



City of Keene Planning Board

AGENDA - AMENDED

Monday, December 19, 2022

6:30 PM

City Hall, 2nd Floor Council Chambers

- I. **Call to Order** – Roll Call
- II. **Minutes of Previous Meetings** – October 28, November 14, & November 28, 2022
- III. **Final Vote on Conditional Approvals**
- IV. **Public Hearings**

S-11-22 – Subdivision & Boundary Line Adjustment – 22 & 24 Rule St - Applicant Cardinal Surveying & Land Planning, on behalf of owners Richard W. & Carolyn M. Davis, proposes a lot line adjustment between the properties located at 22 Rule St (TMP #532-050-000) and 24 Rule St (TMP #532-051-000) that would result in the transfer of 0.02-ac from the 1.14-ac parcel at 22 Rule St to the 0.22-ac parcel at 24 Rule St, and a 2-lot subdivision of the parcel at 22 Rule St into one 0.48-ac lot and one 0.65-ac lot. The properties are located in the Low Density District.

WITHDRAWN - Change of Governmental Land Use – RSA 674:54 regarding a proposed charter school on the property located at 809 Court St (TMP #219-005-000). The 1.81-ac parcel is owned by Hillsborough Capital LLC and is located in the Commerce District.

Change of Governmental Land Use – RSA 674:54 regarding a proposed skate park on the property located at 160 Water St (TMP #586-001-000). The 2.19-ac parcel is owned by the City of Keene and is located in the Business Growth & Reuse District.

- V. **Adoption of 2023 Meeting Schedule**

- VI. **Staff Updates**

- VII. **New Business**

- a. Master Plan Update

- VIII. **Upcoming Dates of Interest**

- Joint Committee of the Planning Board and PLD – January 9, 6:30 PM
- Planning Board Steering Committee – January 10, 11:00 AM
- Planning Board Site Visit – January 18, 8:00 AM – To Be Confirmed
- Planning Board Meeting – January 23, 6:30 PM

1 City of Keene
2 New Hampshire

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5 PLANNING BOARD
6 MEETING MINUTES
7

8 **Monday, October 24, 2022**

6:30 PM

**Council Chambers,
City Hall**

Members Present:

Pamela Russell-Slack, Chair
Mayor George S. Hansel
Roberta Mastrogiovanni
Armando Rangel
Harold Farrington
Randyn Markelon, Alternate
Kenneth Kost, Alternate

Staff Present:

Jesse Rounds, Community Development
Director
Mari Brunner, Senior Planner

Members Not Present:

David Orgaz, Vice Chair
Councilor Michael Remy
Emily Lavigne-Bernier
Gail Somers, Alternate
Tammy Adams, Alternate

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10 **Call to Order – Roll Call**

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

13 **I) Minutes of Previous Meeting – September 26, 2022**

14 Harold Farrington offered the following correction – Line 569 the word *that* should be replaced
15 with the word *than*.
16

17 A motion was made by Mayor George Hansel that the Planning Board approve the September 26,
18 2022 meeting minuets as amended. The motion was seconded by Harold Farrington and was
19 unanimously approved.
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21 **II) Final Vote on Conditional Approvals**

22 The Chair stated this is a new, standing agenda item in response to the recent “City of Dover”
23 decision issued by the NH Supreme Court. As a matter of practice, the Board will now issue a final
24 vote on all conditionally approved plans after all of the “conditions precedent” have been met.
25 This final vote will be the final approval and will start the 30-day appeal clock. She asked staff
26 whether there were any applications tonight that are ready for a final vote.
27

28 Senior Planner Mari Brunner stated one application is ready for final vote, which is the Mint
29 Carwash site plan application SPR 16-14, Modification 8. There were two conditions precedent:

30 that the owner's signature appears on the plan and that five copies of the plan be submitted. Ms.
31 Brunner stated both those conditions have been met and hence the applicant is looking for a final
32 approval tonight.

33
34 A motion was made by Mayor George Hansel that the Planning Board issue final site plan approval
35 for SPR 16-14, Modification 8. The motion was seconded by Harold Farrington and carried on a
36 unanimous vote.

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38 **III) Public Hearings**

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40 **SPR-11-16, Modification #10 – Site Plan – Covenant Living Site Modifications, 95,**
41 **100, & 118 Wyman Rd** - Applicant SVE Associates, on behalf of owner Covenant Living
42 of Keene, proposes site modifications including the creation of an on-site pedestrian
43 walkway and sidewalks, two crosswalks, and the relocation of seven street trees and
44 fourteen shrubs on their properties at 95 Wyman Rd (TMP #221-019-000), 100 Wyman
45 Rd (TMP #221-018-000), and 118 Wyman Rd (TMP #210-010-000). These properties are
46 a combined 67 acres in size and are located in the Rural District.

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48 A. **Board Determination of Completeness**

49 Ms. Brunner stated the Applicant has requested exemptions from submitting a Lighting Plan,
50 Elevations, and technical reports. Staff recommends the Board grant these exemptions and accept
51 the application as complete.

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53 A motion was made by Mayor George Hansel to recommend the Board accept Application SPR-
54 11-16, Modification #10 as complete. The motion was seconded by Councilor Michael Remy and
55 was unanimously approved.

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57 B. **Public Hearing**

58 Ms. Liza Sargent from SVE Associates addressed the Board on behalf of Applicant Covenant
59 Living of Keene. On a plan, Ms. Sargent referred to the independent living building, healthcare
60 building and the barn. Ms. Sargent stated the proposal is to construct a crosswalk at the main
61 entrance on top of the speed table, locate two additional sidewalks, as well as a gravel path along
62 the west side of Wyman Road to the barn facility and connecting to the existing path. As part of
63 this project, landscaping will be relocated to improve sight distance; there are existing trees to the
64 south that block the view. The trees will be relocated to the islands that exist on site. This concluded
65 the applicant's presentation.

66
67 Staff comments were next. Ms. Brunner stated there were a few departmental comments from
68 engineering staff, mostly regarding the infrastructure that is going to be installed in the public right
69 of way. The first comment is that the property owner should submit written documentation that
70 the improvements do not serve the general public and will not be maintained by the City. The
71 second comment is that the applicant will obtain a revocable license and maintenance agreement
72 from the Public Works Department for the infrastructure that is going to be installed in the public
73 right of way.

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75 With respect to the Planning Board development standards Ms. Brunner stated as follows:

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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. Engineering also had a comment about the proposed infiltration on the lawn of the former Miracles in Motion property and that this infiltration system will become less effective over time and will require maintenance. She added the Board may wish to ask the applicant to clarify how they plan on maintenance of this system.

Sedimentation & Erosion Control: The applicant is proposing inlet protection over existing catch basins and silt fencing. Ms. Brunner indicated this standard appears to be met.

Landscaping: The applicant is proposing new landscaping along the road to improve sight distance based on comments from residents. These trees will be relocated on site and will not be eliminated. Ms. Brunner referred to where the trees and shrubs are currently located and the area they are going to be relocated.

Ms. Brunner went on to say that prior to this proposed change, the parking lot was in compliance with the parking lot landscape standards in zoning. With this change, the applicant is seeking an alternative design and the Board may wish to determine if this meets the intent of the parking lot landscaping design standards.

Traffic & Access Management: The applicant is addressing some concerns raised by residents and are proposing to install two crosswalks with pedestrian-activated beacons. However, because of the topography of the site and somewhat high speeds on the road they are proposing to locate warning beacons 100 feet in advance of the crosswalk. They are also proposing a stone dust walkway which would connect to the barn and would connect via the secondary crosswalk to the walking path.

Ms. Brunner stated there is an outstanding condition of approval from the Board which states as follows: *“Between Twelve and Eighteen months following the issuance of a Certificate of Occupancy, the Applicant will hire an independent consultant to complete an assessment of pedestrian traffic and safety along the area of Wyman Road adjacent to the site. If the Public Works Director determines that the pedestrian volumes and assessed safety conditions warrant changes to the site and/or roadway design, the Applicant will work with the Public Works and Planning Departments to implement agreed upon changes at the expense of the Applicant.”*

Ms. Brunner stated the Applicant did approach staff after the certificate of occupancy was issued but that was in the midst of Covid and staff and the applicant agreed to wait until after Covid when traffic patterns would be more normal. Since that time, ownership changed and the new owner is interested in installing pedestrian facilities and staff agreed to skip that step of the pedestrian safety assessment as they are going directly to the solution.

This concluded staff comments.

The Chair asked for public comment next.

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Mr. Carl Jacobs, 81 Wyman Road addressed the Board and stated he was one of those who advocated for the crosswalk and noted the situation as it exists now is not safe. He encouraged the Board to approve this request.

With no further comments the Chair closed the public hearing.

C. Board Discussion and Action

A motion was made by Mayor George Hansel that the Planning Board 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 five full-size paper copies and one digital copy of the final plan set.
3. The property owner shall submit 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 shall be added to sheet C-4 of the plan set.
4. The property owner shall obtain a revocable license and maintenance agreement from the City of Keene 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 shall be submitted as part of the required documentation.”

The motion was seconded by Harold Farrington and was unanimously approved.

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.

A. Board Determination of Completeness

Ms. Brunner stated the Applicant has requested exemptions from submitting a plan set that is signed and stamped by a NH licensed engineer or architect. The Community Development Director did determine that this is an exemption request because it is a submittal item and not a waiver request. However, staff made an error and included the waiver request in the legal language and hence the Board does not need to vote on the waiver request. She reiterated that it is just an exemption request. In addition, the application is also requesting an exemption from providing a

166 grading plan, a lighting plan, architectural elevations, and technical reports. After reviewing the
167 requested exemptions, staff recommend that the Planning Board accept the application as
168 complete.

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170 A motion was made by Mayor George Hansel to recommend the Board accept Application CLSS-
171 CUP-01-22 as complete. The motion was seconded by Harold Farrington and was unanimously
172 approved.

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174 **B. Public Hearing**
175 Attorney Tom Hanna addressed the Board on behalf of The Home for Little Wanderers and
176 indicated the application relates to a small group home, initially the applicant was considering a
177 large group home with 12 youth but it has been downsized to eight (small group home) which is a
178 permitted use in the Downtown Transition District. Attorney Hanna introduced Tara Kessler,
179 Planner Paralegal who also works from Attorney Hanna's law firm. The attorney also introduced
180 Vice-President for Community Programs, Matt McCall and Director of Facilities, John Davis.

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182 Mr. McCall began the presentation by saying that this group home is for children who are involved
183 with DCYF and will specialize in treatment of children who identify as LGBTQ. This is the first
184 such group home in New Hampshire and third in the country. Mr. McCall stated this facility will
185 help youth from New Hampshire to remain in New Hampshire and receive services.

186
187 Mr. McCall stated this site would be considered a Level 2 Group Home, where community based
188 support will be provided for children under the age of 18 where children will eventually be able to
189 return to the community. There will be staff present at the site 24/7 to provide ongoing support
190 and supervision. There will be mental health services as part of the program and this would be an
191 in house service provided to the residents. The children will also be assisted with day to day needs
192 that any adolescent would have.

193
194 Mr. McCall went on to say that they have a \$250,000 budget to renovate this home. For many
195 years this site was a single family home, a very large property (7,000 square feet) in total. For the
196 last several years it has been used as a business.

197
198 Mr. McCall continued with respect to how they operate the program. There are services provided
199 to children who have go through trauma in their lives, but the program also keeps in mind that they
200 encourage youth to grow and do better while also making sure the program and site is not
201 detrimental to the neighborhood. At other sites they operate in different areas, there is little impact
202 on the community such as minor usage of emergency services. The site in Massachusetts has
203 probably seen three ambulance calls per year. He added because staff is present 24/7, neighbors
204 always have a way of getting in touch with someone with any concerns they may have. He added
205 there are also administrators on call 24 hours a day.

