interested in accepting or maintaining this pedestrian infrastructure. The Public Works Director and City Attorney suggest that one condition of approval for this project be the submittal of a written acknowledgement from the property owner stating that the proposed pedestrian improvements do not serve the general public and therefore will be maintained exclusively by Covenant Living of Keene. In addition to this, Engineering Staff noted that another condition of approval should be that the property owner obtains a revocable license and maintenance agreement from the Public Works Department for the installation of the crosswalks. The Board may want to consider including these items as conditions of approval for this application.

In addition to adding two crosswalks, the Applicant is also proposing to create a 4'-wide stone dust path on the western portion of the site that will run parallel to Wyman Road and will connect the employee parking area on the former Miracles in Motion site to the Healthcare Building. A “T” turnaround is also proposed to be added at the southwestern corner of the sidewalk in the parking lot for the Healthcare Building. During the pre-submission meeting for this project, it was explained to City Staff that this would be utilized by residents who drive golf carts around the property.

STAFF REPORT

RECOMMENDATION FOR APPLICATION:

If the Board is inclined to approve the application, the following motion is recommended:

Approve SPR-11-16, Modification 10 as shown on the plan set identified as “Covenant Living Cross Walks, 95 Wyman Road, Keene New Hampshire” prepared by SVE Associates at varying scales on August 16, 2022, and last revised October 4, 2022, with the following conditions:

- A. Prior to final approval and signature by Planning Board Chair, the following conditions precedent shall be met:
 1. Owner’s signature appears on plan.
 2. Submittal of a revised plan set addressing the following:
 - i. Show the location of the speed table on the existing conditions plans.
 - ii. Remove the landscaping symbology on shrubs, such as “S1, S2, S3” on all existing and proposed conditions plans. Please label them as a “shrub” and note the number of plants to be relocated.
 - iii. Remove all landscaping that is proposed to be relocated (labeled as “TBR”) from the overall site plan on sheet C-4.
 - iv. Show the number of relocated shrubs in each grouping on sheet C-4.
 - v. Show all shrubs to be removed on the existing conditions plan for the Community & Healthcare Buildings (sheet S1).
 - vi. Show the correct species of the relocated trees on sheet C3 (Healthcare Parking Lot site plan). The number of Respire Pear & Brandywine Red Maple trees shown is incorrect.
 3. Submittal of five full-size paper copies and one digital copy of the final plan set.
 4. The property owner shall submit a written acknowledgement, acceptable to the Public Works Director and City Attorney, that the proposed pedestrian improvements do not serve the general public and will not be maintained by the City. A written note to this effect will need to be added to sheet C-4 of the plan set.

- B. Subsequent to final approval, the following condition shall be met:
 1. Prior to the issuance of a building permit, the property owner shall obtain a revocable license and maintenance agreement from the Public Works Department for the placement of private signage and pedestrian safety improvements within the public right-of-way. A plan showing the location of the pedestrian safety improvements and signage will need to be submitted as part of the required documentation.



City of Keene, NH Planning Board Major / Minor Project Application

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

SECTION 1: PROJECT INFORMATION

PROJECT NAME: Covenant Living of Keene	TYPE OF APPLICATION BEING SUBMITTED: <input checked="" type="checkbox"/> MAJOR PROJECT APPLICATION <input type="checkbox"/> MINOR PROJECT APPLICATION
PROJECT ADDRESS(ES): 95 Wyman Road Keene, NH 03431	

SECTION 2: CONTACT INFORMATION

OWNER	APPLICANT
NAME/COMPANY: Covenant Living of Keene	NAME/COMPANY: Liza Sargent/SVE Associates
MAILING ADDRESS: 95 Wyman Road Keene, NH 03431	MAILING ADDRESS: PO Box 1818, Brattleboro, VT 05301
PHONE: (603) 353-0608	PHONE: (802) 257-0561
EMAIL: gburdett@covliving.org	EMAIL: lsargent@sveassoc.com
SIGNATURE: 	SIGNATURE:
PRINTED NAME: Gregg Burdett	PRINTED NAME: Liza Sargent

AUTHORIZED AGENT (if different than Owner/Applicant)	FOR OFFICE USE ONLY:	
NAME/COMPANY:	TAX MAP PARCEL #(s): 221-019-000-000-36.21602 221-018-000-000-12.16202	
MAILING ADDRESS:	PARCEL SIZE: see above	DATE STAMP:
PHONE:	ZONING DISTRICT: Rural	
EMAIL:		
SIGNATURE:		
PRINTED NAME:	PROJECT #: SPK 11-16, Mod. 10	

SECTION 3: APPLICATION SUBMISSION REQUIREMENTS

A COMPLETE APPLICATION MUST INCLUDE THE FOLLOWING ITEMS AND MUST BE SUBMITTED BY ONE OF THE OPTIONS BELOW:

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

The submittal requirements for Planning Board applications are outlined further in **Article 20** and **Article 25.12** of the [Land Development Code \(LDC\)](#). You may request an exemption from providing any of the items below, except the application fee, notice list, narrative, and mailing labels. The Community Development Director may grant an exemption, if it is determined that the scope of the project does not warrant the submittal.

Note: Additional information may be requested by the respective decision-making authority during the review process.

GENERAL SUBMITTAL REQUIREMENTS

CERTIFIED NOTICE LIST (See **Attachment A** for more information.)

2 SETS OF MAILING LABELS (See **Attachment A** for more information.)

PROJECT NARRATIVE (See **Section 1 of Attachment B** for more information.)

FEES: Fill in the information below to calculate the total fee.

- \$250 base fee
 - \$0.05 per-sf of new construction x 0 sf of new construction
 - \$62 legal ad fee
 - \$4.57 current USPS certified mailing rate x 14 abutters
- = \$375.98 (TOTAL FEE)

NOTE: Please call the Community Development Department for the current certified mailing rate. Checks should be made payable to the *City of Keene*. Credit card payments are accepted in-person or by calling 603-352-5440.

WAIVERS (See **Section 2 of Attachment B** for additional information.)

WAIVER(S) REQUESTED

NO WAIVER(S) REQUESTED

PLAN SETS

(See **Attachment C** for additional information.)

SUBMITTED

EXEMPTION
REQUESTED

LOCATION MAP OF PROPOSED IMPROVEMENTS

X

EXISTING CONDITIONS PLAN

X

PROPOSED CONDITIONS PLAN

X

GRADING PLAN

X

LANDSCAPING PLAN

X

LIGHTING PLAN

X

ELEVATIONS

X

TECHNICAL REPORTS

(See **Attachment C** for additional information.)

SUBMITTED

EXEMPTION
REQUESTED

DRAINAGE REPORT

X

TRAFFIC ANALYSIS

X

SOIL ANALYSIS

X

HISTORIC EVALUATION

X

SCREENING ANALYSIS

X

ARCHITECTURAL & VISUAL APPEARANCE ANALYSIS

X

OTHER REPORTS / ANALYSES

X

PROJECT NARRATIVE

COVENANT LIVING OF KEENE

SVE PROJECT #K2334B

September 6, 2022

The project consists of the addition of a sidewalk/crosswalk to safely cross Wyman Road while traveling between existing buildings along with the addition of a gravel path connecting existing buildings at the Covenant Living of Keene. There will be no changes for the fire protection, domestic water, and sewer services.

1.) Drainage and Stormwater Management:

The existing impervious areas will continue to drain as they currently do along with one additional catch basin to be installed. The existing impervious area will be increased by 2,030 +/- sf resulting from the addition of the new sidewalks and path connecting the existing buildings.

2.) Sediment and Erosion Control:

The installation of a new catch basin will include a silt sac and other miscellaneous sediment and erosion control measures the contractor and engineer deems necessary. The contractor is to install, monitor, and repair erosion control measures on a regular basis.

3.) Snow Storage and Removal:

No change.

4.) Landscaping:

Proposed landscaping changes include relocation of four existing trees to install the crosswalk/sidewalk between the Independent Living building and the Healthcare building and improve line of site/visibility for drivers leaving the Independent Living building. There are a number of shrubs that will be relocated as part of the ILU/HC sidewalk/crosswalk, and line of site improvements.

SVE Associates

Engineering * Surveying * Landscape Architecture * Planning

439 West River Road, Brattleboro, VT 05301 Phone: (802) 257-0561

P:\Project\NH PROJECTS\K2334B Covenant Living of Keene\Docs\Permit Apps\K2334B PB NARRATIVE.docx

5.) Screening:

No changes.

6.) Lighting:

No changes.

7.) Water and Sewer:

No changes.

8.) Traffic and Access Management:

There will be two crosswalks on Wyman Road, one in front of the ILU/HC buildings and one between the barn and ILU lower road. This is for pedestrian safety, concentrating pedestrian crossings of Wyman Road to the most visible/most used locations. There will also be a gravel path between the HC building and the barn parking for employees. The crosswalks will be ADA accessible.

9.) Filling and Excavation:

The volume of excavation and fill required is minimal.

10.) Surface Waters and Wetlands:

Not applicable.

11.) Hazardous and Toxic Materials:

Not applicable.

12.) Noise:

Not applicable.

13.) Architectural and Visual Appearance:

Not applicable.

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SVE Associates

Engineering * Surveying * Landscape Architecture * Planning

September 14, 2022

Keene Planning Staff
City of Keene
3 Washington Street
Keene, NH 03437

Re: SPR-11-16 - Site Plan Modification Application – 95 Wyman Road

Dear Keene Planning Staff:

On behalf of the applicant, Covenant Living of Keene, we respectfully request a waiver of full compliance with Development Standard 20.2, Drainage & Stormwater Management, specifically the submission of the drainage report. Our application is seeking approval to construct two crosswalks across Wyman Road and a 4' wide trail between the former Miracles in Motion gravel parking to the Health Care building parking lot. The net increase in impervious surface is 2,030+/- sf, primarily due to the proposed 4' wide path from the barn parking lot to the Health Care building. A small portion of the proposed impervious surfaces are for the proposed T-Turnaround at the Health Care parking lot sidewalk, and the additions to sidewalk for the two proposed crosswalks.

The stormwater runoff from east side of Wyman Road sheet flows to existing catch basins and is piped to the existing stormwater basin and treatment swale or to the existing level spreader. The majority of the stormwater runoff from tax map lot 221-18 on the west side of Wyman Road sheet flows to existing catch basins and is piped to the existing stormwater wetland. A portion of the stormwater from lot 221-18, where the proposed 4' wide trail would be located, sheet flows a minimum of twenty feet across the existing grass to the unnamed pond. The stormwater runoff on lot 210-10 (formerly Miracles in Motion) where the proposed 4' wide trail would be located sheet flows to a low point in the lawn where it infiltrates.

The existing soil type, based on the NRCS web soil survey is primarily Monadnock Fine Sandy Loam, 15-25% slopes. Near the existing pond and stormwater wetland the existing soil type is Pillsbury Fine Sandy Loam 0-8% slopes, very stony. The published depth to restrictive features is 18-36 inches and more than 80 inches to the water table for Monadnock Fine Sandy Loam and infiltration rate is 0.14 to 14.03 in/hr (moderately low to high). The published depth to restrictive features for Pillsbury Fine Sandy Loam is 21-43 inches and depth to water table is 0 to 12 inches, and the infiltration rate is 0.01 to 1.42 in/hr (moderately low to moderately high).

We think the sheet flow of this stormwater runoff onto the existing Covenant Living stormwater systems, as well as sheet flowing across the grass and naturally infiltrating into the low point in front of the former Miracles in Motion barn meets the spirit and intent of the regulations. The existing stormwater runoff from the Covenant Living Campus is treated and detained in the existing stormwater basin, swale, level spreader and stormwater wetland. Covenant Living of Keene owns 67+/- acres with

the nearest down gradient property line being 400+ feet away from the proposed trail/crosswalk/sidewalk, therefore we see no adverse impacts to the abutters, community or environment, and no diminution of abutting property values. Creating a professionally prepared drainage report seems an unnecessary expense and exercise given the minimal increase in impervious surface area, existing stormwater treatment and detention systems and distance to the nearest abutter.