206
207 He stated they also conduct quarterly meetings in the community to discuss any challenges which
208 is also a way for the neighbors to be part of the program. Chair Russell-Slack asked whether
209 neighbors typically attend such meetings. Mr. McCall stated attendance usually depends on
210 weather, time of year, etc. The Chair asked for the ages of children and their gender. Mr. McCall
211 stated they are between the ages of 14-18 and both male and female. Mr. McCall added the State

212 is short 250 beds, and in addition Crotched Mountain Center will also be closing its doors soon
213 which would increase this number. Hence, there is a lot more pressure to open group homes in
214 New Hampshire.

215
216 Mayor Hansel clarified the parking in the rear is accessible via the adjoining property and asked if
217 the applicant has an agreement with the neighbor to use that access. Attorney Hanna stated there
218 is a long standing deeded easement. The Mayor asked whether the front driveway will be used to
219 access the rear parking lot. Mr. McCall stated that driveway won't be used often, except to use the
220 handicap parking at the front and to access the lift located on the first floor. The Mayor noted the
221 lighting fixtures are being proposed to be changed but asked if the lighting itself is being changed.
222 Mr. McCall stated the lighting is not being proposed to be changed significantly.

223
224 Mr. Farrington asked if any of the youth would have vehicles. Mr. McCall answered in the
225 negative.

226
227 Tara Kessler addressed the Board next and went over the Conditional Use Criteria outlined in
228 Article 15 in the Land Development Code for Congregate Living and Social Services.

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

234
235 This property is located in the Downtown Transition (DT-T) district, which acts as a transition
236 between the more intense Downtown Core District and neighboring residential areas and allow for
237 mixture of uses including residential, multi family, office, funeral home, bed and breakfast,
238 institutional uses, and cultural centers (with special exception). The proposed use would be less
239 intense than the ones allowed by special exception, as it takes an office building and converts it to
240 a residential building.

241
242 Ms. Kessler noted surrounding uses on Summer Street are consistent with this proposed use; on
243 the same side of Summer Street are two, three-unit apartment buildings, a single family home, two
244 offices and one mixed use building. Ms. Kessler stated the use standards for Small Group Home
245 state that the use must be licensed through the City's Congregate Living Social Service License.
246 Pending tonight's outcome, the applicant will be back before the Licensing Board tomorrow.

247
248 She went on to say the applicant wants to preserve the exterior of the building as a single family
249 home.

250
251 Ms. Kessler stated the primary goal of this facility is to provide a safe haven for LGBTQ youth to
252 live and grow and be part of the community. She noted this is consistent with the Master Plan goals
253 of embracing diversity.

254
255 ***B. The proposed use will be established, maintained, and operated so as not to endanger the***
256 ***public health, safety, or welfare.***

257

258 Ms. Kessler stated the Home has a long history of operating similar programs both in
259 Massachusetts and New Hampshire. The home will be managed by 14.5 equivalent professional
260 staff and at a minimum of two professional staff will be present during “awake hours” and two
261 staff present during “asleep hours” to ensure continual supervision in the event of an emergency.
262 An administrator is also on-call 24/7 for any issues that need additional support or guidance. All
263 points of ingress/egress for the building will be secured with key-pad locks and security cameras.
264 With this level of security, the Applicant feels there will be no unreasonable hazards to the
265 neighborhood.

266
267 **C. *The proposed use will be established, maintained, and operated so as to be harmonious***
268 ***with the surrounding area and will not impede the development, use, and enjoyment of***
269 ***adjacent property. In addition, any parking lots, outdoor activity area, or waiting areas***
270 ***associated with the use shall be adequately screened from adjacent properties and from***
271 ***public rights-of-way.***

272
273 Ms. Kessler noted as indicated previously, this use will be compatible with surrounding uses in
274 the neighborhood. With respect to screening, there is an existing parking lot at the rear and right
275 now the abutter to the east has a stockade fence for screening. There is a heavy vegetative
276 screening for the abutter to the north. With respect to outdoor activities, it is anticipated the
277 residents would use the extensive front porch of the building. There is also some lawn area at
278 the rear of the building and to the west side of the building and there is thick vegetation that
279 screens the neighboring property to the west. If the residents were to be congregating outside on
280 the lawn, west of the building, the applicant did suggest to the abutter at 45 Summer Street, that
281 the applicant will be willing to install landscaping to screen this area but this abutter has stated
282 he does not want any screening in this area; he has concerns about added vegetation crowding
283 his property. However, if the Board requires screening, he would prefer a stockade fence. At the
284 request of staff, the site plan shows ten arborvitae in the area. The portion of the existing structure
285 that would be most impacted by the outdoor activity area is the barn. Ms. Kessler circulated to
286 the Board an email from this abutter indicated his opposition to vegetation along his shared
287 property boundary with the site.

288
289 **D. *The proposed use will be of a character that does not produce noise, odors, glare, and/or***
290 ***vibration that adversely affects the surrounding area.***

291
292 Ms. Kessler stated the proposed use is going to be residential in nature. With respect to impact
293 of noise, odor etc. the noise level from the residents who use the outdoor area will be similar to
294 that of a residential uses in the neighborhood. Staff will always be present during outdoor activity
295 to monitor noise and address neighborhood concerns. Ms. Kessler added the residents in this
296 group home are not residing in this facility due to behavior issues which prohibit them from
297 being in a community setting.

298
299 With respect to air quality, there will be no smoking permitted anywhere on the site. With respect
300 to the lighting, there will be four wall mounted, fully shielded lights.

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

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Ms. Kessler noted that this site has had similar uses and hence the applicant feels there will not be any added burden on public services. The applicant will also be providing their own mental health services and will not be relying on community programs for this. However, like any other Keene residents, they might need the City’s emergency room or medical facility. There is existing water and sewer available and will be sufficient for the proposed use and the applicant would have to go before the City for a building permit and would have to adhere to building life safety codes before occupying the space.

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.*

Ms. Kessler stated there are no new structures or additions being proposed. There is interior work being proposed. However, for the exterior of the site it will be limited to painting the building in a similar color as it is today. There is some damage to the front porch which would also be repaired as well as some roofing repair. The applicant has a budget of \$250,000 for this work and will also have an annual capital budget for maintenance and they also have a full time facilities maintenance person on staff.

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.*

Ms. Kessler stated that the residents will not be driving and staff will work in three shifts, hence traffic impact would be at a minimum. Average daily weekday trip generation is estimated to be 20 vehicle trips. Weekend trips will amount to 16 vehicle trips. According to ITE calculation, the prior office use estimated about 90 trips a day. Hence, this use has a much lesser impact. There is ample parking at the site. There are 15 spaces on site for use by employees and visitors. The Home will have its own transportation for its residents and parking will be at the rear of the building.

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.*

Ms. Kessler noted this is an ideal site for a youth group home as it is at walking distance to downtown and community resources. There will be a bike rack added to the rear of the building, and the site will have access to the City Express. This concluded Ms. Kessler’s presentation.

Attorney Hanna referred to the email from the abutter which requests that there be no plant screening and, if there should be any screening, is requesting a fence.

Staff comments were next. Ms. Brunner referred to Conditional Use Permit Criteria 15.3.c which calls for any parking lots and activity areas associated with the use to be adequately screened from adjacent properties and public rights of way. Ms. Brunner stated in this instance the key word is “adequately” which is not defined anywhere in the code. In this instance, the abutter does not want screening, most of the area is screened and there is only one area that is not fully screened. In this

350 instance, staff did not feel they could make the determination that no screening is required;
351 however, the Board could determine whether or not that is adequate. Ms. Brunner stated that the
352 applicant is looking for final approval tonight if possible, and so the applicant has brought different
353 versions of the plan to the meeting with options for arborvitae (as shown in the packet), fencing,
354 or no screening. She suggested the Board should decide which option they would prefer and make
355 it clear which version of the plan they are approving. There is only one condition of approval staff
356 is requesting and that is, that the Applicant has to obtain a Congregate Living and Social Services
357 License, which shall be renewed annually in accordance with Chapter 46 of the City Code of
358 Ordinances. This concluded staff comments.

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360 The Chair asked for public comment next.

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362 The Chair began by reading into the record an email from Sally Rhinehart of 24 School Street
363 which states as follows:

364 *The last public hearing I attended had only a few minutes for the public to speak.... My concern*
365 *remains the same as it was when this organization was going for a variance – there is no green*
366 *space for these teens to enjoy the outdoors... I urge all members to walk the site before a decision*
367 *is made.*

368
369 Mr. John Arruda of 31 Summer Street addressed the Board next. Mr. Arruda stated their property
370 is 17 feet from this Home and is concerned as there are many youth who would be using this site
371 and he has young children of his own. He stated he has only heard good things about this use but
372 has heard many concerns raised by the neighbors. He questioned the need for the waiver. Ms.
373 Brunner stated the waiver was to exempt the applicant from having to submit a site plan prepared
374 by a NH licensed engineer or architect; this is a requirement of the Planning Board for full site
375 plan approval. Ms. Brunner stated this item does not meet the threshold for site plan approval
376 because the site changes are so minor. If the applicant did not require a conditional use permit, all
377 they would have required is administrative approval without the need of a stamped plan. She added
378 this is not a waiver request, but an exemption request for submittal.

379
380 Mr. Arruda stated he is requesting a fence on the east side of the property. Mr. McCall stated they
381 had met with the real estate agent during the neighborhood meeting and have agreed to locate any
382 amount of screening to the east as the neighbors would like. Mr. Arruda asked for a timeline for
383 the installation. Mr. McCall stated it would be installed prior to occupancy as part of their
384 renovation efforts.

385
386 Laura Tobin of Center Street stated she would love to have teenagers in the neighborhood.
387 However, she stated her concern is the drug dealers who inhabit that area; they cut through yards
388 on Summer Street to get to Center Street. She stated she has called the police many times over the
389 past few weeks and has been told they are too busy to respond. She stated when she looked up this
390 application, one of the names was related to an embezzling incident at that property and wanted to
391 make sure that relationship was severed. The Chair stated this is not something the Board can
392 address.

393
394 Mr. Michael Zoll of 18 Summer Street was the next to address the Board. Mr. Zoll stated that, at
395 the neighborhood meeting, he had asked Mr. McCall about the variance for 12 residents versus

396 eight and Mr. McCall had indicated they would not have the financial resources to continue with
397 eight residents. Mr. Zoll asked for Mr. McCall to address this issue. The Chair stated unfortunately
398 this is not the Board’s purview and asked Mr. Zoll to address this with Mr. McCall at the end of
399 the meeting. She explained the Board’s responsibility is to make sure the Board’s 19 Standards are
400 adhered to and the item raised by Mr. Zoll is not part of those Standards.

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402 Mr. Tom Savastano of 25 Winter Street referred to the traffic impact statement outlined on Pages
403 59 and 60 of the packet. He indicated this statement refers to staff travel but does not mention
404 visitors to the site. He stated the final sentence indicates *.....The estimated weekly number of*
405 *visitors and guests will be between 1 and 2* and felt this number does not address visitors to the
406 site. Ms. Brunner in response stated the traffic numbers outlined come from the ITE trip generation
407 manual and they use an average based on the use and this is the number the City goes by.