Thank you for your consideration of our waiver request.

Respectfully submitted,

SVE Associates

Liza Sargent

Liza Sargent, P.E.

SVE Associates

October 7, 2022

To: City of Keene Planning Board

From: Gregg Burdett, Executive Director, Covenant Living of Keene

Re: Responses to application questions

Property owner shall provide a written acknowledgement, acceptable to the Public Works Director, that the proposed pedestrian improvements do not serve the general public and will not be maintained by the City.

Covenant Living of Keene acknowledges that the proposed pedestrian improvements do not serve the general public and therefore will be maintained exclusively by Covenant Living of Keene. There is no expectation that the City of Keene will provide any maintenance.

Prior to placement of private signage and pedestrian safety improvements within the right-of-way, the property owner shall obtain a revocable license and maintenance agreement from the Public Works Department

Covenant Living of Keene agrees to obtain a revocable license and maintenance agreement from the Public Works Department prior to placement of private signage and pedestrian safety improvements within the right of way.

COVENANT LIVING CROSS WALKS

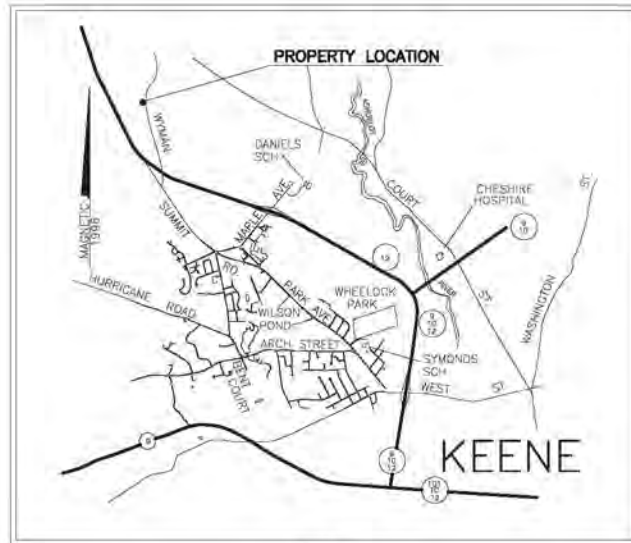
95 WYMAN ROAD, KEENE, NEW HAMPSHIRE

APPLICANT:

COVENANT LIVING OF KEENE

95 WYMAN ROAD
KEENE, NH 03431
(603) 353-0608

SVE Project #: K2334B



LOCUS
NOT TO SCALE

INDEX OF PLANS

- N-1 NOTES & LEGEND
- S-1 EXISTING CONDITIONS PLAN (1"=10')
COMMUNITY BUILDING AND HEALTH CARE
- S-2 EXISTING CONDITIONS PLAN (1"=20')
INDEPENDENT LIVING AND BARN
- S-3 EXISTING CONDITIONS PLAN (1"=10')
HEALTH CARE AND PARKING
- C-1 SITE PLAN (1"=10')
COMMUNITY BUILDING AND HEALTH CARE
- C-2 SITE PLAN (1"=20')
INDEPENDENT LIVING AND BARN
- C-3 SITE PLAN (1"=10')
COMMUNITY BUILDING AND HEALTH CARE
- C-4 OVERALL SITE PLAN (1"=50')
- C-5 CONSTRUCTION DETAILS

PREPARED BY

Civil Engineer:

SVE Associates
439 West River Road
Brattleboro, Vermont 05302
PHONE (802) 257-0561

Land Surveyor:

Huntley Survey & Design, PLLC
659 West Road
Temple, NH 03084
www.huntleysurvey.com
PHONE (603) 924-1669

August 16, 2022
revised thru October 4, 2022



APPROVED BY THE APPLICANT:

COVENANT LIVING OF KEENE

ON _____

INSPECTION PERMISSION: UPON APPROVAL OF THIS SITE PLAN, THE OWNER GRANTS PERMISSION FOR THE MEMBERS OR AGENTS OF THE KEENE PLANNING BOARD TO INSPECT THIS SITE AS NECESSARY.

APPROVED BY THE KEENE PLANNING BOARD

ON _____

CERTIFIED BY CHAIRMAN _____ 31 of 69

Liza Sargent 10/4/22

LIZA P. SARGENT
R.C.E. NUMBER: 13385 DATE

Drawing name: P:\Project\NH PROJECTS\K2334B Covenant Living of Keene\Design\K2334B 07-28-22 SIDEWALK CROSSING REV 08-05-22.dwg Oct 04, 2022 - 1:18pm



Liza Sargent 10/4/22
LIZA P. SARGENT DATE
R.C.E. NUMBER: 13365

NO.	REVISION	DATE	DWN	CHK

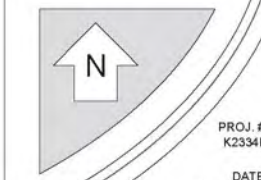
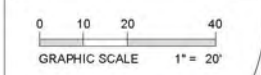
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SVE Associates
 P.O. Box 1818
 439 West River Road
 Brattleboro, VT 05302
 T 802.257.0561
 F 802.257.0721
 www.sveassoc.com

**EXISTING CONDITIONS
 INDEPENDENT LIVING
 AND BARN**

COVENANT LIVING
 CROSSWALKS

COVENANT LIVING OF KEENE
 95 WYMAN RD.
 KEENE, NEW HAMPSHIRE



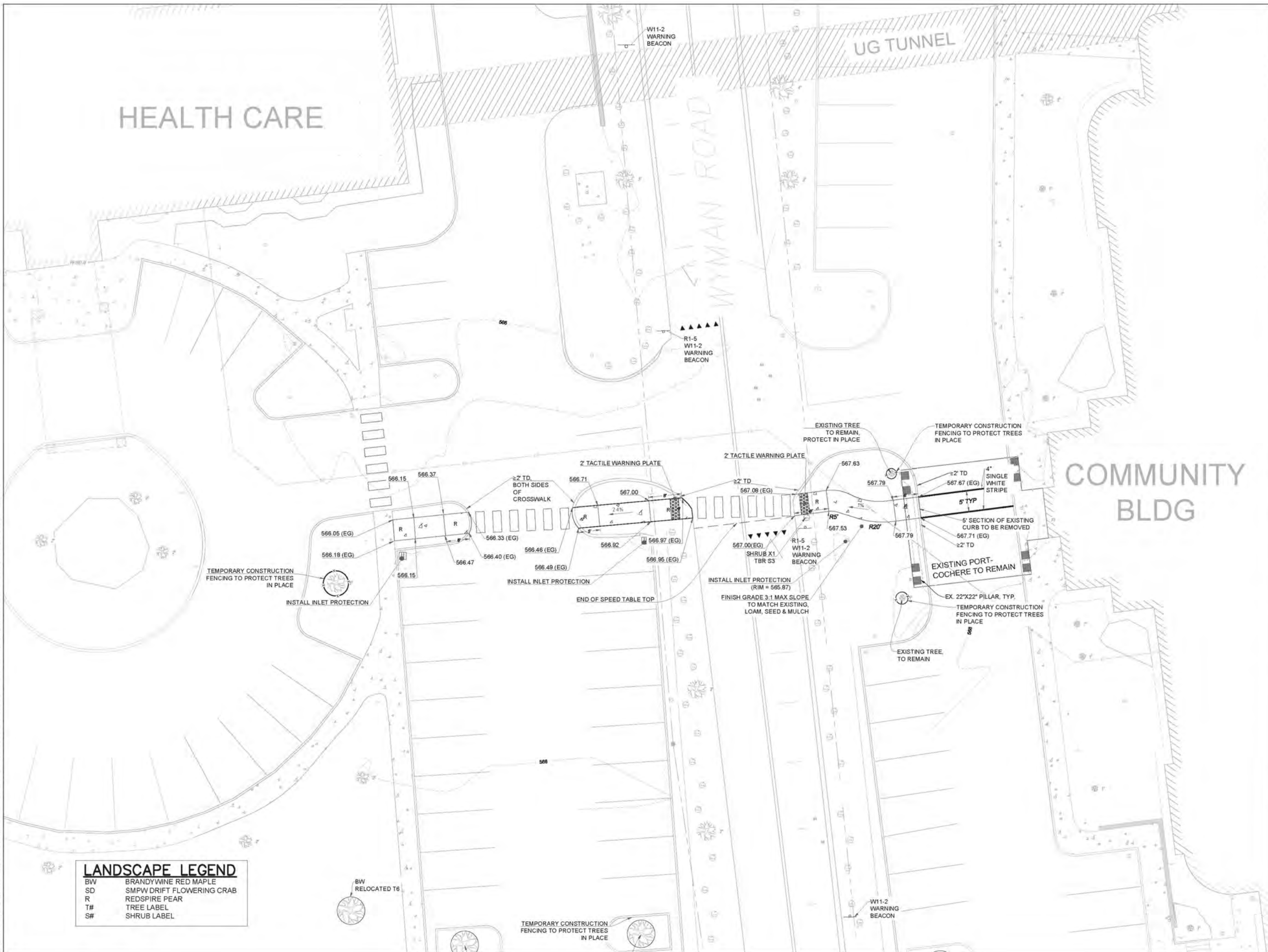
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K2334B

DATE:
16-AUG-22

DESIGN:
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CHECKED: LRS

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LANDSCAPE LEGEND

BW	BRANDYWINE RED MAPLE
SD	SMPW DRIFT FLOWERING CRAB
R	REDSPIRE PEAR
T#	TREE LABEL
S#	SHRUB LABEL

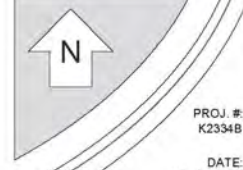
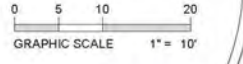


Liza Sargent 10/4/22
 LIZA P. SARGENT DATE
 R.C.E. NUMBER: 13365

NO.	REVISION	DATE	DWN	CHK
1	REVISED PER PE STAFF COMMENTS	04-OCT-22	LPS	LPS

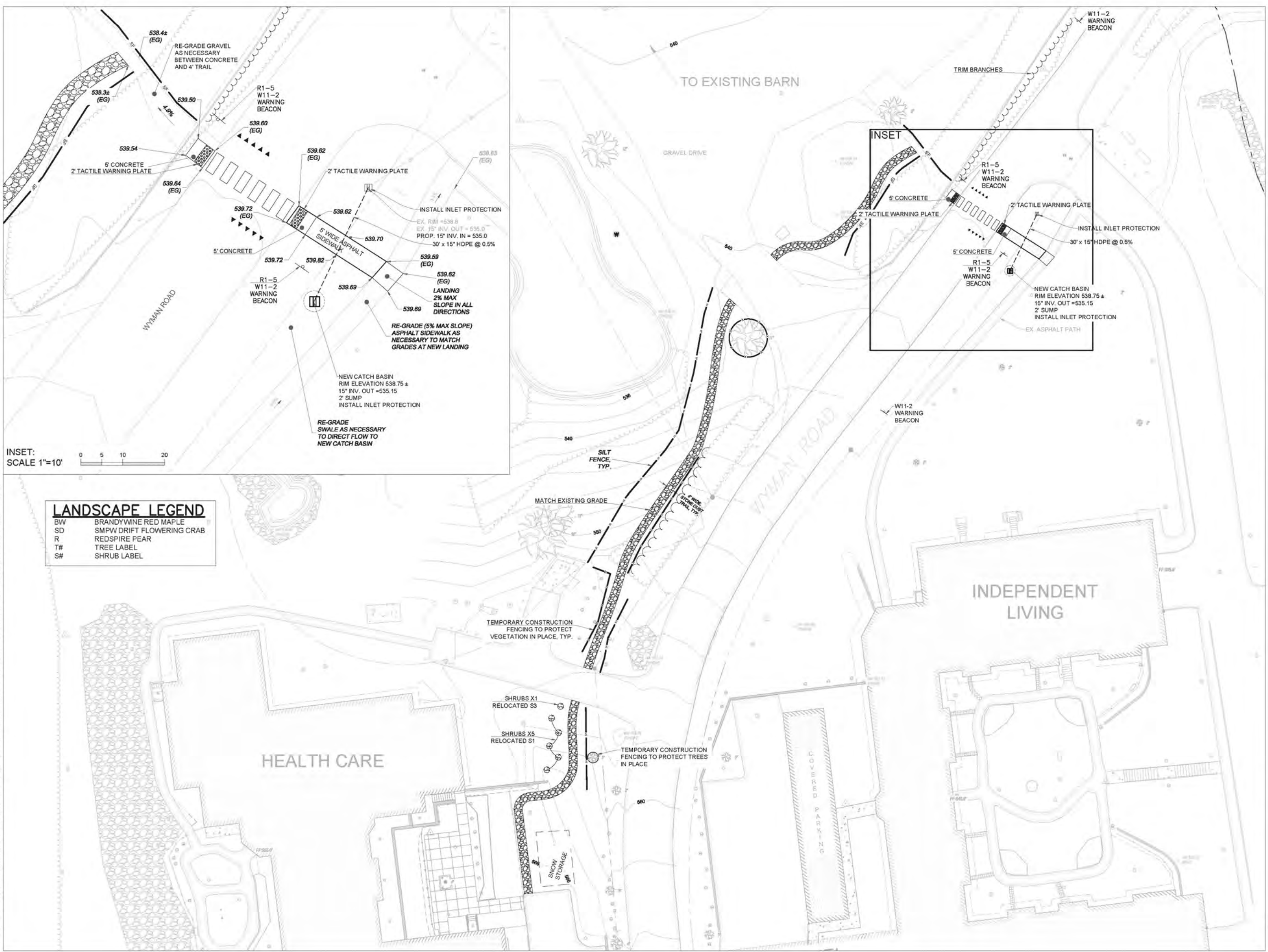
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 www.sveassoc.com

**SITE PLAN
 COMMUNITY BUILDING
 AND HEALTH CARE**
 COVENANT LIVING
 CROSSWALKS
 COVENANT LIVING OF KEENE
 55 WYMAN RD
 KEENE, NEW HAMPSHIRE



DESIGN: SHEET
 DRAWN: AJG
 CHECKED: LPS
 PROJ. #: K2334B
 DATE: 18-AUG-22
C1
 36 of 69

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INSET:
SCALE 1"=10'

LANDSCAPE LEGEND	
BW	BRANDYWINE RED MAPLE
SD	SMPW DRIFT FLOWERING CRAB
R	REDSPIRE PEAR
T#	TREE LABEL
S#	SHRUB LABEL



Liza Sargent 10/4/22
LIZA P. SARGENT DATE
R.C.E. NUMBER: 13365

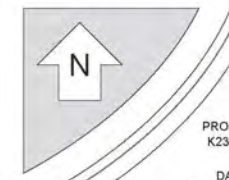
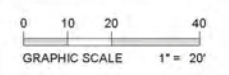
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Landscape Architecture
Surveying

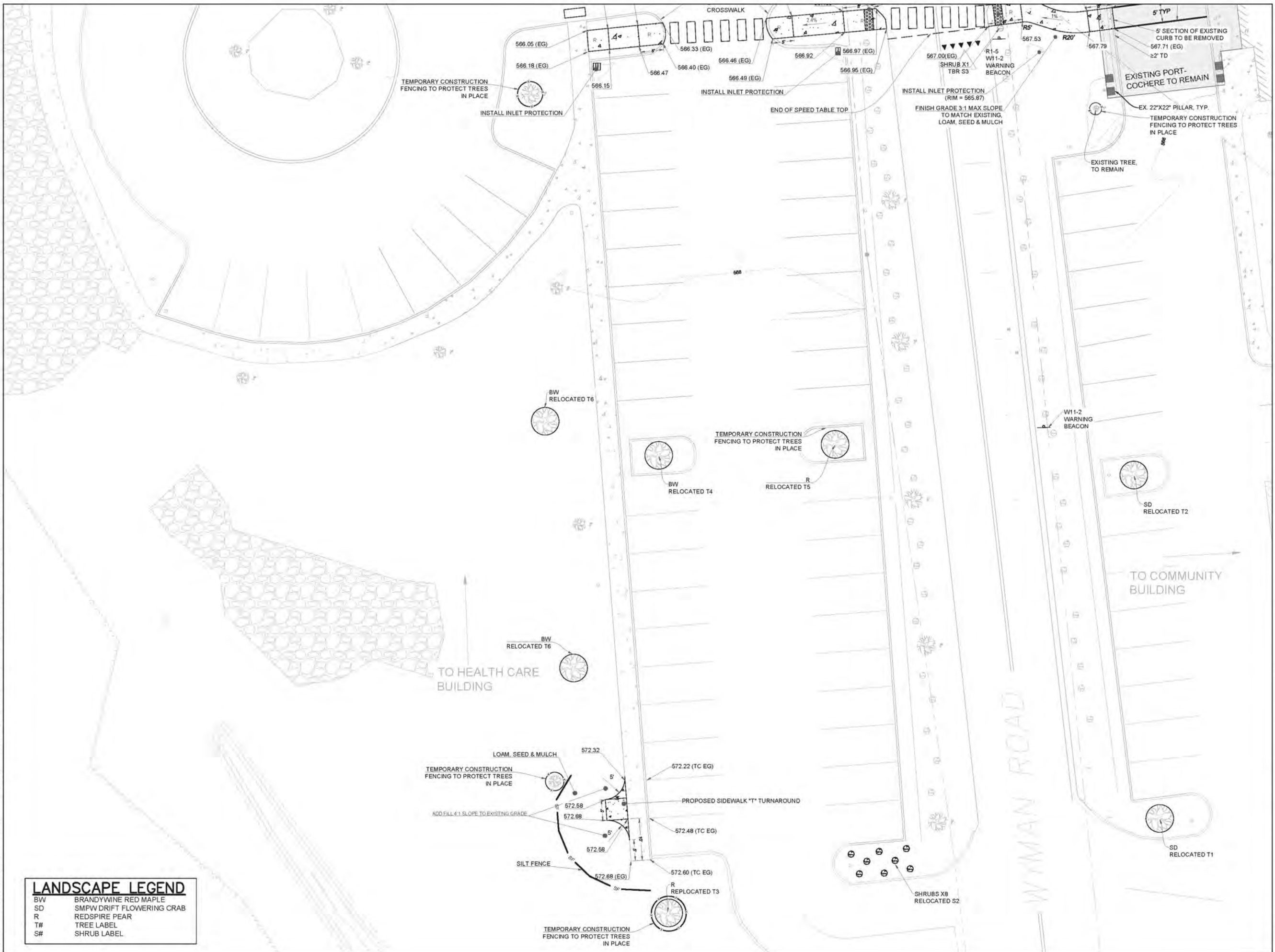
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439 West River Road
Brattleboro, VT 05302
T 802.257.0561
F 802.257.0721
www.sveassoc.com

**SITE PLAN
INDEPENDENT LIVING
AND BARN**
COVENANT LIVING
CROSSWALKS
COVENANT LIVING OF KEENE
55 WYMAN RD.
KEENE, NEW HAMPSHIRE



DESIGN: SHEET
DRAWN: A.J.G. K2334B
CHECKED: L.P.S. C2
DATE: 16-AUG-22

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LANDSCAPE LEGEND	
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SD	SMPW DRIFT FLOWERING CRAB
R	REDSPIRE PEAR
T#	TREE LABEL
S#	SHRUB LABEL

Liza Sargent 10/4/22
 LIZA P. SARGENT DATE
 R.C.E. NUMBER: 13365

NO.	REVISION	DATE	DWN	CHK
1	REVISED PER PE STAFF COMMENTS	04-OCT-22	LPS	LPS

SVE ^{INC.}
 Engineering
 Planning
 Landscape Architecture
 Surveying

SVE Associates
 P.O. Box 1818
 439 West River Road
 Brattleboro, VT 05302
 T 802.257.0561
 F 802.257.0721
 www.sveassoc.com

**SITE PLAN
 HEALTH CARE AND
 PARKING LOT**

COVENANT LIVING
 CROSSWALKS
 COVENANT LIVING OF KEENE
 95 WYMAN RD.
 KEENE, NEW HAMPSHIRE

0 5 10 20
 GRAPHIC SCALE 1" = 10'

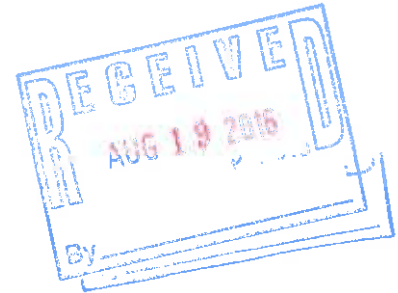
PROJ. #:
 K23348

DATE:
 16-AUG-22

DESIGN:
 DRAWN: AJG
 CHECKED: LPS

SHEET
C3
 38 OF 69

MEMORANDUM



Ref: 1582A

To: Kimball Temple, MD – President, Prospect Place
James Phippard – Brickstone Land Use Consultants, LLC

From: Stephen G. Pernaw, P.E., PTOE

Subject: Hillside Village – Proposed CCRC
Keene, New Hampshire

Date: August 17, 2016

BACKGROUND

Pernaw & Company, Inc. has conducted this traffic evaluation for Prospect Place, the project proponent, to address the safety and capacity aspects of Wyman Road, and its ability to accommodate the traffic levels that will be generated by the proposed Continuing Care Retirement Community (CCRC). This effort involved monitoring traffic volumes and travel speeds on Wyman Road, inventorying existing roadway conditions, projecting post-development traffic volumes on the roadway, evaluating roadway widths and capacity, and summarizing the results of a preliminary sight distance evaluation at the proposed site driveways. This evaluation has culminated in several transportation related recommendations aimed at providing safe and efficient access for the type and size of development that is proposed.

DEVELOPMENT PROPOSAL

The proposed 206-unit Continuing Care Retirement Community (CCRC) will be located along both sides of Wyman Road, south of Black Brook. This type of development provides for multiple levels of care to its residents, including independent living units (117), skilled nursing beds (20), memory care units (18), and assisted living beds (27) and independent living villas (24), for a total of 206 units. The community center and villas will be located on the east side of Wyman Road whereas the health center will be located on the west side (see Attachment 1). An underground pedestrian tunnel is proposed across Wyman Road to provide safe access between health and community centers.

Vehicular access to the community center (with independent living units) is proposed via two driveways that will intersect the east side of Wyman Road approximately 720-foot and 950-foot south of Black Brook. Access to the health center is proposed via two driveways on west side that will be located directly across from the two community center driveways. Access to the villas will be provided by a separate driveway on the east side of Wyman Road, approximately 250-foot south of Black Brook.