408
409 Ms. Susan Doyle of 69 Island addressed the Board and referred to the Congregate Living and
410 Social Services Licenses and asked for clarification. Ms. Brunner stated all uses that fall under the
411 category of Congregate Living and Social Services, which include “group home,” need a license
412 every year from the City. The Licensing Board will meet a day after the Planning Board to review
413 this license. Ms. Doyle also raised the issue of the number of residents as 12 versus eight – the
414 Chair reiterated this is not an issue that is the purview of the Planning Board.

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416 Ms. Jeananne Farrar of 59 School Street stated she has lived in the Summer Street neighborhood
417 most of her life until she moved into her current home on School Street. She stated her concern is
418 where the City is going with these types of uses; Winter Street now is mostly business uses. She
419 indicated Winter Street, Center Street, Summer Street and Middle Street were laid out in the 1800’s
420 and they are not wide enough for traffic and Summer Street has already been diminished by speed
421 bumps. This is one of the second oldest neighborhoods in the City. She felt there are some rules
422 that need to be followed with respect to certain areas which have been protected up to this point.
423 Ms. Farrar stated she loves kids and these young people need a place to live, but expressed concern
424 about the location and the close proximity to drug dealers. She indicated the problems on Main
425 Street are getting worse. She felt this use should be in a location where they are not next to things
426 that are not healthy for the residents.

427
428 Attorney Hanna addressed the Board and stated they have a Purchase and Sales Agreement on this
429 property and it was important to receive approval from the Board. He stated as Mr. McCall has
430 indicated they are willing to locate a fence to the east of this site.

431
432 With no further comment, the Chair closed the public hearing.

433
434 Mayor Hansel stated that the various processes that applicants have to go through can be confusing
435 at times. The one tonight focuses mainly on the site, accessibility, and the development standards
436 the Board has to adhere to. Concerns with respect to use is a conversation for a different night. He
437 said the Board’s responsibility is to look at their standards, resolve potential conflicts, which it
438 looks like they might be able to do tonight. He said with respect to screening, he agrees with the
439 applicant that the screening on the west side is adequate without the arborvitae or the fence.
440 Additionally, it looks like the abutter on the west side would like some screening, so it makes sense
441 to add a fence there and the motion he makes will reflect that.

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C. Board Discussion and Action

A motion was made by Mayor George Hansel that the Planning Board 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 subsequent to final approval:

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.
2. The Applicant shall submit a revised plan showing a fence on the eastern side of the property and the removal of 10 arborvitae on the western side of the property.

The motion was seconded by Harold Farrington and was unanimously approved.

V. Staff Updates

a. **Downtown Infrastructure Improvement and Reconstruction Project**

Mr. Rounds addressed the Board and noted that the Department of Public Works is working on the design for this project with their consultant, Stantec. There have been two public sessions for the public to weigh in and there will be more. Mr. Rounds indicated that Kurt Blomquist, Public Works Director, is present tonight.

Mr. Blomquist stated that a Steering Committee has been created for the project, with the Mayor serving as the Chair. The Committee represents various interests in the community including business, arts, bicycle/pedestrian, etc. The Committee meets on the third Tuesday of the month and will be extending their meeting schedule through January. This Committee is charged with overseeing the design phase and acting as a group that collects comments.

The project is estimated at around \$7.4 million and 75% of the project is underground. Mr. Blomquist noted that some utilities downtown were installed between 1800–1930 and most of this infrastructure cannot support the downtown activities. When the underground work is completed, there will be an opportunity to make adjustments to the layout and design of the downtown. The last time downtown was renovated was in 1988. At that time, retail was the main aspect in the downtown. This has changed, as people now come downtown for entertainment, gathering etc.; however, the downtown is not user-friendly for these types of activities. What the Steering Committee is hearing is the need for gathering spaces, outdoor activity, and dining (Water Street to Central Square as well as Railroad Square and Gilbo Avenue).

One of the alternatives is to create a focus area on Railroad Square and Gilbo Avenue, creating a much wider pedestrian crossing and more gathering areas. In addition to this, a goal would also be to create bicycle and pedestrian facilities on Main Street.

With respect to the schedule, the Steering Committee will make a recommendation to the City Council in early 2023. The goal is by March/April 2023 to decide what major elements are going to be considered. Phase 1 is planned to start in calendar year 2024. This will be a three year project.

488 The issue is to determine how businesses are going to be operated and also allow people to conduct
489 activities, which could slow down the work. Mr. Blomquist stated that there is a project website
490 that also has alternatives and encouraged the public to visit this site and provide comments.

491
492 Chair Russell-Slack stated that there is a Downtown Merchants Association, but noted that not all
493 downtown businesses are part of this group. She added that not all merchants have been contacted
494 and felt it is imperative that they are made aware of what is going to happen. She stated that she
495 also has not heard about transportation (not just bicycle and pedestrian). Mr. Blomquist stated that
496 the City has contacted every property owner in the downtown. In addition to this, he noted that
497 Public Works has had a number of discussions with Mark Remillard, who represents the
498 Downtown Merchants Association on the Steering Committee, and has an email distribution list
499 for this group. Mr. Blomquist encouraged people to reach out to him with any questions. He agreed
500 that public transit in the Monadnock region is an issue. This concluded staff's presentation.

501
502 **VI. New Business**

503
504 Chair Russell-Slack stated that there is a need to update the City's Master Plan (focusing on
505 housing needs) to address decisions that will be coming before the Board. Ms. Brunner explained
506 that the City will be starting a housing needs assessment this week. The work will include the
507 Planning, Licenses, & Development Committee and the Planning Board. Mr. Kost stated that he
508 is hearing about a Master Plan, the Housing Needs Analysis, and the downtown project and did
509 not feel these were separate and said that he felt that all of these projects should be connected. He
510 asked if this could be looked at as a whole. In response, Mr. Rounds agreed that these are all
511 connected and focus on change in the community. He felt that the grants being applied for are
512 going to provide many opportunities and stated that his focus is to look at which portions of the
513 Master Plan need to be updated first.

514
515 The Chair stated that she would like the site visit for the November Planning Board meeting to be
516 earlier than the day before Thanksgiving.

517
518 **VII. Upcoming Dates of Interest – August 2022**

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

523
524 There being no further business, Chair Russell-Slack adjourned the meeting at 8:19 PM.

525
526 Respectfully submitted by,
527 Krishni Pahl, Minute Taker

528
529 Reviewed and edited by,
530 Mari Brunner, Senior Planner
531 Megan Fortson, Planning Technician

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

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

8 **Monday, November 14, 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
Roberta Mastrogiovanni
Armando Rangel
Harold Farrington
Randyn Markelon
Kenneth Kost, Alternate

Staff Present:

Jesse Rounds, Community Development
Director
Mari Brunner, Senior Planner

Members Not Present:

Gail Somers, Alternate
Tammy Adams, Alternate

9
10
11 **I) Call to Order – Roll Call**

12
13 Chair Russell Slack called the meeting to order at 6:30 pm and a roll call was taken.
14

15 **II) Final Vote on Conditional Approvals**

16
17 The Chair stated this is a new, standing agenda item in response to the recent “City of Dover”
18 decision issued by the NH Supreme Court. As a matter of practice, the Board will now issue a
19 final vote on all conditionally approved plans after all of the “conditions precedent” have been
20 met. This final vote will be the final approval and will start the 30-day appeal clock.
21

22 Senior Planner Mari Brunner stated the first application before the Board for final approval is
23 Boundary Line Adjustment S-06-22, property located at 1 Ralston Street and 0 Emerald Street
24 which application was conditionally approved at the July 25 meeting with two conditions:

- 25 1. Owner’s signature appears on the plan.
26 2. Submittal of a draft easement document, which shall be subject to review by the City
27 Attorney.

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The easement document was for a portion of the building that was going to be located on another property. The easement was reviewed and approved by the City Attorney on October 31. Both conditions have been met.

A motion was made by Mayor George Hansel that the Planning Board issue final site plan approval for S-06-22. The motion was seconded by David Orgaz and was unanimous approved.

The second item is for a two lot subdivision, S-07-22 – 2-lot Subdivision – 91 Sullivan Street approved at the August 22, 2022 meeting with two conditions:

1. Submittal of four (4) full size copies of the final plans and two (2) Mylar sheets.
2. Submittal of a check in the amount of \$51.00 made out to the Cheshire County Registry of Deeds.

Both conditions have been met.

A motion was made by Mayor George Hansel that the Planning Board issue final site plan approval for S-07-22. The motion was seconded by David Orgaz and was unanimously approved.

III)Public Hearings

Proposed amendments to the Planning Board Regulations – The City of Keene Community Development Department proposes to amend sections of Article 19, “Subdivision Regulations” and Article 25.10 “Subdivision Review” of the Land Development Code to add density incentive options to the Conservation Residential Development (CRD) subdivision regulations, including an open space density incentive, a solar incentive, and workforce housing incentive; Modify the permitted uses within the CRD regulations for the Rural District and Low Density-1 District to include multifamily dwelling with limitations; Modify the density factor and minimum lot size for the Rural District within the CRD regulations to 2 ac per unit and 32,000 sf, respectively; and, Remove the requirement to submit a “Yield Analysis Plan” and add additional submittal and filing requirements for CRD applications.

Community Development Director Jesse Rounds and Senior Planner Mari Brunner addressed the Board next. Ms. Brunner explained when the Land Development Code was adopted it created a new approval path some items had to go through. Even though this is amending the Planning Board Subdivision Regulations it is now part of City Code and has to follow a parallel path; it has to go before the City Council, then to the Joint Committee for a public workshop then gets referred to Council, PLD and back to Council. In addition, it also needs to go before the Planning Board for a public hearing for the Planning Board to adopt the regulations and this is what is happening tonight.

71 Ms. Brunner stated the items the Board is going to be voting on are in Article 19 which are the
72 Subdivision Regulations and Article 25.10, Subdivision Application and Procedures. These
73 include the three density incentives; open spaces incentive, solar incentive and work force
74 housing incentive. This change would also modify the dimensional standards for the rural district
75 within the CRD density factor. Currently it is four acres per unit, the proposal is to change it to
76 two acres per unit. Minimum lot size will be changed from one acre to 32,000 square feet.
77 For uses, triplex is being added as a permitted use, however, triplex would only be permitted for
78 workforce housing incentive applications.

79
80 Ms. Brunner further stated there were couple of glitches staff had identified when going through
81 these regulations. Prior to the land development code the process to identify density was through
82 a process called yield analysis. However, this was deleted and changed to a formula method.
83 However the requirement to submit a Yield Analysis Plan was not removed, this was an error
84 and staff is proposing to remove that.

85
86 At a public hearing someone from the public raised a question and when staff reviewed this
87 information existing language ambiguous and this has been corrected. This is in reference to the
88 workforce housing density incentive criteria.

89
90 The existing language reads as follows and seems ambiguous:
91 The resale value of the unit shall be restricted to the affordable purchase price for a period of 30
92 years. The resale value of the unit is not to be more than the original purchase price plus two
93 times the accumulated consumer price index.

94
95 The amended proposed language will state as follows
96 For a period of 30 years, the resale value of the unit shall be restricted to either the affordable
97 purchase price or the original purchase price plus two times the accumulated consumer price
98 index, whichever is greater.

99
100 Ms. Brunner stated the intention for this is so that someone will get back what they have put into
101 the property plus a little bit more. She added this language has been clarified by the City
102 Attorney. This concluded staff comments

103
104 The Chair asked for public comments next. Mr. Derek Scalia 16 Hillside Drive addressed the
105 Board. Mr. Scalia stated he would like to raise three concerns raised over the course of this
106 process. The first is not to focus development in the rural district; he indicated over the years
107 Keene has looked at all areas to modify zoning. Mr. Scalia felt what is before the Board is an
108 opportunity to look at the rural district because it is distinct and to modify it in a manner that is
109 appropriate for the area.