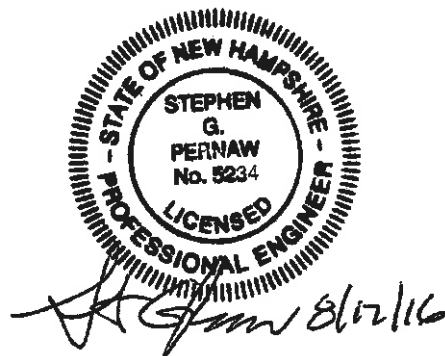
FINDINGS AND CONCLUSIONS

Based upon the existing conditions data collected along Wyman Road, the anticipated traffic increases from the proposed 206-unit Continuing Care Retirement Community, and the evaluation of sight distances at the proposed site driveways on Wyman Road, Pernaw & Company, Inc. finds that:

1. NH Route 12 (east of Wyman Road) carried an Annual Average Traffic Volume of 11,000 vehicles per day (vpd) in 2014, down from 12,000 vpd in 2008 and 2011. The traffic flow on NH12 typically reached its highest levels on weekdays during the typical commuter periods from 7:00 to 8:00 AM and from 5:00 to 6:00 PM. The daily and hourly traffic volumes on weekends were lower.
2. Wyman Road (adjacent to the subject site) carried an Average Weekday Volume of 725 vpd in August 2015, and 747 and 532 vehicles on Saturday and Sunday, respectively. The hourly rate of traffic flow reached peak levels from 5:00 to 6:00 PM on weekdays (63-74 vph) and during the midday on Saturday (131 vehicles) and Sunday (53 vph).
3. Previous traffic studies in 2005 that included the NH12/Wyman Road/Corporate Drive intersection found that the Wyman Road approach to NH12 operates at a poor Level of Service (LOS F) during the AM and PM peak hour periods. These studies have determined that traffic signal control was currently warranted at this location. However, satisfaction of a traffic signal warrant is not a mandate for signalization; rather it is a minimum threshold that must be crossed before traffic signal control can be considered. The New Hampshire Department of Transportation ultimately determines when the advantages of signalization outweigh the disadvantages.
4. The proposed CCRC is expected to generate 41-86 vehicle-trips (arrivals plus departures) during the weekday PM peak hour period. The majority of site vehicles, approximately 90%) are expected to travel to/from NH12 via Wyman Road. Favorably, the peak hour for site traffic does not coincide with the peak hour for traffic on NH12. To put this development proposal into perspective, the uses on Corporate Drive generated 253 trips in 2005 during the PM peak hour; whereas the proposed CCRC is expected to generate up to 86 peak hour trips. Further, sites that generate between 50 and 150 trips during the peak hour day are categorized as "medium" traffic generators from a traffic engineering standpoint. The proposed CCRC is not considered to be a major traffic generator.
5. Preliminary estimates indicate that the proposed CCRC will increase the utilization of the NH12/Wyman Road/Corporate Drive intersection by approximately +7% during the worst-case weekday PM peak hour period.
6. Given the existing roadway conditions and travel speeds along Wyman Road, and the anticipated traffic increases from the proposed CCRC, the following traffic mitigation measures should be implemented in conjunction with this development project:
 - A. Based on the travel speed and anticipated roadway volumes, Wyman Road (between Black Brook Road and the northerly site driveway) should be reconstructed with a 20-foot traveled way width. Graded shoulders are desirable. Pedestrian travel should not be encouraged along this section of Wyman Road.

- B. The horizontal curve on Wyman Road (located between the northerly and middle site driveways) should be reconstructed with a larger radius and flatter grades.
- C. Advanced warning signs should be installed in advance of and at the redesigned horizontal curve, including: Turn signs (W1-1), 25 mph Advisory Speed Plaques (W13-1P), and Chevron signs (W1-8) spaced 80-feet apart along the outside of the curve.
- D. A 4-inch double-yellow centerline pavement marking and 4-inch white edge lines (similar to the section south of Black Brook Road) should be installed for traffic calming purposes.
- E. The damaged sections of guardrail along Wyman Road should be repaired or replaced.
- F. To maximize the available sight distances looking left and right from the driveway approaches to Wyman Road, roadside vegetation (and snow banks) should be cleared and maintained on both sides of each site driveway.
- G. One general-purpose travel lane should be provided on each leg of each driveway intersection on Wyman Road, with stop sign control (R1-1) installed on the minor approach. Installation of an 18-inch white stop line and short section of 4-inch double-yellow centerline on each driveway is considered optional, but desirable.
- H. Nighttime illumination of each site driveway (pole mounted luminaires or low-level lighting) should be provided to give approaching drivers a visual cue of the driveway intersection.

With the implementation of these recommendations, access to and from the subject site on Wyman Road will be safe and efficient from a traffic engineering standpoint for the size and type of development that is proposed.



MEMORANDUM

Ref: 1582A

To: Kimball Temple, MD – President, Prospect Place
James Phippard – Brickstone Land Use Consultants, LLC

From: Stephen G. Pernaw, P.E., PTOE

Subject: Hillside Village – Proposed CCRC
Keene, New Hampshire

Date: October 11, 2016

As requested, our office conducted peak period traffic counts at the Old Walpole Road/Wyman Road intersection in Keene, New Hampshire on Tuesday, September 27th and Wednesday September 28th. These counts were conducted from 7:00 to 9:00 AM and from 3:00 to 6:00 PM in order to capture the highest one-hour traffic flow.

The morning peak hour occurred from 7:30 to 8:30 AM on Tuesday with 150 vehicles observed entering the intersection, and again from 7:15 to 8:15 AM on Wednesday with 157 vehicles observed. The evening peak hour occurred from 4:30 to 5:30 PM on Tuesday with 159 vehicles observed entering the intersection, and again from 4:45 to 5:45 PM on Wednesday with 169 vehicles observed.

During the intersection peak hour periods the hourly traffic volume on Wyman Road (south of Old Walpole Road) totaled 41 vehicles (Tuesday) and 50 vehicles (Wednesday) during the AM peak hour and 59 vehicles (Tuesday) and 66 vehicles (Wednesday) during the PM peak hour periods. The peak hour traffic volumes and turning movement patterns observed at this intersection are summarized on Figure 1. The detail sheets are attached (Attachments 1–10).

Figure 2 shows the net change in traffic demand at this intersection due the proposed CCRC using the higher of the two trip generation estimates from Table 1 and the anticipated trip distribution patterns in our previous memorandum (dated 8/25/16). Traffic changes of this magnitude will not alter the prevailing Levels of Service at this intersection. This intersection currently operates at Level of Service A during all hours of the day, and will continue to do so with the proposed CCRC fully occupied. In conducting a “sensitivity” analysis we found that doubling the amount of site traffic through this intersection will not change the prevailing Level of Service (see Attachments 11-13).

Attachments

MEMORANDUM

Ref: 1582A

To: Kimball Temple, MD – President, Prospect Place
James Phippard – Brickstone Land Use Consultants, LLC
Rob Hitchcock, P.E., SVE Associates

From: Stephen G. Pernaw, P.E., PTOE

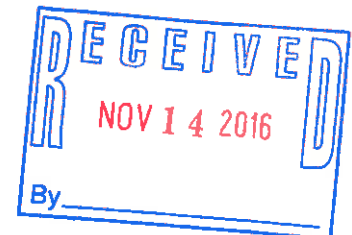
Subject: Hillside Village – Proposed CCRC
Keene, New Hampshire

Date: October 28, 2016

The purpose of this memorandum is to provide a written response to a Planning Board question that was posed at the hearing on 10/24/16 regarding the Level of Service at the Old Walpole Road/Wyman Road intersection.

As a matter of background, the trip distribution analysis contained in our traffic memorandum dated 8/17/16 indicates that approximately 90% of site traffic will travel to/from points south on Wyman Road (toward NH12), and the remaining 10% to/from the north (toward Old Walpole Road). Further, our supplemental memorandum dated 10/11/16 included traffic count data for the Old Walpole Road/Wyman Road intersection and the intersection capacity and Level of Service analyses of this intersection. The analyses showed that this intersection will continue to operate at Level of Service A during the PM peak hour with the additional traffic from the proposed CCRC.

When asked at the public hearing what trip distribution percentage might alter the Level of Service finding, I speculated that 100% of the site traffic could probably utilize this intersection without altering the Level of Service A result. To confirm this, we prepared a hypothetical set of traffic projections (see Attachment 1) and analyzed Level of Service using the higher of the two trip generation estimates for the AM and PM peak hour periods (see 8/17/16 memorandum, Table 1). The supplemental analyses contained herein verify that the subject intersection will continue to operate at Level of Service A during all hours of the day with the proposed CCRC fully occupied, regardless of trip distribution pattern that materializes.



MEMORANDUM

Ref: 1582A

To: Kimball Temple, MD – President, Prospect Place
James Phippard – Brickstone Land Use Consultants, LLC
Rob Hitchcock, P.E., SVE Associates

From: Stephen G. Pernaw, P.E., PTOE

Subject: Hillside Village – Proposed CCRC
Keene, New Hampshire

Date: November 8, 2016

As you know, our office installed an automatic traffic recorder on Wyman Road in August 2015 in conjunction with the traffic evaluation of the Hillside Village development. In addition to monitoring the daily and hourly variations in traffic demand on Wyman Road, it also monitored vehicle speeds. The traffic recorder was installed at the south end of the site where the alignment of Wyman Road is relatively straight and flat.

As requested, we installed an automatic traffic recorder at the horizontal curve in October 2016 to establish the travel speeds in the vicinity of the proposed northerly site driveway. As expected, the horizontal and vertical alignment of Wyman Road result in lower speeds. The following tables summarize the speeds and traffic volumes at the two count stations.

	Station 1 Both Directions ¹	Station 2 NB Direction ²	Station 2 SB Direction ³	Station 2 Both Directions
Posted speed	30 mph	30 mph	30 mph	30 mph
Average speed	32.7 mph	28.5 mph	26.2 mph	27.2 mph
85th percentile speed	38.3 mph	33.9 mph	29.8 mph	32.3 mph

¹ August 2015 speeds on Wyman Road at south end of site

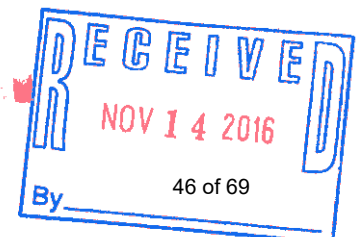
² October 2016 northbound speeds on Wyman Road at the horizontal curve (downhill grade)

³ October 2016 southbound speeds on Wyman Road at the horizontal curve (uphill grade)

	August 2015	October 2016
Sunday	532 vpd	503 vpd
Monday	741 vpd	659 vpd
Tuesday	645 vpd	695 vpd
Wednesday	753 vpd	715 vpd
Thursday	738 vpd	641 vpd
Friday	746 vpd	606 vpd
Saturday	747 vpd	578 vpd
Avg. Weekday	725 vpd	663 vpd

Please advise if we can be of further assistance, or if you have any questions.

SPR-11-16



Survey of Vehicles and Pedestrians June 16th 2021 at Hillside Village

By Paul Henkel and Carl Jacobs

A survey was undertaken to assist the City of Keene in understanding the numbers of vehicle and pedestrians and the routes they use. The goal is to supply data which will help in determining improvements in signs and possible pavement markings. Signs and pavement marking can help make motorists aware of the pedestrian activity. We have opportunity to encourage pedestrians to use marked crossings and to exercise caution by looking both ways and recognize vehicles may not stop.

A map was provided on which the intersections were numbered from south to north 1, 2, 3, and 4. The West parking lot was designated "W", the East lot "E", the area near the Barn "B" and the area where the driveway leads to under the building parking and the Woodside Apartment Garages "G". Codes were suggested to indicate where the vehicle came from and where it went to: for example S 1 W indicated a vehicle came from the South, turned at Intersection #1, and went into the West lot.



The Observation Point used is high above the curve in Wyman Road; it allowed visibility to the intersections numbered 1, 2, 3, and 4. Vehicles could be seen approaching from the N and S. Parking areas are labeled E and W and B. The general area encompassing the drive leading to parking under the residential apartments and the lawn near intersections 3 and 4 was designated "G". So a pedestrian crossing from the area of the Barn was recorded as B4G or B3G depending on where they crossed.



26 Residents took part with a pair of residents recording vehicles and pedestrians over each one hour period. One pair is shown above at the Observation Point.

All but one hour of the survey took place from 7 AM to 7 PM on Wednesday June 16th. It was noted that significant traffic occurs before 7 AM, so the survey was extended by taking additional data on the following morning Thursday June 17th from 6 AM to 7 AM.

The total number of vehicles was 1161. So an average of 89.3 per hour. Of these, 719 were through traffic which passed through from South to North or N to S without stopping. The peak traffic occurred during the noon to 1 PM interval when there were 112 vehicles. The lowest number was 58 at 6 to 7 PM. There was one bicycle.