110
111 Mr. Scalia stated it would be safe to assume that housing is likely to happen in denser areas
112 where there is City water and sewer connections. However, the City has a .6% housing vacancy
113 rate and this is across all income spectrums and hence, felt common sense zoning changes need
114 to be looked at in all zoning districts to expand housing options.

115

116 The second concern that has been raised is that this zoning change is realistic for well, septic and
117 drainage requirements. Mr. Scalia noted DES has to approve all development and felt DES will
118 make sure new development is following the proper protocol. Further, noted our region has
119 sophisticated environmental protections and the flooding issues that have happened is due to past
120 development patterns which have been addressed and rectified. CRD development looks at a
121 more comprehensive approach that have shared well and septic options.
122

123 The third concern is that constructing workforce housing in these areas is not economically
124 feasible. Mr. Scalia agreed building anything affordable is difficult these days. However, felt
125 what is being proposed is a long term approach. He noted Monadnock Interfaith Project
126 (MIP) is working hard toward a local housing development fund to provide additional funding
127 support for developers to construct workforce housing and added this is a multi-layer approach
128 and is grateful this is one part of that complicated process.
129

130 Mr. Scalia agreed change is hard and have grown accustomed to certain things, especially when
131 these days everything is spiraling out of control. However, felt something needs to be done to
132 provide security for those who don't have any security.
133

134 Mr. Paul Roth representing Cheshire Medical Center was the next speaker. Mr. Roth stated
135 Cheshire Medical Center has well over 200 vacancies in the hospital and they support the zoning
136 change. He stated the challenge for them is when people apply for jobs they can't find a place to
137 live. He thanked the City for this thoughtful change.
138

139 Ms. Janet Furcht of 614 Park Avenue addressed the Committee next and stated she is part of the
140 housing team of MIP and referred to a recent meeting they had with Monadnock Economic
141 Development where it was indicated during that meeting that one can find 800 jobs within five
142 miles of Keene and if you look for apartments there approximately 24 that are available with the
143 least expensive at \$1,200 and that too for a studio.
144

145 With reference to the changes being proposed for the rural zone, when staff looked at the five
146 acre minimum they found that the density exceeds five acres; 58% are less than five acres and
147 over one third are less than two acres. Hence, felt moving the minimum lot size from five acres
148 to two acres would not be too drastic. Ms. Furcht further stated built into the CRD is also a 100
149 foot buffer from any external roads and a 50 foot buffer from surrounding properties. CRD is
150 also likely to share septic and other utilities which further reduces impact to any single family
151 home.
152

153 Mr. Cole Mills of 68 Langley Road who lives in the rural district began by noting that none of
154 the past speakers are from the rural district. Mr. Mills stated he has been opposed to the
155 reduction from five acres to two acres, as well as the density and new CRD Rules. He did not
156 feel these changes will solve what the City is trying to accomplish and will take neighborhoods
157 and place high density very expensive housing in the rural district. Mr. Mills felt there are going
158 to be many unintended consequences with these changes being proposed.
159

160 Mr. Mills questioned whether there are developers ready to construct these affordable home as
161 being proposed. He questioned the market rate rent and whether Keene can ever get to \$1,300 in

162 rent with utilities. He also asked how many \$400,000 homes are going to solve homelessness and
163 felt these are what are being constructed on these smaller lots and noted to Old Walpole Road
164 and Daniels Hill Road. He indicated City staff have not answered these questions he has raised in
165 the past. Mr. Mills felt Keene has more housing compared to the past; the 310 Marlboro Street
166 proposal, Whitcombs Hill Road proposal, Hillside Village, private dorms on Ralston Street,
167 Colony Mill property. There are also housing investment in Swanzey, Troy and Peterborough.

168
169 Mr. Mills went on to say that Keene population has dropped over the past ten years and so Keene
170 State's population has dropped by close to 30% (2,000 students) – this has opened up housing in
171 downtown. He noted the Greenwald Properties and Unicron Properties have available housing in
172 the range of \$800 - \$2,400. Masiello Real Estate has 69 properties for sale, 20 of those are priced
173 at \$250,000 or less.

174
175 With respect to addressing the homelessness issue Keene and Keene State College had an
176 opportunity to solve that issue by repurposing the Monadnock Hall Dormitories instead of
177 demolishing same. This would have been better solution than increasing the CRD density in the
178 rural zone or a cheaper resolution than what it is costing 100 Nights to construct its new facility.

179
180 Mr. Mills further stated increasing development in the rural zone will divert focus from the goals
181 of the City when it comes to environmental and climate issues and will impact areas that are not
182 served by City water and sewer. He added the Rural District requires two car houses which will
183 eventually impact roads in this district. With density comes increased City cost such as having to
184 bring in water and sewer, leaf pickup, fire safety etc.

185
186 Mr. Mills added \$233,000 is the amount that has been stated as the affordable housing limit and
187 added this is not an attainable amount as well \$1,300 in rent is also not attainable. He stated even
188 if the homes can be constructed for this amount, Keene's high tax rate makes them less
189 competitive compared to surrounding towns. He added staff has also stated, CRD won't increase
190 taxes and stated he does not agree with that conclusion. With reference, to Cheshire Medical
191 staffing, he felt even prior to Covid Cheshire Medical Center has had difficult retaining its staff.
192 He added there have been studies across the country which indicate filling in medical vacancies
193 is going to be a difficult task and noted to the Mercer Study of 2021 which reflect the large
194 numbers of shortage in all areas of medicine. He added none of these vacancies are being driven
195 by housing shortages but are due to aging population, recent vaccine mandate.

196
197 In closing he asked that this proposal not be approved as it is not going to address the issues but
198 will destroy the rural district.

199
200 With no further comment the Chair closed the public hearing.

201
202 Mr. Kost stated in his past work in land planning when they looked at a five acre lot and there is
203 a house constructed on each of those five acre lots it was referred to as bad land use. What we
204 are seeing from planning staff is a much more common sense approach to developing those areas

205 in a much denser manner and also by disturbing much less land. He indicated development is
206 going to happen but this approach is a way to protect the area

207

208 A motion was made by Mayor George Hansel to adopt the amendments made to amend sections
209 of Article 19, "Subdivision Regulations" and Article 25.10 "Subdivision Review" of the Land
210 Development Code based on the changes discussed tonight.

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

212

213 **III) Staff Updates**

214 None

215

216 **IV) New Business**

217 None

218

219 There being no further business, Chair Russell Slack adjourned the meeting at 7:10 PM.

220

221 Respectfully submitted by,
222 Krishni Pahl, Minute Taker

223

224 Reviewed and edited by,
225 Jesse Rounds, Community Development Director

1 City of Keene
2 New Hampshire

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5 PLANNING BOARD
6 MEETING MINUTES
7

8 **Monday, November 28, 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
Kenneth Kost, Alternate

Staff Present:

Jesse Rounds, Community Development
Director
Mari Brunner, Senior Planner
Evan Clements, Planner

Members Not Present:

Emily Lavigne-Bernier
Roberta Mastrogiovanni
Armando Rangel
Harold Farrington
Randyn Markelon
Gail Somers, Alternate
Tammy Adams, Alternate

9
10
11 **I) Call to Order – Roll Call**

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

14
15 **II) Final Vote on Conditional Approvals**

16 Ms. Brunner stated there were no items for final vote on conditional approvals for tonight.

17
18 **III) Public Hearing**

19
20 **SPR-964, Modification #7 – Site Plan – Hampton Inn Landscaping Modifications,**
21 **120 Key Rd** - Applicant SVE Associates, on behalf of owner Jazzlyn Hospitality II LLC,
22 proposes to modify the landscaping for the Hampton Inn site at 120 Key Road (TMP #110-019-
23 000). The property is 2.4 acres and is located in the Commerce District.

24
25 **A. Board Determination of Completeness**

26 Planner Evan Clements stated the applicant requests an exemption from submitting a landscaping
27 plan that shows the location, species, and size of all landscaping materials proposed to be installed
28 on the site, as required per Section 25.12.5.5.a of the Land Development Code. The applicant has

29 submitted invoices with incomplete information related to the species and planting size for the
30 proposed landscaping. The Community Development Director has determined that this
31 information is required in order for the Board to review the proposal for compliance with the site
32 development standard for landscaping in Article 20 of the Land Development Code. Specifically,
33 staff are unable to review the application to determine whether the proposed plant species comply
34 with Development Standard 20.5.1.A (invasive species) or 20.5.1.B (hardy to regional climate
35 conditions). Therefore, the Community Development Director has denied this exemption request.
36

37 Furthermore, per Section 25.12.6.C of the Land Development Code, if a requested exemption is
38 not granted by the Community Development Director, or their designee, the applicant may appeal
39 the decision to the Planning Board prior to the Board's determination of application
40 completeness. The Board should invite the Applicant to explain the exemption request and decide
41 whether or not to grant the requested exemption prior to voting on application completeness. If
42 the Board does not grant the requested exemption, this application will need to be tabled until the
43 necessary information has been submitted with the application. In addition to the request above,
44 the applicant has requested exemptions from providing an existing conditions plan, a proposed
45 conditions plan, a grading plan, a lighting plan, elevations, and technical reports. Staff have
46 determined that these requested exemptions would have no bearing on the merits of the
47 application. However, staff does not recommend that the Board accept the application as
48 complete.
49

50 Chair Russell Slack stated the first item the Board needs to decide is whether it wants to grant the
51 exemption for providing a landscape plan that shows species and size of all landscaping materials
52 to be installed on site. The Chair called the Board's attention to what the applicant has submitted
53 with the respect to the variety of species being submitted as well as species that were submitted in
54 July 2021.
55

56 Ms. Brunner suggested giving the applicant an opportunity to address what they are proposing.
57

58 Mr. Rob Hitchcock of SVE Associates and Mr. Ashok Patel applicant addressed the Board. Mr.
59 Hitchcock stated the reason for the exemption is to prevent expenses of nearly \$5,000 to create a
60 spreadsheet which ultimately will be filed with the department. He stated his hope was that the
61 Board would visit the site and determine if this was a good landscape plan. He felt it was a nicely
62 landscaped plan with nearly 350 plantings but the applicant has planted close to 400 plantings. He
63 added the species that were selected were based on what was available. The approved planting
64 plan was put together in 2006 and some of those species are not readily available today.
65

66 Mr. Patel added what gets included on a plan by the landscape architect are at times not available
67 in the nurseries. He added some of the plantings were relocated for aesthetic and vehicle approach
68 purposes, but nothing was done to intentionally avoid selecting a specific species.
69

70 Mr. Kost stated there are many people in this City who go out and remove invasive species from
71 public areas because this has become an issue. Mr. Kost stated this is his concern – not adding to
72 an already existing problem.
73

74 Mr. Patel stated next year when the plants come up if they are identified as invasive they will
75 have no problem removing such plants.

76
77 Mayor Hansel stated he is not concerned about moving of plants, and also the fact that the
78 applicant provided more than the number required shows that they are not trying to get around
79 having to provide plantings. However, what the Board and the citizens of Keene are concerned
80 about are the invasive species and how those can be avoided.

81
82 Chair Russell Slack asked if this request was approved could it be with a requirement that it come
83 back before the Board in the spring. Ms. Brunner in response stated the Board has a few options,
84 the application can be denied and the applicant requested to come back in the spring with a
85 revised plan. Alternatively, if the exemption is granted and the application is accepted as
86 complete, staff strongly recommends it can be conditioned that the information be provided to
87 staff at an earlier point or request a waiver.