From the table of data many questions can be answered. For example, regarding intersection #2:

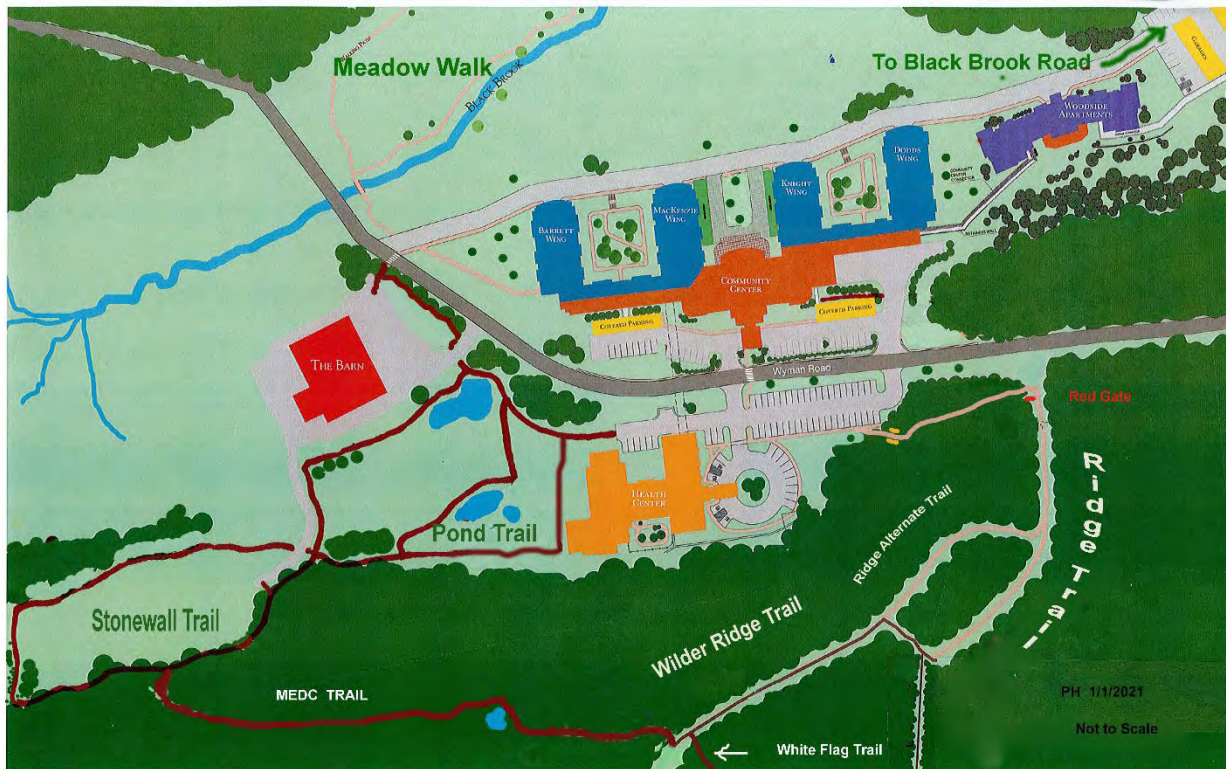
How many vehicles pass through or turn in when going North on Wyman Road? 452 When going South on Wyman Road? 471

How many turn East or West into or out of parking areas on each side at #2 (or cross e.g. from East to West)? 155

See the tables of vehicle and pedestrian data below.

The number of pedestrians crossing or walking alongside the road was 169. Of those 118 crossed Wyman Road at Intersection #2 between the front door of the Community Center and the Health Center. 12 crossed at intersection #1. 30 crossed in the general area of the Barn and G, the area around the drive leading to Woodside Apartments.

The demographics of the residents should be noted. Nearly all the residents are in their seventh, eighth or ninth decade. There is wide variation in the mobility of residents. Some use the extensive trails which have been developed on the Hillside property and on abutting properties. Among this group, use of microspikes and snowshoes has allowed all-season use. See the trail map. Some residents use a cane or a walker, and limit themselves to the Stonewall trail and the Meadow Walk. Many residents walk considerably slower than they did at a younger age; their reduced mobility at a road crossing requires they take extra time to cross.



Popular trails include the Stonewall Trail and Pond Trail and Ridge Trail on Hillside property. The Ridge trail has been rerouted away from Wyman Road in the area from the red gate across a bridge to the west parking area to encourage crossing at intersection #2, rather than the old route crossing at intersection #1 and walking along Wyman Road. Residents have been invited to use the Wilder Ridge Trail and the MEDC Trail on abutters' property.

Future use of lot B near the barn is planned to increase. Increased number of Independent Living residents in the largest building will result in more residents' cars. Increased staffing at the Health Center to accommodate more Assisted Living and Memory Care residents will likewise increase the number of cars. There are raised bed gardens behind the barn. So residents cross near intersections 3 and 4 to access the gardens as well as the trails. Future staff parking in Lot B will increase the number of staff crossing Wyman road in this area. **The dip in Wyman Road adjacent to Black Brook to the north and the curve and wall to the south limit visibility for pedestrians and motorists.** It is anticipated warning signs will mitigate these factors.

Residents and staff of Hillside Village and City of Keene personnel are working to find a solution which will improve pedestrian safety on Wyman Road.

Vehicle Survey Results

	6 AM TO 7 AM *	7 AM TO 8 AM	8 AM TO 9 AM	9 AM TO 10 AM	10 AM TO 11 AM	11 AM TO NOON	NOON TO 1 PM	1 TO 2 PM	2 TO 3 PM	3 TO 4 PM	4 TO 5 PM	5 TO 6 PM	6 TO 7 PM	TOTALS	Came from	Turned at Intersection #	Went to
14	13	19	22	25	18	39	26	24	40	44	31	38	353	S	5	1	N
1	5	4	1	4	2	7	5	3	1	1	1	2	32	S	1	1	E
7	1	4	7	1		1	3	7	7	1	1	2	35	S	1	1	W
1	1	2	1	1	2	2	1	1	2	1	1	1	15	S	2	2	E
10	1	4	4	5	3	3	3	4	3	3	1	1	40	S	2	2	W
2	1	1	3	4	1	4	5	6	3	2	1	1	3	S	3	3	B
													41	S	4	4	G
													9	E	1	1	S
													3	E	1	1	W
													0	E	1.2	1	W
													0	E	1	1	B
													0	E	1	1	G
													16	E	2	2.3	S
													2	E	2.3	2	B
													7	E	2	2	G
													3	E	2	2	W
													9	E	2	2	N
													3	E	1	1	N
													21	W	1	1	S
													2	W	1	1	E
													0	W	1	1	B
													0	W	1	1	G
													2	W	1	1	N
													26	W	2	2	S
													0	W	2	2	E
													0	W	2	2	B
													0	W	2	2	G
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													26	W	2	2	E
													0	W	2	2	B
													0	W	2	2	G
													26	W	2	2	N

Pedestrian Survey

	At or near Intersection	6 AM TO 7 AM	PEDS 7 TO 8 AM	PEDS 8 TO 9 AM	PEDS 9 TO 10 AM	PEDS 10 TO 11 AM	PEDS 11 TO NOON	PEDS NOON TO 1 PM	PEDS 1 TO 2	PEDS 2 TO 3	PEDS 3 TO 4	PEDS 4 TO 5	PEDS 5 TO 6	PEDS 6 TO 7 PM	TOTALS	
1			1			1			1		1		1	1	8	E1W
											3	1			4	W1E
		1	5	5	1	3	1		12	1	6	5	6	3	57	E1N
			7	8	5	3	6		5		8	6	0	1	61	E2W
												6			1	W2E
						1									1	E2,3S
								1							1	W2G
2				3		1									4	B3E
															0	E3B
															1	E3G
														1	1	GE
															2	EG
											1				3	G3B
												3	2		6	B3G
3											3				3	B3W
															1	G EDGE S
															6	G4B
															6	B4G
															2	E4G
															1	N4G
															1	BIKE
Wyman Road														1		
Totals	8	16	16	5	11	10	10	17	17	25	15	8	7	157		

Note: Some pedestrians walked along the edge of or alongside Wyman Road or crossed between intersections. Describing their varied paths is beyond the scope of this survey.

STAFF REPORT

CLSS-CUP-01-22 – Congregate Living & Social Service Conditional Use Permit – Unity House, 39 Summer St

Request:

Applicant The Home for Little Wanderers, on behalf of owner William Schofield, proposes to operate a Small Group Home on the property located at 39 Summer St (TMP #568-037-000). A waiver is requested from Sec. 25.14.7.A of the Land Development Code regarding the requirement to submit a complete plan set stamped and signed by a NH licensed engineer or architect. The site is 0.40-ac in size and is located in the Downtown Transition District.

Background:

The 39 Summer Street property is located approximately 0.2 miles northwest of Central Square on the north side of Summer Street. This property was originally developed as a single family home; however, it was later converted into a nursing home and was most recently used as an office. Surrounding uses include residential uses (single family, two family, and multifamily), office, and a senior center. The structures along School Street are all either residential structures or residential structures converted for office use. This property is in the Downtown Transition District (formerly the Office District).

The Applicant proposes to operate a group home within the existing building for up to 8 residents aged 14-18 years. This proposed use falls under the definition of a “small group home,” which is a permitted use in this district with a conditional use permit.

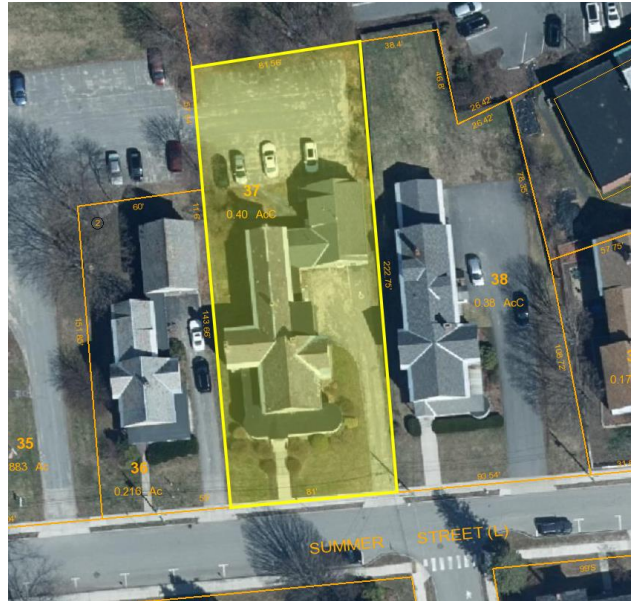


Figure 1. Aerial image showing the 39 Summer Street property, highlighted in yellow.

Per Article 15, “Congregate Living & Social Service Conditional Use Permit” of the Keene Land Development Code, this project requires a Congregate Living & Social Service Conditional Use Permit from the Planning Board.

Completeness:

The Applicant has requested exemptions from submitting a plan set that is signed and stamped by a NH licensed engineer or architect, a grading plan, a lighting plan, architectural elevations, and technical reports. After reviewing the requested exemptions, staff recommend that the Planning Board accept the application as “complete.”

Departmental Comments:

- Code Enforcement:
 - Please be aware that a building permit will be required.
 - Please provide additional details on accessibility, parking spaces, and travel paths into the building.

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- Fire: FD hook up, Sprinkler to building, Show Compliance with NFPA 1 section 18 Fire Department Access and Water Supply.
- Zoning: No issues.
- Engineering: No issues.

Application Analysis: The following is a review of the criteria for granting a Congregate Living and Social Services conditional use permit.

A. *The nature of the proposed application is consistent with the spirit and intent of the Zoning Regulations, this LDC and the City's Comprehensive Master Plan, and complies with all the applicable standards in this LDC for the particular use in Section 8.3.4.*

This property is located in the Downtown Transition (DT-T) district, which is one of 6 form-based zoning districts in the downtown. The intent of this district is to “accommodate a variety of residential, open space, and other low intensity uses in a mixed-use environment of attached and detached structures. Development within the DT-T District is intended to complement and transition into existing residential neighborhoods adjacent to downtown Keene.” The Applicant proposes to convert the existing office building for use as a small group home, which is allowed within this district. The appearance of the building will remain residential, and minimal changes are proposed to the site in order to accommodate the proposed use.