88
89 Councilor Remy stated he appreciates staff giving thought to the issue with invasive species and
90 agrees with the recommendation provided by staff just now.

91
92 Mr. Hitchcock stated he would like to suggest the Board accept the application as complete and in
93 the spring when the plants leaf out, have a registered architect perform an inspection of all the
94 plantings to determine if there are invasive species and if the plantings are appropriate for the
95 zone and provide a certified letter to the Board. If something has to be removed, it can be done.

96
97 The Mayor stated the applicant does not need to come back before the Board but could provide
98 this information to the Community Development Director to be approved administratively. The
99 Chair felt the applicant should come back before the Board. Councilor Remy stated his concern
100 would be that the composition of the Board might have changed by that time. The Chair felt a
101 majority of Board members would still be part of the Board at that time. Ms. Brunner stated if the
102 application is accepted as complete, she would recommend it be condition precedent for final
103 approval and that way the Board will be voting to approve final approval and will provide them
104 with 180 days to comply and at the end of six months they can always request an extension if
105 necessary.

106
107 The Mayor asked for clarification on what the Board will be voting. Mr. Clements explained
108 granting the exemption is the Board saying it has enough information to properly review this
109 application based on the Standards.

110
111 A motion was made by Mayor George Hansel to grant the exemption request and accept this
112 Application SPR-964, Modification #7 as complete.

113
114 Councilor Remy asked if there was a difference between denying completeness versus not getting
115 the application itself approved tonight. Mr. Clements stated the hotel is open for business and they
116 could be in violation of their site plan. If staff had the species list it would be a straightforward
117 application, not having that is what is causing the issue. Ms. Brunner added if the Board opened
118 the application and issued a condition precedent, to issue final approval at a later date, there

119 would not be the need to notice a second public hearing. If completeness is denied and the
120 applicant has to come back at a later time – the item would have to be re-noticed.

121
122 The motion made the Mayor was seconded by Councilor Michael Remy and carried on a 4-1 vote,
123 with the Chair voting in opposition.

124
125 **B. Public Hearing**

126 The Chair asked for public comments. With no comments from the public the Chair closed the
127 public hearing.

128
129 Staff comments were next. Mr. Clements stated according to the applicant, the location of the
130 installed landscaping deviated from the approved landscaping plan in order to accommodate
131 underground utilities and stormwater structures such as detention basins. The original approved
132 landscaping plan did not take into account these site features. Field changes were made to ensure
133 that the landscaping did not conflict with these and other site features.

134
135 The improved landscape plan included 72 trees and 284 shrubs, the installed plans includes 98
136 trees and 315 shrubs. During a conversation with the applicant, it was revealed that a surveyor
137 and not a landscape professional was utilized to create the as-built Landscape Plan.
138 During the installation of the plantings, the landscapers removed the identification tags on the
139 plants. Due to the removal of the identifying tags, the planting species could not be identified by
140 the surveying staff conducting the work. In addition, because the plants were provided from
141 various sources, the applicant does not have a list of the species that were planted. This lead the
142 applicant to use a general description of the plantings and not the specific species in the planting
143 schedule. Section 20.5.1.A of the LDC states “*No plant material shall be installed on a site that*
144 *is listed by the NH Department of Agriculture, Markets and Food as an invasive species.*” It is
145 not possible to determine whether this standard has been met.

146
147 He further stated Section 20.5.1.B of the LDC states “*Plant materials shall be hardy to regional*
148 *climate conditions per the U.S. Department of Agriculture’s Plant Hardiness Zone Map.*” It is
149 not possible to determine whether this standard has been met, due to the lack of information.
150 Without information about the hardiness zone for each of the plant species that were planted, a
151 waiver request from this standard would be required.

152
153 Section 20.5.4.C of the Land Development Code states “*All landscaping approved as part of a*
154 *site plan shall be considered as elements of the site in the same manner as parking, building*
155 *materials and other site details.*” Staff believes that information about the species of plantings is
156 an important part of the record of this project and without these details, future enforcement
157 actions related to landscaping may be challenging.

158
159 With respect to Screening, Mr. Clements stated the project at the time of approval was required
160 to provide a minimum of one shade tree and ten shrubs per 35 linear feet of frontage along the
161 public right-of-way. The project is required to install a minimum of three trees and 30 shrubs for
162 perimeter landscaping and 11 trees for interior landscaping. The as-built landscaping plan shows
163 11 trees along the right-of-way, at least 60 shrubs and at least 70 interior trees. The spacing of
164 these plantings is less than 35 feet and provides adequate screening for the parking lot. All utility

165 hookups visible from the public right-of-way, including a large transformer located on the
166 northeast corner of the property, have been properly screened by landscaping. It appears that this
167 standard has been met. Mr. Clements reiterated, per zoning the landscape requirements for this
168 application has been met. It is the site development standards that are in question.

169
170 With respect to the recommended motion, a condition precedent has been suggested with respect
171 to submittal of a revised landscape plan with the following information added:

- 172 i. A planting schedule that reflects the invoices submitted to the Community Development
173 Department and includes the scientific names of all plantings on the schedule.
174 ii. A data table that indicates the required and installed quantity of landscaping to ensure
175 compliance with zoning and site development regulations.

176 As stated by the applicant have a certified landscape architect review all plantings in the spring
177 to verify that none of these species are invasive and are appropriate for this zone; documents
178 with their stamp.

179
180 Councilor Remy clarified condition 1 i. would be a list as opposed to a landscape plan. Ms.
181 Brunner added staff's recommendation is to have a list shown on the landscaping plan but
182 necessarily one that identifies each individual shrub on the plan; to make sure the list is printed
183 on the same sheet that showed the location.

184
185 A. Board Discussion and Action
186 A motion was made by Mayor George Hansel that the Planning Board approve SPR-964,
187 Modification #7 as shown on the plan identified as "Landscape As-Built Plan Hotel Site Jazzlyn
188 Hospitality II LLC 120 Key Road Keene, NH" prepared by SVE Associates at a scale of 1"=20'
189 dated August 16, 2022 and last revised October 3, 2022 with the following conditions:

190
191 A. Prior to final approval and signature by the Planning Board Chair, the following conditions
192 precedent shall be met:

- 193 1. Submittal of a revised Landscaping Plan with the following information added: a
194 data table that indicates the required and installed quantity of landscaping to ensure
195 compliance with zoning and site development regulations.
196 2. Submittal of five full sized paper copies and one digital copy of the final plan.
197 3. Submittal of a current inventory completed by a registered landscape architect of the
198 plantings on the site, including the species, in a form acceptable to the Community
199 Development Director and showing no invasive species and that regionally appropriate
200 plantings were installed on the site.

201
202 The motion was seconded by Councilor Remy.

203
204 Mr. Kost noted that a landscape architect is registered by the State license similar to a licensed
205 engineer and are not certified landscape architects. He also clarified that the only item that needs
206 to be signed by the registered landscape architect is the plan list and not re-sealing any drawings.
207 The Mayor stated it could also be a letter indicating they visited the site and reviewed the
208 plantings and that they are a registered architect.

209

210 The motion was unanimously approved.

211

212 **IV) Continued Public Hearing**

213

214 S-04-22 – Conservation Residential Development Subdivision & SPR-04-22 – Site Plan
215 – 0 Drummer Road – Applicant and owner Christopher Farris proposes to subdivide the 13.1-ac
216 parcel located at 0 Drummer Rd (TMP #515-015-000-000-000) into 6 lots and construct 5
217 multi-family buildings. Four of the lots are proposed to be developed into 5-unit multifamily
218 residences, one lot is proposed to be developed as a 6-unit multifamily residence, and the
219 remaining lot would be conserved as open space. The developable lots are proposed to have
220 access from Timberlane Drive via a shared private driveway and vary in size from 0.3 to 1.2
221 acres. The open space lot is 9.5 acres. Waivers are requested from Section 25.10.8.B.2 of the
222 Land Development Code regarding the requirement to prepare a survey that shows all metes
223 and bounds of the revised parcels, Section 20.14.3.D regarding the requirement that all off-
224 street parking be located to the side or rear of buildings, and Section 19.3.5.A.3.a regarding the
225 requirement that all structures be accessed from interior streets. The site is in the Low Density
226 District.

227

228 **A. Public Hearing**

229 The Chair noted this application was accepted as complete at the June 27 Planning Board
230 meeting.

231

232 John Noonan of Fieldstone Land Consultants was the first to address the Board. Mr. Noonan
233 stated this item was continued at the last meeting due to some discrepancies between the land
234 development code and the zoning table. Those have since been updated to show that multi family
235 is permitted with a CRD subdivision. He indicated the submitted plans dated June 13, 2022 have
236 not been changed. Some of the outstanding items to be discussed were the architectural
237 elevations to be compatible with the neighborhood. The applicant has changed the building
238 architecture and has submitted same. Mr. Noonan went over the samples that were submitted to
239 the Board.

240

241 Staff comments were next. Ms. Brunner addressed the Board and stated the public hearing was
242 first heard on July 25 and at that time the Board accepted the application as completed and
243 granted the waiver request regarding metes and bounds. At that meeting the Board voted to
244 continue the meeting obtain more information on architecture and visual appearance, traffic, and
245 drainage concerns raised by abutters. The applicant has since submitted letters addressing storm
246 water runoff and traffic and those letters have been included in the Board packet as well as
247 revised architectural renderings.

248

249 Ms. Brunner stated the application since July has been continued twice; the first time was to the
250 September meeting and then to tonight to allow time to connect the CRD Regulations to the
251 Zoning Ordinance which has been completed by City Council.

252

253 There have been departmental comments received on this application.

254 The Engineering comments indicate as follows:

- 255 • *The applicant is proposing to construct public infrastructure which will be turned over to the*
256 *City for operation and maintenance in perpetuity. Approval of the application should be*
257 *conditioned upon acceptance of these public utilities by the Keene City Council.*
258 • *Since the applicant is proposing shared driveways, cross-easements should be recorded which*
259 *define the rights and responsibilities of each property owner with respect to access,*
260 *maintenance, costs, etc.*
261 • *All of the structures will be given Timberlane Drive addresses. Developer should contact DPW*
262 *for address assignment once foundations are installed.*
263 • *To date, the Department has not received the DES connection permit.*
264 • *The proposed design will require drainage easements between the parcels. The cross*
265 *easements should stipulate the rights and responsibilities of each parcel. In particular, the*
266 *Department is concerned that Lot 3 will receive runoff from all 5 parcels and discharge said*
267 *runoff directly to a delineated wetland. Failure to maintain the proposed swales, forebay, and*
268 *detention basin may result in discharge of sediment laden stormwater to the wetlands area.*
269

270 With respect to the CRD and Subdivision Regulations:

271 Dimensional Standards – All dimensional standards have been met. The total number of units
272 that are permitted is 27 and the applicant is proposing 26. 50% of land is required to be placed in
273 open space and the applicant is proposing to place 72.3% in open space. Hence, this standard has
274 been met.

275
276 Permitted Uses – All of the permitted uses are included in the CRD Regulations and this standard
277 appears to be met.