Section 8.3.4 of the LDC includes the following use standards for Small Group Home:

- Only 1 small group home shall be permitted per lot.*
- No small group home shall be constructed or operate without first having obtained a congregate living and social service conditional use permit from the Planning Board in accordance with Article 15.*
- Annually, a small group home shall obtain a congregate living and social services license from the City Council as set forth in Chapter 46 of the City Code of Ordinances.*
- Small group homes shall maintain the appearance of a residential structure, and the design and operation of the facility shall not alter the residential character of the structure.*

The proposed group home would be the only group home in operation on the site. The Applicant is aware that a congregate living and social services license will need to be obtained and renewed on an annual basis. This requirement has been included as a condition of approval in accordance with Section 15.3.C of the LDC.

B. *The proposed use will be established, maintained, and operated so as not to endanger the public health, safety, or welfare.*

The Applicant states in the project narrative that a minimum of two professional staff will be present during “awake hours” and two staff present during “asleep hours” to ensure continual supervision in the event of an emergency. An administrator is also on-call 24/7 for any issues that need additional support or guidance.

All points of ingress/egress for the building will be secured with key-pad locks and security cameras.

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C. The proposed use will be established, maintained, and operated so as to be harmonious with the surrounding area and will not impede the development, use, and enjoyment of adjacent property. In addition, any parking lots, outdoor activity area, or waiting areas associated with the use shall be adequately screened from adjacent properties and from public rights-of-way.

This site is located just north of downtown in an area with a mix of residential and office type uses. Adjacent uses include single and multi-family housing, offices, and a senior center. The applicant states that while residents and staff will have use of outdoor space, the uses are not expected to be any more intense than what would occur in a single-family home. The applicant's narrative states that should any problems arise, there will be staff on site.

In addition, the outdoor activity space, which is proposed to be to the rear of the building, will be screened from the Right-of-Way by the building on site and from the adjacent property to the west by a line of arborvitae. However, in conversations with staff, the applicant notes that the owner's preference is to remove the arborvitae because the abutting property owner to the west would prefer that they not be installed. The Board may wish to consider whether or not arborvitae or some other form of screening is required in order to provide "adequate screening" of the outdoor space from the abutting property owner, or whether no screening is sufficient in this instance.

D. The proposed use will be of a character that does not produce noise, odors, glare, and/or vibration that adversely affects the surrounding area.

The use, as proposed by applicants will occur mostly indoors and is consistent with other residential uses in the neighborhood. The outdoor activity area will be screened from adjacent properties and the Right-of-Way. The use is most similar to multi-family housing and the intensity of use will not differ significantly from a number of pre-existing uses on Summer Street.

E. The proposed use will not place an excessive burden on public infrastructure, facilities, services, or utilities.

No changes to the existing water and sewer access for the building are proposed, and City engineering staff did not express any concerns about the capacity of the City's sewer and water facilities to accommodate the additional load from the proposed use.

With respect to City services, this site is located in a dense area that is well-served by both fire and police. The use is not expected to burden these services.

F. The proposed use will not result in the destruction, loss, or damage of any feature determined to be of significant natural, scenic, or historic importance.

There are no features of natural or scenic importance on this site. The Applicant's narrative states that the existing building is considered to be historic; however, no modifications are currently proposed to the exterior of the building.

G. The proposed use will not create a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity of the use.

According to the applicant's narrative, residents of Unity House will not be able to drive while resident at the facility. Employees may drive to and from the site and will operate a center-owned

STAFF REPORT

vehicle. There will be a total of 14.5 full-time equivalent employees and three daily work shifts. During the day, the applicant expects 3 to 4 staff during 2 day time shifts and 2 to 3 staff for evening and weekend shifts. Average daily weekday trip generation is estimated to be 20 vehicle trips. Weekend trips will amount to 16 vehicle trips. These estimates are below the trip generation estimates for the current uses on site.

There are 15 spaces for on site for the use of employees and visitors. Two spaces are accessed from a driveway off of Summer Street. This includes space for parking an accessible van and a travel aisle. The remaining 13 are located at the rear of the building and accessed via the driveway for 53 Summer Street. The deed for the property includes deeded access rights to pass and repass over the driveway and parking lot at 53 Summer Street.

H. The proposed use will be located in proximity to pedestrian facilities (e.g. multiuse trails and sidewalks), public transportation, or offer transportation options to its client population.

This site is located in an area that is easily accessed by multiple modes of transportation, including walking, bicycling, and public transportation. The applicant states in their narrative that while staff may drive to and from the site, residents will not have access to privately-owned vehicles and will either travel by transit, on foot, or in the van owned by Unity House.

Recommended Motion:

If the Board is inclined to approve this request, the following language is recommended for a motion:

Approve Conditional Use Permit CLSS-CUP-01-22 for a small group home, as shown on the plan identified as "Proposed Conditions, 39 Summer Street, Keene, NH" prepared at a scale of 1 inch = 45 feet, dated August 23, 2022 and last revised October 7, 2022, with the following conditions:

- A. Prior to final approval and signature by the Planning Board Chair, the following conditions precedent shall be met:
 1. Owner's signature appears on plan.
 2. Submittal of five paper copies and a digital copy of the final plan.

- B. Subsequent to final approval, the following condition shall be met:
 1. The Applicant shall obtain a Congregate Living and Social Services License, which shall be renewed annually in accordance with Chapter 46 of the City Code of Ordinances.



City of Keene, NH

Congregate Living & Social Service Conditional Use Permit (CUP) Application

If you have questions about how to complete this form, please call: (603) 352-5440 or email: communitydevelopment@keeneh.gov

SECTION 1: PROJECT INFORMATION

PROJECT NAME: Unity House

PROJECT ADDRESS(ES): 39 Summer Street, Keene, NH

SECTION 2: CONTACT INFORMATION

OWNER	APPLICANT	
NAME/COMPANY: William Schofield	NAME/COMPANY: The Home for Little Wanderers	
MAILING ADDRESS: 27 Dublin Rd, Jaffrey, NH 03452	MAILING ADDRESS: 10 Guest St, Boston, MA 02135	
PHONE:	PHONE: 603-352-1928	
EMAIL:	EMAIL: tdurling@thehome.org	
SIGNATURE:	SIGNATURE: 	
PRINTED NAME: William k. Schofield	PRINTED NAME: Thomas Durling	
AUTHORIZED AGENT (if different than Owner/Applicant)	FOR OFFICE USE ONLY:	
NAME/COMPANY: BCM Environmental & Land Law, PLLC	TAX MAP PARCEL #(s): 568037-000000000	
MAILING ADDRESS: 41 School St, Keene, NH 0343	-----	
PHONE: 603-352-1928	PARCEL SIZE: 0.4 acres	DATE STAMP: By _____
EMAIL: hanna@nhlandlaw.com	ZONING DISTRICT: Downtown Transition	
SIGNATURE: 	PROJECT #: CLSS-CUP-0122	
PRINTED NAME: Thomas R. Hanna		



City of Keene, NH

Congregate Living & Social Service Conditional Use Permit (CUP) Application

If you have questions about how to complete this form, please call: (603) 352-3442 or email: communitydevelopment@keene-nh.gov

SECTION 1: PROJECT INFORMATION

PROJECT NAME: Unity House

PROJECT ADDRESS: 39 Summer Street, Keene, NH

SECTION 2: CONTACT INFORMATION

OWNER		APPLICANT	
NAME/COMPANY:	William Schofield	NAME/COMPANY:	The Home for Little Wanderers
MAILING ADDRESS:	27 Dublin Rd, Jaffrey, NH 03452	MAILING ADDRESS:	10 Guest St, Boston, MA 02135
PHONE:	603-552-7616	PHONE:	603-352-1928
EMAIL:	wschof8@gmail.com	EMAIL:	tdurling@thehome.org
SIGNATURE:		SIGNATURE:	
PRINTED NAME:	William k. Schofield	PRINTED NAME:	Thomas Durling
AUTHORIZED AGENT (if different than Owner/Applicant)		FOR OFFICE USE ONLY:	
NAME/COMPANY:	BCM Environmental & Land Law, PLLC	TAX MAP PARCEL ID:	
MAILING ADDRESS:	41 School St, Keene, NH 0343	_____	
PHONE:	603-352-1928	PARCEL SIZE:	DATE STAMP:
EMAIL:	hanna@nhlandlaw.com	ZONING DISTRICT:	
SIGNATURE:		PROJECT ID:	
PRINTED NAME:	Thomas R. Hanna		

**CONGREGATE LIVING/SOCIAL SERVICE CONDITIONAL USE PERMIT
APPLICATION FOR THE HOME FOR LITTLE WANDERERS' UNITY HOUSE**

39 Summer Street, Keene, NH TMP# 568-037-000

DESCRIPTIVE NARRATIVE

Revised October 2, 2022

The Applicant, The Home for Little Wanderers (“The Home”), proposes a Small Group Home for youth at 39 Summer Street (TMP#: 568-037-000), which is in the Downtown Transition (DT-T) District.

Since 1995, the 0.4-acre parcel and existing 6,694 square foot building at 39 Summer Street was used as office space for Residential Resources Inc. Prior to this use, it was a nursing home. However, it was originally built as a single-family residence and continues to maintain the appearance of a residential dwelling. There are currently 12 offices, conference/meeting/file rooms, 1 office kitchen, 7 bathrooms, and an attached apartment unit.

The Home proposes a residential group home in the existing building for up to 8 youth, ages 14-18, who identify as members of the LGBTQ+ community. This group home, to be called “Unity House,” will offer youth a safe and supportive living environment while they prepare for family reunification, independent living, secondary education paths, and future self-sufficiency. This group home will be a state-licensed facility with ample resources, including highly skilled professional staff with clinical and social service expertise, to ensure that the needs of its residents are met and that it is a good neighbor to the surrounding community.

Unity House will operate similarly to a residential dwelling, with residents sharing sleeping and common living space alongside The Home’s 24-hour staff. While the average length of stay for residents varies, it is not uncommon for residents of The Home’s group homes to stay between 3 to 4 years. At no time will there be fewer than 2 staff present during “awake hours” and 2 staff present during “asleep hours” to ensure continual supervision in the event of an emergency. An administrator is also on-call 24/7 for any issues that need additional support or guidance. All points of ingress/egress for the building will be secured with key-pad locks and security cameras for added safety of the residents. With this level of onsite supervision and security, no unreasonable hazards or nuisances are likely to result.

While the residents and staff will utilize the site’s outdoor space, such use will be in a manner similar to, and at a sound level consistent with a large family residence. Staff will always be present to monitor ambient noise levels at all outdoor activities, and will be readily available to address neighbor concerns, should they arise. However, it should be noted that the residents will not be at Unity House because of behavior issues that prohibit them being in a community setting.

No adverse traffic impact will result from this use. The youth residents of this program will not be permitted to have vehicles onsite and will either be transported by Unity House’s facility-

owned vehicles or will walk to/from the site. With respect to staff, there will be a total of 14.5 full time equivalent employees and 3 daily work shifts. An average number of 3 to 4 staff will be present for the 2 daytime shifts, and 2 to 3 staff for the afternoon and evening shifts. The average daily weekday trip generation is estimated to be 20 vehicle trips. The average daily weekend trip generation is estimated to be 16 vehicle trips. Although visitors and guests are permitted at the facility, residents will typically visit their families offsite and transportation will be provided by Unity House's vehicle(s). The estimated weekly number of visitors and guests will be between 1 and 2.

The projected traffic impact will be less than the estimated daily trip generation for the site's existing office or nearby multifamily dwellings. According to the Institute of Transportation Engineers (ITE) Manual 10th Edition, the estimated average daily trip generation for a small office building (Code 720) is 16.19 vehicle trips per 1,000 sf. ft. GFA. Based on this ratio, the estimated daily trip generation for the existing office use, which occupies approximately 5,806 sq. ft. of the building, is 93 trips. This is a substantially greater traffic intensity than the proposed use.