278
279
280 Environmental Criteria – The first criteria indicates that “*all development shall be located*
281 *outside the primary conservation areas and shall minimize impact to any secondary conservation*
282 *areas.*

283 Ms. Brunner noted all primary conservation areas for this site have been identified and are
284 located in the open space lot. In addition the applicant has also identified any secondary
285 conservation areas (precautionary slopes) and they are minimizing development in those slopes.
286 Ms. Brunner further stated the standard calls for all structures to be accessed via interior streets
287 rather than street bordering the perimeter of the tract. In addition, this section states “*in the event*
288 *that a waiver of this standard is granted, shared driveways shall be incorporated where*
289 *feasible.*” The Applicant requests a waiver from this standard and proposes to construct shared
290 driveways in lieu of an internal road. The written waiver request is included as an attachment to
291 this staff report. In making a determination whether or not to grant this waiver, the Board should
292 find by a majority vote that the criteria outlined in Section 25.10.14 of the LDC have been met.
293

294 Open Space Standards - These standards state that the area of land designated as open space shall
295 not be used to site individual lots, construction of buildings, facilities for accessory uses, roads
296 and other areas for vehicular traffic. This section further states that the open space reserve should
297 not be fragmented, should be located adjacent to other open space or protected lands when
298 possible, and should be reasonably accessible from each proposed lot. The applicant notes that
299 no development is proposed on the open space reserve. In addition, the open space parcel is one

300 contiguous area that abuts existing conservation land, and can be accessed directly from Lots 3
301 and 4. Residents from Lots 1, 2, and 5 would access the open space lot from Timberlane Drive.

302
303 Open Space Ownership & Maintenance - This section requires that all land designated as open
304 space shall not be further subdivided, and shall remain as open space in perpetuity. In addition,
305 all designated open space must be permanently protected by covenants or easements, shall be
306 deeded to and maintained by a Homeowners Association, a non-profit organization, or some
307 other entity as approved by the Planning Board or its designee, and shall be held, managed and
308 maintained by the developer until such time as they are transferred to the designated entity. The
309 applicant is proposing the open space is manager by a Home Owners Association. Staff is
310 requesting written documentation of any legal instruments required for the management of the
311 designated Open Space land be reviewed and approved by the City Attorney prior to signature by
312 the Planning Board Chair.

313
314 Councilor Remy asked what the difference was between an internal street and a shared driveway.
315 Ms. Brunner stated an internal street (private or public) has to be built according to City street
316 standards. With a driveway they are limited to less than 300 feet.

317
318 Ms. Brunner next addressed the Site Development Standards:

319
320 Drainage & Stormwater Management

321 The Applicant submitted a Storm Water Management Report indicating the proposed
322 development will not increase runoff leaving the site. In order to mitigate and treat runoff
323 associated with the new development, the Applicant proposes to construct a stormwater
324 management system consisting of ditches lined with rip-rap and stone check dams and four
325 driveway culverts that will direct stormwater to a sediment forebay or conveyance swale and into
326 a detention basin. Overflow will be conveyed via a swale to a level spreader. For large events,
327 there is an emergency spillway that outlets into the wetland buffer to prevent runoff from being
328 directed onto Timberlane Drive. This drainage system and have been review by engineering
329 staff. As a condition of approval staff is requesting submittal of written documentation for the
330 access and utility easement and written documentation of a cross-easement for the stormwater
331 management and drainage system, which shall be subject to review and approval by the
332 Community Development Director and City Engineer.

333
334 Sediment & Erosion Control: Applicant is proposing to install perimeter controls including silt
335 fencing and a stabilized construction entrance. There is more details provided on Sheet DT-1 of
336 the plan set. Staff is recommending that a security for erosion control be included as a condition
337 of approval.

338
339 Snow Storage & Removal: The applicant is proposing that snow storage along the edges of the
340 paved area.

341
342 Landscaping: The Applicant is proposing to install four red maple trees, four Bigfruit Hawthorn
343 (a large shrub/small tree), and a mix of 23 shrubs including 10 rhododendrons, eight winterberry,
344 two nannyberry viburnum, and three dwarf alberta spruce. A total of 26 surface parking spaces

345 are proposed; the way it is laid out, each unit would have two spaces (one in the garage and one
346 surface parking).

347
348 Screening: This standard states that “*Screening in the form of landscaping or other treatment*
349 *(e.g. berms, walls, fences) shall be used to ... form a buffer between single-family and*
350 *multifamily dwellings, which are different in height, form or material than the adjacent single-*
351 *family dwellings”* . This site is well screened by the open space land. However, staff is
352 recommending that a 30-foot no-cut buffer be placed over the vegetated area along Timberlane
353 Drive –the applicant is in agreement to this requirement and this is include as a condition of
354 approval.

355 With respect to HVAC equipment, there is a note on the Utiltiy Plan (Sheet UT-1, Note 20)
356 which states “All HVAC equipment shall meet the screening standards of the L.D.C.: Roof
357 mounted equipment shall be setback 10’ from edge. Ground-mounted equipment to be located so
358 as not to be visible from the public way – screen if visible.” With this language added staff feel
359 this standard has been met.

360
361 Lighting: The lighting fixtures being proposed meets the Board’s standard.
362

363 Sewer & Water: The Applicant proposes to connect to City sewer and water, and proposes to
364 install two hydrants at the end of the shared driveways for safety, testing, and maintenance
365 purposes. All of the buildings will have sprinklers for fire protection. Due to the fact that the
366 water connection is proposed to be on the high-pressure side of the Timberlane Drive pressure
367 zone, each service connection will require a pressure-reducing valve (PRV). In addition, the
368 Applicant also submitted a sewer flow analysis, as requested by the City which demonstrates that
369 there is sufficient capacity in the sewer system for the proposed project. Per Section 22.1.4.G of
370 the LDC, “*Any infrastructure that serves 2 or more residential parcels shall be public. Services*
371 *shall be the only lines serving individual residential parcels.*” In addition, Section 22.1.4.H states
372 that “*All public infrastructure shall be located in city streets or public rights-of-way or*
373 *easements. The City shall be responsible for maintaining all public infrastructure.*” The
374 Applicant is aware that the water and sewer utilities will need to be accepted by the Keene City
375 Council, and proposes an access and utility easement (shown in the cross-hatched area on the
376 plan). Staff recommend that approval of the application should be conditioned upon acceptance
377 of the water and sewer infrastructure as public utilities by the Keene City Council. In addition,
378 submittal of written documentation for the utility and access easement be included as a condition
379 of approval.

380
381 Traffic & Access Management: The Applicant submitted a traffic assessment which concluded
382 that the proposed development would have a negligible impact on the adjacent roadway system.
383 With respect to access management, the Applicant proposes to utilize a shared driveway in lieu
384 of an internal road. As noted previously, there is a waiver is a waiver requested from the
385 requirement that all structures shall be accessed from interior streets. Because it is going to be
386 shared driveway, staff is requesting site location and cross easements for the share driveway as a
387 condition of approval.

388
389 Filling & Excavation: A significant portion of the development area contains precautionary
390 slopes of 15%-25%. Majority of disturbed earth material appears to be intended to remain on

391 site. Since fewer than 50 trucks are expected to remove or deliver material to the site, it appears
392 that this standard has been met. The applicant included a table on the subdivision plan that
393 demonstrates that less than 20,000 square feet of precautionary slope area will be disturbed on
394 each individual lot.

395
396 Surface Waters & Wetlands: There is existing wetland systems which have been delineated on
397 the site and identified as primary conservation areas. A waiver has been submitted to seek relief
398 from performing a complete wetland delineation on the new conservation lot and the Board did
399 grant this waiver. The required 30 foot wetland buffer for these wetlands is shown on the plan.
400 No development is proposed within the wetland buffer area. However, the edge of the buffer
401 comes within one foot of the wetland buffer and hence staff recommends that the wetland buffer
402 be flagged and inspected prior to the installation of sedimentation and erosion control features.

403
404 There is another waiver being requested for parking to be allowed in front of the building and
405 this is because of the way the parcel is laid out. The frontage is along Timberlane Drive and lot 3
406 parking will face Timberlane Drive and the applicant is requesting a waiver to locate parking in
407 front of that building.

408
409 This concluded staff comments.

410
411 The Chair asked for public comment next.

412
413 Mr. Mark Van Saun of 62 Meeting House Road addressed the Board and asked about over flow
414 parking and asked whether there is a plan to address this issue. It was stated previously that
415 parking can happen on Timberlane Drive. He noted overnight parking is not permitted during
416 winter months and asked how the City was planning on addressing this issue. Ms. Brunner stated
417 this is a decision that would need to be made by Public Works and City Council as to whether on
418 street parking can be permitted overnight and added this conversation has not happened yet. She
419 added there are two extra spaces in the lot for overflow parking. Mr. Van Saun did not feel that
420 was adequate and noted this was a concern for many of the abutters.

421
422 Mr. Paul Koutros of 59 Meeting House Road noted staff had indicated several contingencies
423 regarding erosion control etc. and asked whether these items need to be in place prior to
424 construction. Ms. Brunner noted erosion control measures need to be in place before land is
425 disturbed. Mr. Koutros asked about water runoff and collection basins – whether those have to be
426 in place prior to construction. Ms. Brunner directed this question to the applicant. Mr. Noonan
427 indicated the retention basin would be constructed before anything else is constructed. With
428 respect to overflow parking, he noted Timberlane Drive was never a solution but noted they are
429 private driveways for each unit, the main driveway will be 24 feet wide with a three foot
430 shoulder on each side and felt visitors should have space for parking.

431
432 Mr. Koutros felt 26 additional units will have impact to traffic and hoped this is being taken into
433 consideration, especially during peak hours. Ms. Brunner noted the traffic report has been
434 reviewed by engineering staff.

435

436 Mr. Joseph Darby of 19 Drummer Road addressed the Board next and stated for prior meetings
437 abutter notice was provided by US mail and asked why that was not the case for this meeting.
438 Ms. Brunner stated this is a continued public hearing and today's date was indicated at the last
439 public hearing. Continued public hearings don't require notice. Mr. Darby stated he agrees to the
440 concern raised by Mr. Koutros regarding traffic especially pedestrian traffic of school children.
441

442 With no further public comment, the Chair closed the public hearing.
443

444 Chair Russell Slack stated there is a report available regarding traffic which she indicated is very
445 detailed and a study has been completed.
446

447 B. Board Discussion and Action

448 A motion was made by Mayor George Hansel that the Planning Board approve S-04-22 for a 6-
449 lot Conservation Residential Subdivision, grant a waiver from Section 19.3.5.A.3.a of the
450 Planning Board Subdivision Regulations regarding the requirement that all structures be
451 accessed from interior streets, approve SPR-04-22 for the construction of five multi-family
452 buildings, and grant a waiver from Section 20.14.3.D of the Planning Board Development
453 Standards regarding the requirement that all off-street parking be located to the side or rear of
454 buildings, all as presented on the plan set identified as "Conservation Residential Development
455 Subdivision, Tax Map 515, Lot 15, Timberlane Woods" prepared by Fieldstone Land
456 Consultants, LLC, dated March 18, 2022 and last revised on June 13, 2022, and as presented on
457 the building elevations received by the Community Development Department on July 15, 2022,
458 with the following conditions:
459

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

462 1. Submittal of revised plans and building elevations to demonstrate compliance with the
463 height requirements for the Low Density District in Section 3.3.4 of the Land Development
464 Code. These materials shall be subject to review by the Zoning Administrator and the
465 Community Development Director to confirm compliance with the City's zoning ordinance and
466 all other applicable regulations in the Land Development Code.

467 2. Submittal of written documentation for the access and utility easement, which shall be
468 subject to review and approval by the Community Development Director and City Engineer.

469 3. Submittal of written documentation of a cross-easement for the stormwater management
470 and drainage system, which shall be subject to review and approval by the Community
471 Development Director and City Engineer.

472 4. Submittal of written documentation of any legal instruments required for the management
473 of the designated Open Space land, which shall be subject to review and approval by the City
474 Attorney.