The site presently has a paved parking area suitable for 15 vehicles. There is a driveway off Summer Street that provides access to 2 parking spaces, including a van accessible parking space and travel aisle. There is a 13-space parking lot at the rear of the building that is accessed via the driveway at 53 Summer Street. The current property owners have deeded rights to pass and repass over the driveway and parking area at 53 Summer Street to access this parking lot. These parking spaces will be utilized by The Home's staff and by two facility-owned vehicles used for transporting residents. The existing parking capacity on the site exceeds what the Unity House will need as well as the City's onsite parking requirement for group homes of 1 space per bed (See Table 9-1 of the Zoning Ordinance). The Home will have a total of 8 beds for residents.

No new structures or additions to the existing building are proposed. However, prior to establishing the use, The Home will make the following renovations: the addition of a residential kitchen in the main part of the building; updates to all of the bathrooms; repair and replacement of damaged porch posts and flooring; replacement of damaged roofing; installation of landscaping for aesthetics and privacy; repainting the building's interior and exterior; refinishing interior flooring; and replacement of the water heaters, oil tank, and boiler. These improvements will respect and restore the historic architectural features of this building. Additionally, The Home will install new IT infrastructure, exterior lighting, and security cameras on the exterior of the building. The cost of these initial improvements to the building and grounds is estimated to be \$250,000 and has been approved by The Home's Board for this fiscal year.

In addition to having professional staff to manage the residential program, there will be a part-time facility manager to oversee the maintenance and upkeep of the building and site. The Home has allocated approximately \$122,500 in Unity House's annual operating budget for facility maintenance and repairs.

The existing two-story building is of similar height to adjacent buildings and does not negatively affect the light or views of abutting properties. With respect to air quality, smoking will not be permitted anywhere on site.

The proposed group home will be a well-managed, low intensity use that will fit in well with the surrounding area. It is in keeping with the purpose of the Downtown Transition (DT-T) District, which permits Small Group Homes. In addition, it is compatible with the existing land use context of Summer Street. Currently, neighboring uses include multifamily apartments and office buildings, as well as some single-family homes. The proposed group home will have commensurate or less impact than these denser residential and commercial uses. This parcel is the second largest lot on the north side of Summer Street. Adjacent uses on this side of the street include two 3-unit apartment buildings, one 2-unit apartment building, two office buildings, one single family residence, and one mixed office and apartment building. The office uses referenced include a doctor's office, a tourism agency, and an accountant's office, which is on the corner of Summer and Court Streets.

To the best of the Applicant's knowledge, Congregate Living and Social Services uses located within 750 feet of the parcel at 39 Summer Street include: a lodginghouse at 86 Winter Street, which is owned by Monadnock Affordable Housing Corporation and is approximately 530 feet from the subject parcel; a homeless shelter on Elm Street, which is owned by Southwestern Community Services and is approximately 630 feet from the subject parcel; the Serenity Center, which is group resource center at 34 Mechanic Street and is approximately 650 feet away from the subject parcel; and, the Monadnock Peer Support Agency, which is a group resource facility at 29 Vernon Street and is approximately 749 feet from the subject parcel. The Applicant is not aware of any other group home in the vicinity.

The Home has a long-standing and highly effective track record of operating similar residential group homes in New Hampshire and Massachusetts. It is based on this experience that The Home can confidently say that the impact of this proposed group home on Keene's emergency response services (e.g. Fire, EMS, and Police) will be minimal.

Unity House will operate as a partner program to The Home's Waltham House in Massachusetts, which was one of only three group homes in the country supporting LGBTQ+ youth at the time it was established in 2002. Unity House will build on the Waltham House's very successful model for delivering high quality residential care for LGBTQ+ youth for 20 years and will be the first of its kind in New Hampshire. The Home has a contract from the New Hampshire Department of Youth and Families to provide this service and will be licensed by the NH Department of Health and Human Services.

**CONGREGATE LIVING/SOCIAL SERVICE CONDITIONAL USE PERMIT
APPLICATION FOR THE HOME FOR LITTLE WANDERERS' UNITY HOUSE
39 Summer Street, Keene, NH
TMP# 568-037-000**

WAIVER REQUEST

The Applicant, The Home for Little Wanderers, is requesting a waiver from the requirement in Article 25 Section 14.7.A of the Keene Land Development Code that “Conditional use permit applications shall be subject to the same procedure for review and decision by the Planning Board as major site plan applications, unless otherwise noted in this LDC.” Specifically, the Applicant is seeking a waiver from the requirement that a complete plan set signed and stamped by a NH licensed engineer or architect be submitted with this Conditional Use Permit Application (See Section 25.12.5.B).

The Applicant is proposing to locate a Large Group Home in the Downtown Transition (DT-T) District, where such use is not permitted. The Applicant has signed a purchase and sales agreement with the current property owner that is contingent on the attainment of local land use approvals to operate the use in this building. At this time, the Applicant is seeking approval from the ZBA and Planning Board for the use of Large Group Home at this site and there are no significant changes to the site or building proposed. While the Applicant is proposing the installation of 15 Arborvitae shrubs along the western property line, a bicycle rack at the rear of the building and 4 wall-mounted fully shielded lights, these improvements are proposed to comply with the standards in Article 15 for Congregate Living and Social Service Conditional Use Permits.

The requirement that the Applicant submit a formal site plan stamped by an engineer would be an unnecessary hardship as the Applicant is not certain that this use will be permitted and site alterations are negligible. These plans are premature and an unnecessary expense prior to a ruling on the requested variance and the Conditional Use Permit. The Applicant has included a plot plan that identifies the proposed location of the proposed landscaping, lighting, and bicycle rack. This plan is to scale and was prepared using spatial information from the City’s GIS mapping system.

Granting the waiver would not be contrary to the spirit of the regulations, as no new structures, additions, or impervious areas are proposed for the site. If not for the requirement in Section 25.14.7.A, this proposal would be eligible for Administrative Planning Review, as it does not meet the threshold for major or minor site plan review (See Section 25.12.3.B of the Keene Land Development Code).

The Applicant has applied to the ZBA for a variance to operate this use in the DT-T. The ZBA will hold a public hearing on this application at the September 6, 2022 meeting.

MEMORANDUM

To: Mari Brunner, Senior Planner
Megan Fortson, Planning Technician

From: Tara Kessler, BCM Environmental & Land Law, PLLC

Date: October 7, 2022

Re: Revised Existing Conditions Plan for Congregate Living / Social Services CUP
Application for 39 Summer Street

Please find please attached the revised Proposed Conditions Plan for The Home for Little Wanderers' Congregate Living and Social Service Conditional Use Permit Application for a Small Group Home at 39 Summer Street (Tax Map Parcel #: 568-037-000).

In accordance with the request from City Staff that the proposed Outdoor Activity Area on the west side of the parcel be screened from the abutting neighbor at 45 Summer Street, the Applicant is proposing to install 10 Holmstrup Arborvitae along the western property line. These proposed plants are displayed on the attached Proposed Conditions Plan dated August 23, 2022 and last revised on October 7, 2022.

As we noted to Megan Fortson in a phone conversation on and in emails dated October 5, 2022, the Applicant did not initially propose screening in this area of the property at the request of the property owner of 45 Summer Street.



EXISTING CONDITIONS

39 Summer Street, Keene, NH

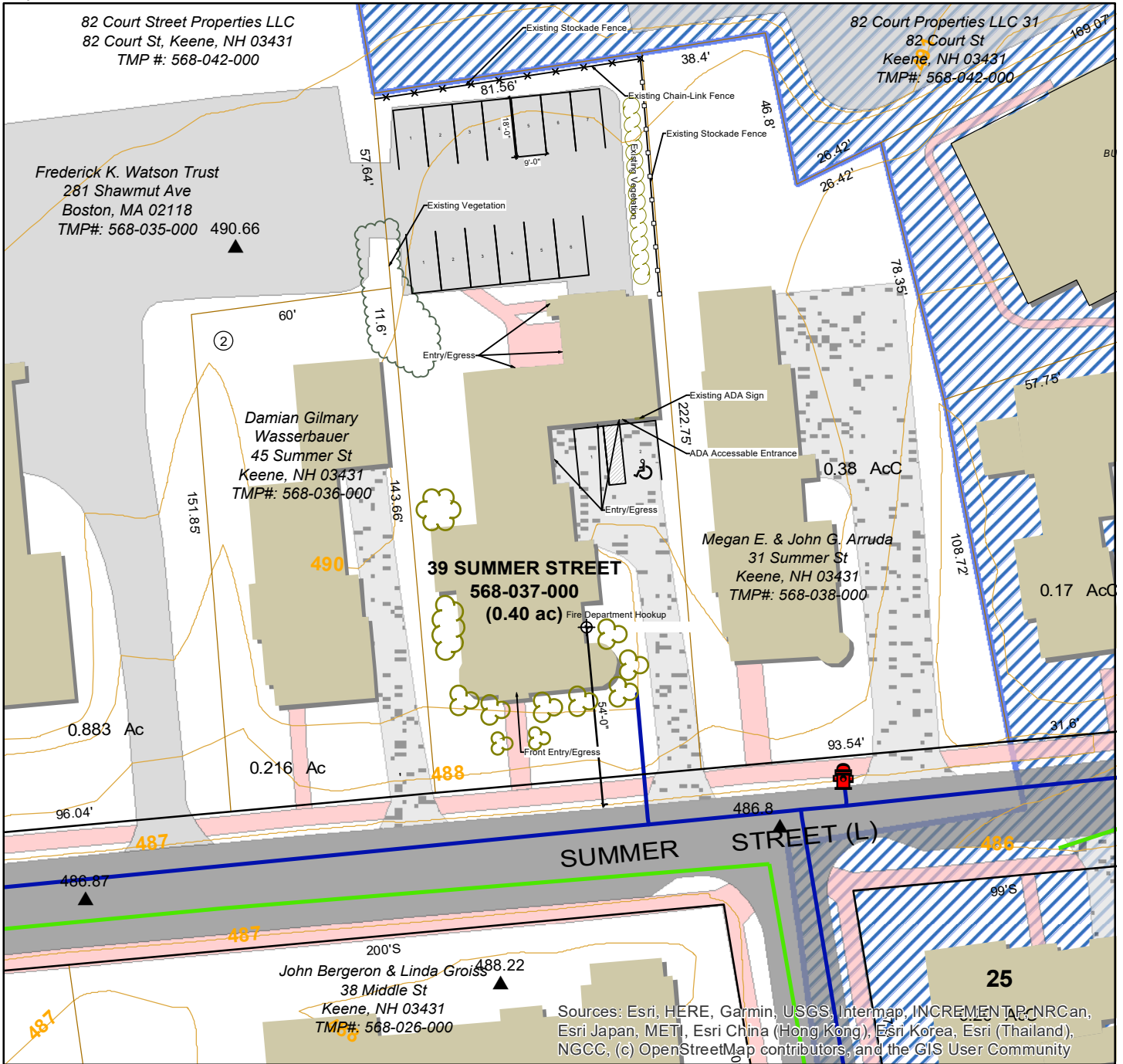


August 23, 2022
Revised:
September 27, 2022

1 inch = 45 Feet



www.cai-tech.com



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENTAL, NRCAn, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

	Condo		Shadow		Contour		Parking Lot
	Property Line		Hydrant		Spot Elevation		Road
	Public Road		Water Main		Driveway		Downtown Historic District Overlay
	Buildings		Sewer Main		Other Impervious Area		Existing Vegetation