475 5. Submittal of written documentation for the acceptance of all proposed public utilities by
476 the Keene City Council.

477 6. Submittal of a revised plan set which displays a "No Cut Buffer" over the 30-foot
478 perimeter buffer along Timberlane Drive.

479 7. Submittal of a security for landscaping, erosion control, and as-built plans in a form and
480 amount acceptable to the Community Development Director and City Engineer.

481

482 B. Subsequent to final approval, the following conditions shall be met:

483 1. Prior to the installation of sedimentation and erosion control measures, City staff shall
484 inspect the wetland buffer in the development area to ensure it is flagged.

485 2. In order to ensure the stormwater management system is installed and operates as
486 designed, a professional engineer, hired at the expense of the applicant, shall inspect the on-site
487 stormwater management system and certify that the system was installed in accordance with the
488 approved design. The results of this inspection shall be provided to the Community Development
489 Department prior to the issuance of a Certificate of Occupancy.

490

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

492

493

494 **V. Staff Updates**

495 Ms. Brunner noted the Board has been provided with revised Land Development Code sheets
496 with the newly adopted changes and they should update their respective LDC binders with the
497 new sheets.

498

499 **VI. New Business**

500

501

502 **VII. Upcoming Dates of Interest**

503 • Planning Board Steering Committee – December 6, 11:00 AM

504 • Joint Committee of the Planning Board and PLD – December 12, 6:30 PM

505 • Planning Board Site Visit – December 14, 8:00 AM – To Be Confirmed

506 • Planning Board Meeting – December 19, 6:30 PM

507

508 There being no further business, the Chair adjourned the meeting at 7:55 PM.

509

510 Respectfully submitted by,
511 Krishni Pahl, Minute Taker

512

513 Reviewed and edited by,
514 Evan J. Clements, Planner

STAFF REPORT

S-11-22 – Subdivision & Boundary Line Adjustment – 22 & 24 Rule St

Request:

Applicant Cardinal Surveying & Land Planning, on behalf of owners Richard W. & Carolyn M. Davis, proposes a lot line adjustment between the properties located at 22 Rule St (TMP #532-050-000) and 24 Rule St (TMP #532-051-000) that would result in the transfer of 0.02-ac from the 1.14-ac parcel at 22 Rule St to the 0.22-ac parcel at 24 Rule St, and a 2-lot subdivision of the parcel at 22 Rule St into one 0.48-ac lot and one 0.65-ac lot. The properties are located in the Low Density District.

Background:

The subject parcels are single family residential lots in the Low Density District with frontage on Rule St. The property at 22 Rule St is 1.14 acres in size with an existing 1,100 sf single family residence with an attached carport on the lot. This lot includes areas of both precautionary and prohibitive slopes. The property at 24 Rule St is 0.22 acres in size with an existing 1,000 sf single family residence with an attached carport and a detached shed on the lot. Both properties are served by City sewer and water.



Figure 1. Aerial view of the subject properties in yellow.

It should be noted that the legal language for this application incorrectly stated that 0.02 acres of land was going to be transferred from 22 Rule St to 24 Rule St, instead of 0.01 acres of land as indicated on the attached plan set. Figures 1 & 2 show the existing and proposed configurations of these parcels and Table 1 depicts the size of each lot before and after the lot line adjustment and subdivision. Both parcels are located in the Low Density District, which has a minimum lot size of 10,000 sf and a 60 ft frontage requirement.

The request is to perform a boundary line adjustment that will transfer 0.01 acres of land from 22 Rule St to 24 Rule St. This additional land will make the property at 24 Rule St compliant with the minimum lot size requirement for the Low Density District. Following the lot line adjustment, the property at 22 Rule St will be subdivided into two lots: a 0.48 acre parcel that will contain the existing single family dwelling and a new 0.65 acre developable parcel with frontage on Rule St. There is no development proposed on the new lot as part of this application.

<i>Table 1. Area of Land Affected by Proposed Boundary Line Adjustment & Subdivision</i>			
	22 Rule St (TMP# 532-050-000)	24 Rule St (TMP# 532-051-000)	Proposed Lot 1
Prior to Adjustment & Subdivision	49,648 sf (1.14 ac)	9,773 sf (0.22 ac)	N/A
After Adjustment & Subdivision	20,728 sf (0.48 ac)	10,320 sf (0.23 ac)	28,373 sf (0.65 ac)

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Following the subdivision, the new lot, labeled as “Proposed Lot 1” on the proposed conditions plan, will have approximately 5,515 sf of precautionary slopes and 7,352 sf of prohibitive slopes on the western portion of the lot. In order for this lot to be developed, the future property owner will need to ensure that the proposed development complies with the Hillside Protection Ordinance and may need to obtain a Hillside Protection Conditional Use Permit.

In addition to steep slopes, the proposed conditions plan also shows an existing carport along the north façade of the single family residence on the lot at 24 Rule St that is proposed to be removed. Due to the location of this carport within the side setback, which is 10 ft in the Low Density District, this carport will need to be removed in order for this proposal to be in compliance with the dimensional requirements for this zoning district. At the time of this staff report, the carport had yet to be removed by the property owner. The Board may want to make the removal of the carport a precedent condition of approval subject to an inspection by City Staff.

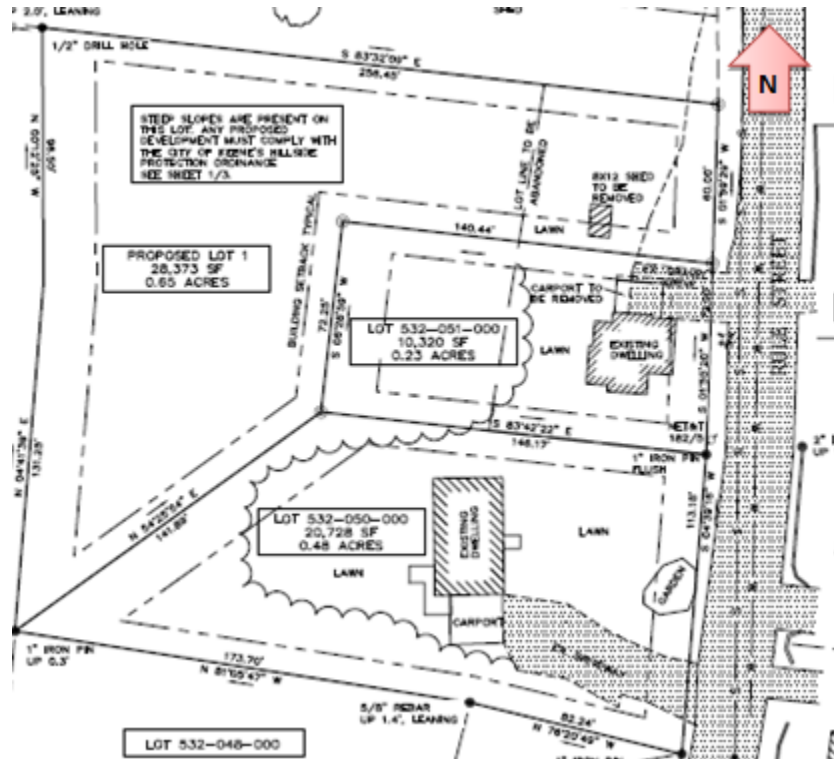


Figure 2. The proposed configuration of the new lots following the subdivision and boundary line adjustment.

Along with the carport that needs to be removed, the existing conditions plan shows a shed on the northern portion of the 24 Rule St parcel. On the proposed conditions plan, this shed is shown in the same location with a note specifying that it will be removed from the new lot. As can be seen in the “Departmental Comments” section of the staff report below, this shed will need to be relocated or removed from the new parcel in order to be in compliance with zoning. This is because the storage shed would be considered the primary use of the new parcel and storage is not an allowed use in the Low Density District. The Board may want to make the removal or relocation of this shed a precedent condition of approval subject to an inspection by City Staff.

Finally, per Section 19.2.5 & Section 22.3.2 of the Land Development Code related to lot monuments, “Final subdivision plans shall not be signed and recorded until after the monuments have been installed by the developer and verified by the Public Works Director, or security in an amount deemed satisfactory to the Public Works Director is posted ensuring the monuments will be set.” The Board may want to make the inspection of the set monuments by the Public Works Director or their designee a precedent condition of approval.

Completeness:

The Applicant has requested exemptions from submitting a grading plan, a landscaping plan, a lighting plan, and a narrative explaining how the proposal complies with the 13 Site Development Standards

STAFF REPORT

outlined in Section 20 of the Land Development Code. Staff have determined that the requested exemptions would have no bearing on the merits of the application and recommend that the Board accept the application as “complete.”

Departmental Comments:

- **Code Enforcement:** Portions of the new lot may be subject to the Hillside Protection Overlay District.
- **Zoning:** The shed will need to be removed from the new vacant lot being created and the carport will need to be removed or modified to meet the side setback requirement prior to subdivision.

Application Analysis: As no new development is proposed, the analysis below is focused on the Planning Board’s standards most relevant to this application.

- 20.8 **Sewer & Water:** All three parcels have access to City sewer and water along Rule St. In City of Keene Development Standard Note #6 on Sheet 1 of the plan set, the Applicant specifies that all necessary permits will need to be obtained from the Public Works Department for sewer and water connections and notes that private on-site sewer ejector pumps may be needed to access City sewer lines. This standard appears to be met.
- 20.9 **Traffic & Access Management:** Existing site access points are shown on the plans and no modifications to site access are proposed as part of this application. City of Keene Development Standard Note #5 on Sheet 1 of the plan set specifies that a Street Access Permit shall be obtained from the Public Works Department prior to any construction. This standard appears to be met.
- 20.11 **Surface Waters & Wetlands:** The Applicant has specified in Note #7 on Sheet 1 of the plan set that there were no jurisdictional wetlands observed on either of the parcels and Note #8 on the same sheet specifies that neither lot is located within the 100 year floodplain. This standard appears to be met.

Recommended Motion:

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

Approve S-11-22 for a boundary line adjustment between the properties at 22 Rule St (TMP #532-050-000) and 24 Rule St (TMP #532-051-000) and a 2-lot subdivision of the parcel at 22 Rule St, as shown in the plan set identified as, “2-lot Subdivision & Boundary Line Adjustment, Lots 532-050-000 & 532-051-000, 22 & 24 Rule Street, Keene, NH 03431” prepared by Cardinal Surveying & Land Planning at a scale of 1 inch = 30 feet on November 10, 2022 and last revised on December 1, 2022 with the following conditions precedent prior to final approval and signature of the plans by the Planning Board Chair:

1. Submittal of four (4) paper copies, two (2) Mylar copies, and a digital copy of the final plan set.
2. Submittal of a check in the amount of \$51.00 made out to the *City of Keene* to cover the cost of recording the final plat at the Registry of Deeds.
3. Removal of the existing carport and the relocation/removal of the existing shed on the property at 24 Rule St subject to a final inspection by City Staff.
4. Inspection of lot monuments by the Public Works Director or their designee following their installation or the submittal of a security in an amount deemed satisfactory to the Public Works Director to ensure that the monuments will be set.
5. Submittal of a revised plat to be recorded at the Registry of Deeds that includes the City of Keene Development Standard Notes shown on Sheet 1 of the plan set.

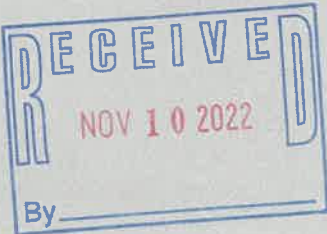
CITY OF KEENE | PLANNING BOARD

SUBDIVISION APPLICATION



This form must be filled out in its entirety. If a box is not checked, staff will assume that the information is not provided and the application is, therefore, not complete. Incomplete applications will not be accepted for review.