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



PROPOSED CONDITIONS

39 Summer Street, Keene, NH

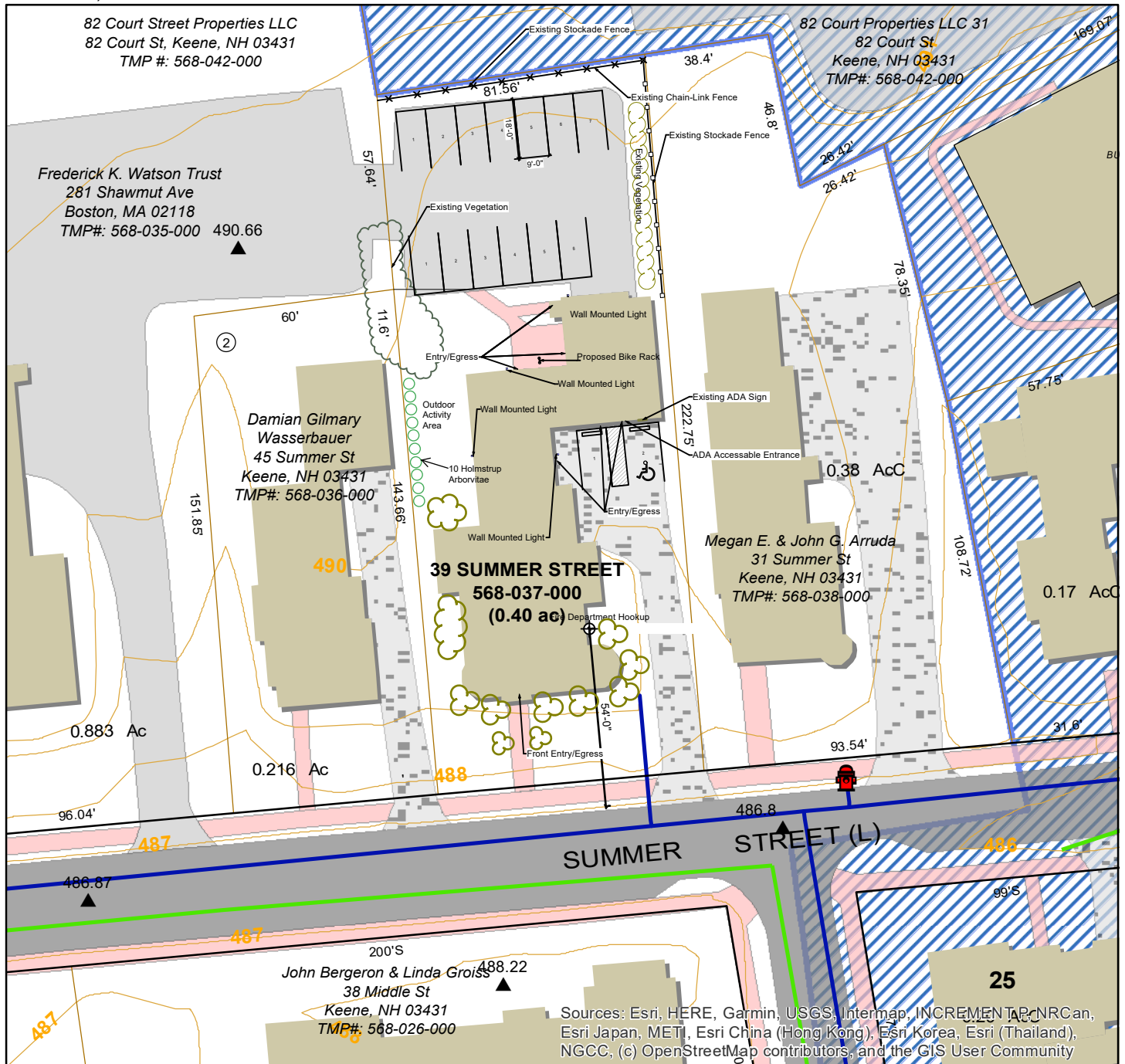


August 23, 2022
Revised:
October 7, 2022

1 inch = 45 Feet



www.cai-tech.com



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENTAL, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

	Condo		Shadow		Contour		Parking Lot
	Property Line		Hydrant		Spot Elevation		Road
	Public Road		Water Main		Other Impervious Area		Downtown Historic District Overlay
	Buildings		Sewer Main		Existing Vegetation		

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Photographs of 39 Summer Street



Photo Above: View of 39 Summer Street taken from Summer Street facing northeast.



Photo Above: View of 39 Summer Street taken from Summer Street facing north/northwest.



Photo Above: View of existing driveway on the parcel at 39 Summer Street.



Photo Above: View of rear parking lot at 39 Summer Street. Photo taken facing east.



Photo Above: View of the back of the building at 39 Summer Street. Photo taken facing south.



Parcels within 750 feet of 39 Summer Street

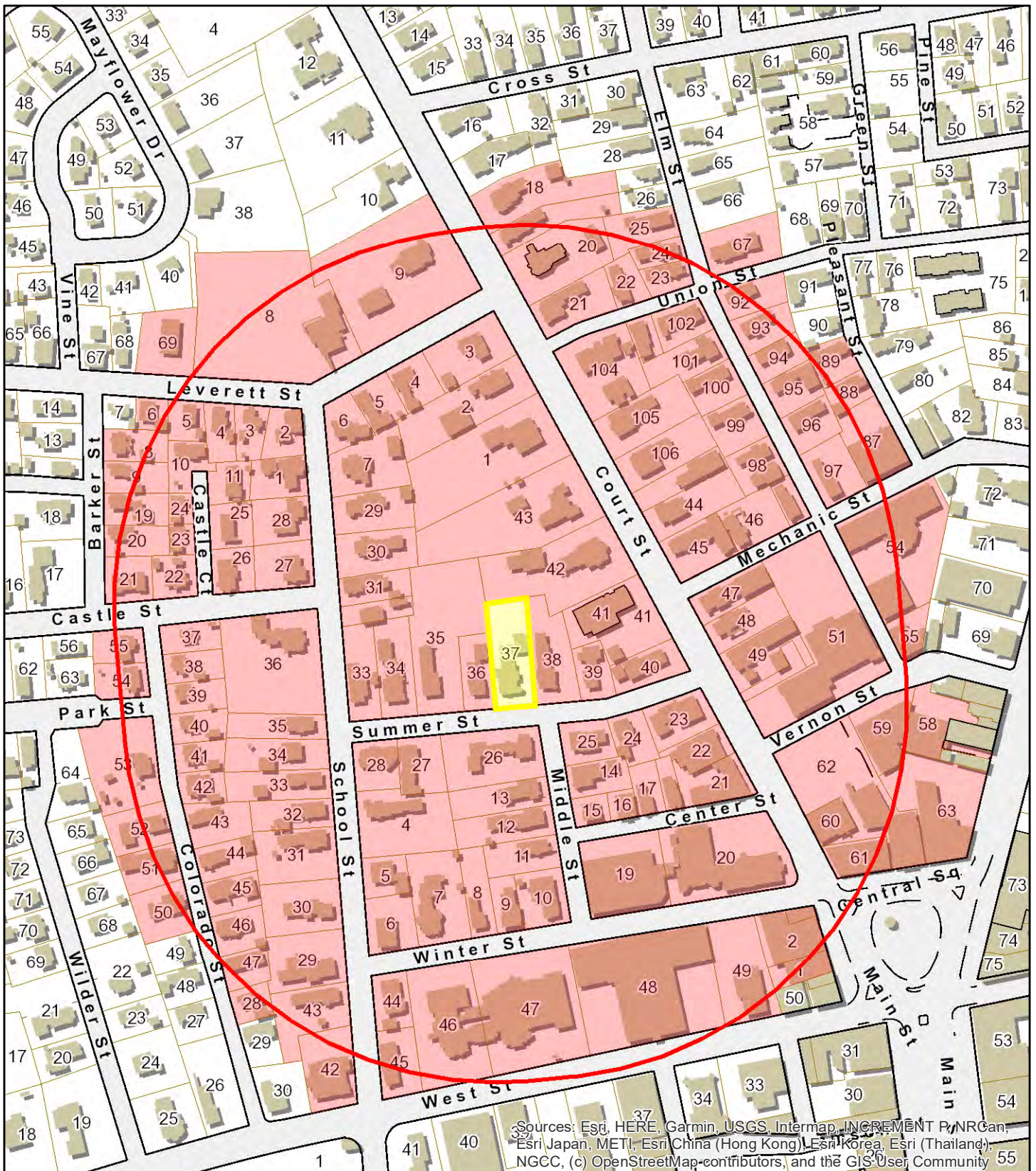
Keene, NH



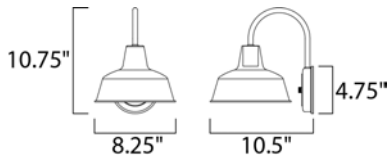
August 23, 2022

1 inch = 275 Feet

www.cai-tech.com



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap-contributors, and the GIS User Community



Measurements:

<u>Height</u>	<u>Width</u>	<u>Extension</u>
10.75"	8.25"	10.50"
<u>BP Height</u>	<u>BP Width</u>	<u>HCO</u>
4.75"	4.75"	8.00"

Hanging Weight

1.54 lb

Lamping:

Incandescent MB

1.00 60W MB

Color Temperature

60 total watt

Dimmable : Yes

Input Voltage: 120

Shipping:

<u>Carton Weight</u>	<u>Carton Width</u>	<u>Carton Height</u>	<u>Carton Length</u>
2.64 lb	12.48"	10.53"	12.48"
<u>Master Pack Qty</u>	<u>UPC</u>	<u>UPS</u>	
1.0000	783209200920	Yes	

Finish:

Black BK

Material:

Aluminum

Certification:

Wet Location
Energy Star
ADA

Additional:

MB (Not Included)
Lighting Direction: Down
Slope:

An architectural profile reminiscent of beautifully classic roof lines delivers significant light output in this modern LED wall sconce suitable for both indoor and outdoor applications. The Pitch Single's die-cast metal body houses powerful LED light sources that create visual appeal as light cascades down along a wall.

High quality LM80-tested LEDs

for consistent long-life performance and color

Outstanding protection against the elements:

- Powder coat finishes
- Stainless Steel mounting hardware
- Impact-resistant, UV stabilized frosted acrylic lensing

Can be mounted for up lighting or down lighting

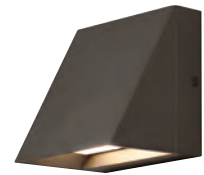
SPECIFICATIONS

DELIVERED LUMENS	822.6
WATTS	26.1
VOLTAGE	120V, 277V
DIMMING	ELV
LIGHT DISTRIBUTION	Symmetric
MOUNTING OPTIONS	Downlight or Uplight
CCT	2700K, 3000K
CRI	80+
COLOR BINNING	3 Step
BUG RATING	B1-U0-G0
DARK SKY	Compliant (Downlight)
WET LISTED	IP65
GENERAL LISTING	ETL
CALIFORNIA TITLE 24	Can be used to comply with CEC 2016 Title 24 Part 6 for outdoor use. Registration with CEC Appliance Database not required.
START TEMP	-30°C
FIELD SERVICEABLE LED	No
CONSTRUCTION	Aluminum
HARDWARE	Stainless Steel
FINISH	Powder Coat
LED LIFETIME	L70; 70,000 Hours
WARRANTY*	5 Years
WEIGHT	1.2 lbs.

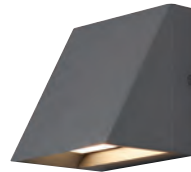
* Visit techlighting.com for specific warranty limitations and details.



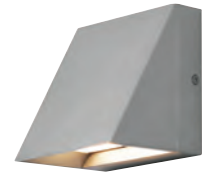
PITCH SINGLE
shown in black



PITCH SINGLE
shown in bronze



PITCH SINGLE
shown in charcoal



PITCH SINGLE
shown in silver

ORDERING INFORMATION

700WSPIT	SIZE	FINISH	LAMP
S	SINGLE	B BLACK	-LED827 LED 80 CRI, 2700K 120V
		Z BRONZE	-LED827277 LED 80 CRI, 2700K 277V
		H CHARCOAL	-LED830 LED 80 CRI, 3000K 120V
		I SILVER	-LED830277 LED 80 CRI, 3000K 277V