A	Project Name Proposed 2 lot subdivision	Date Received/Date of Submission: 5-11-22
	Tax Map Parcel number(s) 532 - 50 - 000 532 - 51 - 000	Community Development Dept File #:
Project Address: 22 & 24 Rule St Keene NH, 03431	O w n e r	Name/Company: PLEASE PRINT: Richard W. & Carolyn M. Davis
Acreage/S.F. of Parcel: 1.334 /		Address: PO Box 107, Keene, NH, 03431
		Telephone: 603-355-0348 E-mail:
		Signature: <i>Richard Davis Carolyn Davis</i> Printed Name: Richard & Carolyn Davis
Zoning District: Low Density	A p p l i c a n t	Contact Name/Company: PLEASE PRINT: Cardinal Surveying & Land Planning
		Address: PO Box 160, Sullivan NH, 03445
		Telephone: 603-209-1989 E-mail: Wendy@Cardinalsurveying.net
		Signature: <i>Wendy Pelletier</i> Printed Name: Wendy Pelletier

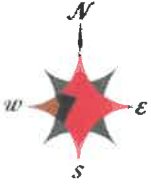


B Descriptive Narrative Including

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Type of development | <input checked="" type="checkbox"/> Sedimentation Control | <input checked="" type="checkbox"/> Scope/scale of development |
| <input checked="" type="checkbox"/> Proposed uses | <input checked="" type="checkbox"/> Vegetation | <input checked="" type="checkbox"/> Parcel size |
| <input checked="" type="checkbox"/> Location of access points | <input checked="" type="checkbox"/> Debris management | <input checked="" type="checkbox"/> Proposed stormwater, drainage & erosion plan |
| <input checked="" type="checkbox"/> Any other descriptive information | <input checked="" type="checkbox"/> Disposal proposals for boulders, stumps & debris | |

C A complete application must include the following

- | | |
|--|--|
| <input checked="" type="checkbox"/> Two (2) copies of completed application forms signed and dated | <input checked="" type="checkbox"/> Three (3) copies of "D" size architectural elevations (24" x 36") |
| <input checked="" type="checkbox"/> Two (2) copies of descriptive narrative | <input checked="" type="checkbox"/> Plans stamped/signed by reg. professional |
| <input checked="" type="checkbox"/> Notarized list of all owners of property within 200' - include owner and applicant | <input type="checkbox"/> Two (2) copies on |
| <input checked="" type="checkbox"/> Two (2) sets of mailing labels, per abutter | <input type="checkbox"/> Three (3) copies of all technical reports |
| <input checked="" type="checkbox"/> Seven (7) copies on "D" size paper of plans (24" x 36") | <input type="checkbox"/> Two (2) color architectural elevations on 11" x 17" |
| | <input checked="" type="checkbox"/> A check to cover the costs of legal notice to advertise the public hearing and mailing notices out to abutters |



CARDINAL SURVEYING & LAND PLANNING

PO Box 160
Sullivan, NH 03445
(603) 209-1989
www.cardinalsurveying.net
Know Your Boundaries"

2 Lot Subdivision & Boundary Line Adjustment
Richard & Carolyn Davis
22/24 Rule St
Keene, NH 03431

Project Narrative

TM 532-050-000 (22 Rule St) is a 1.14 acre parcel in the Low Density District. There is one dwelling on the lot. TM 532-051-000 is a 0.22 acre parcel also in the low density district with one dwelling and a shed.

The owners are proposing a 2 lot subdivision and boundary line adjustment. The first lot (lot 50) will be 0.48 acres. A portion of that lot will be adjusted with lot 51 to keep it in compliance with zoning, creating a lot that is 0.23 acres. The remaining land from lot 50 will be subdivided off to make a portion of the new lot. The new lot will be 0.65 acres. Adjustment to lot 51 will provide the frontage for the new lot.

Exemptions are requested from the following: providing proposed contours at minimum intervals of five feet, location of proposed light fixtures and location and footprint of proposed fences on the Proposed Conditions Plan; Grading plan, Landscaping plan, Lighting plan and Technical Reports.

This is a proposed single family home lot which is exempt from the Development Standards-Section 20.1.3.A.

There are no buildings or improvements proposed on the lots at this time.

Hillside Protection Overlay District- While there are areas of prohibitive and precautionary slopes on site, there is no potential new construction or improvements proposed in those areas.

ABUTTERS

LOT 532-053-000,
532-003-000
RICHARD W. & CAROLYN M. DAVIS
PO BOX 107
KEENE, NH 03431
VOL. 2911 PG. 0161

LOT 532-052-000,
532-047-000
ELFRIEDE E. WAGNER
2874 DERHAMMER ROAD
BATH, PA 18014
VOL. 1266 PG. 0003

LOT 532-024-000
ROBERT DEYO
12 BARCOMB ST.
KEENE, NH 03431
VOL. 696 PG. 104

LOT 532-040-000
RONALD H. & CAROL A. STARKEY FAMILY TRUST
25 CHARLES STREET
KEENE, NH 03431
VOL. 3033 PG. 1152

LOT 532-041-000
SUSAN A. HIGGINS
11 CHARLES STREET
KEENE, NH 03431
VOL. 2968 PG. 0713

LOT 532-044-000
CITY OF KEENE
3 WASHINGTON STREET
KEENE, NH 03431
VOL. 936 PG. 547

LOT 532-048-000
STEVEN PRINCE
71 EAST MAIN STREET
EAST RINDGE, NH 03461
VOL. 2686 PG. 0932

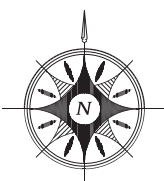
LOT 532-049-000
MARK KRAMER
16 RULE STREET
KEENE, NH 03431
VOL. 2346 PG.0021

LOT 533-007-000
SUSAN TAYLOR HARNISCH
17 RULE STREET
KEENE, NH 03431
VOL. 3072 PG. 0059

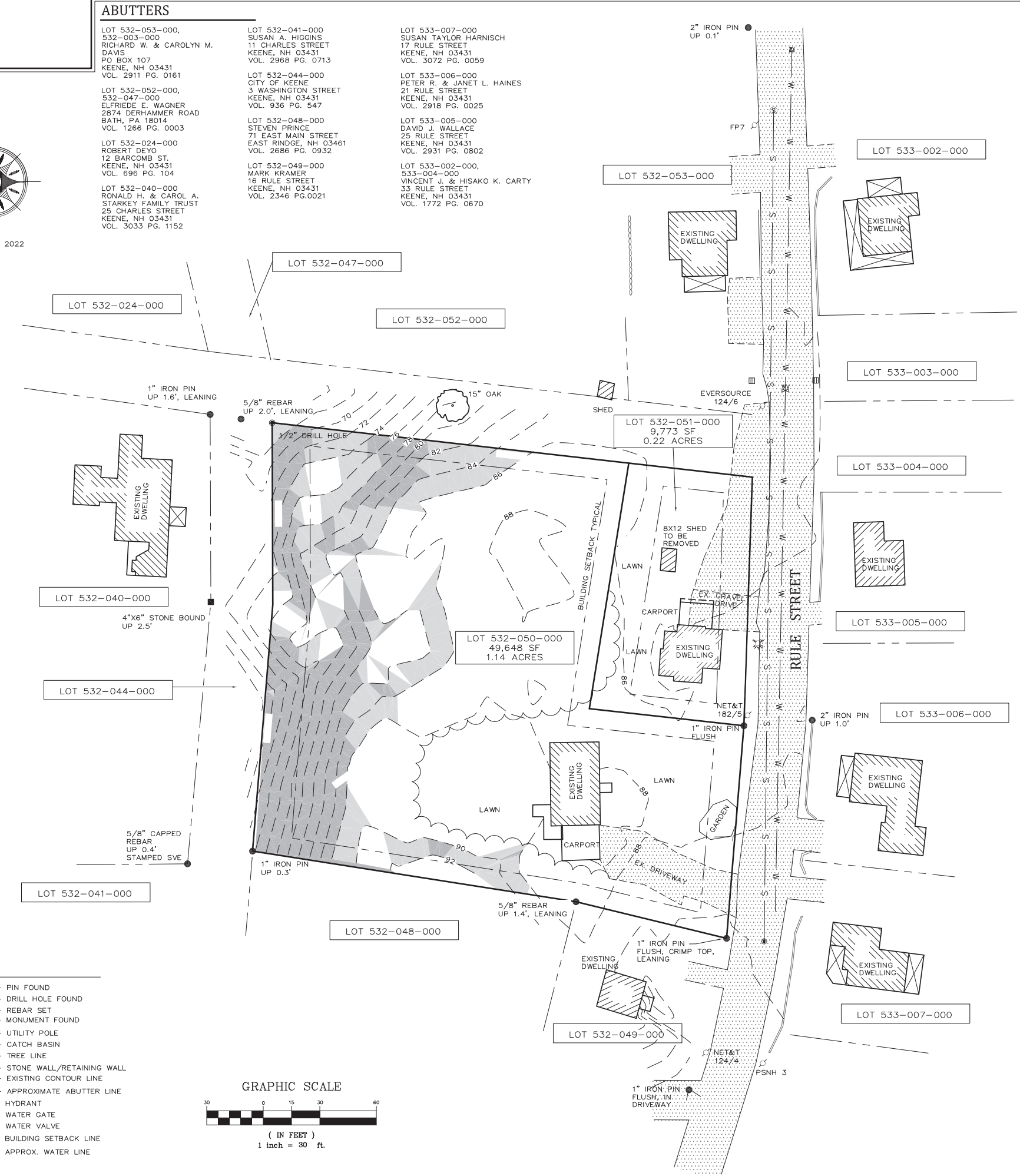
LOT 533-006-000
PETER R. & JANET L. HAINES
21 RULE STREET
KEENE, NH 03431
VOL. 2918 PG. 0025

LOT 533-005-000
DAVID J. WALLACE
25 RULE STREET
KEENE, NH 03431
VOL. 2931 PG. 0802

LOT 533-002-000,
533-004-000
VINCENT J. & HISAKO K. CARTY
33 RULE STREET
KEENE, NH 03431
VOL. 1772 PG. 0670



MAGNETIC 2022



CITY OF KEENE DEVELOPMENT STANDARDS

1. WORK PERFORMED WITHIN THE PRECAUTIONARY AND PROHIBITIVE SLOPE AREAS SHALL CONFORM TO THE CITY OF KEENE HILLSIDE PROTECTION ORDINANCE.
2. THE DEVELOPMENT OF A SITE SHALL NOT RESULT IN INCREASED VOLUME OR VELOCITY OF RUNOFF ONTO ADJACENT PROPERTIES OR SURFACE WATER BODIES IN ACCORDANCE WITH DRAINAGE & STORMWATER MANAGEMENT.
3. EACH PROJECT SHALL BE DESIGNED TO PREVENT EROSION AND SEDIMENTATION DURING AND SUBSEQUENT TO CONSTRUCTION IN ACCORDANCE WITH SEDIMENT & EROSION CONTROL.
4. ALL DEVELOPMENT SHALL COMPLY WITH ALL FEDERAL AND STATE WETLAND AND SURFACE WATER REGULATIONS, ARTICLE 11 OF THE LDC, AS WELL AS ANY OTHER APPLICABLE CITY REGULATIONS IN ACCORDANCE WITH SURFACE WATERS & WETLANDS.
5. A STREET ACCESS PERMIT SHALL BE OBTAINED FROM THE PUBLIC WORKS DEPARTMENT PRIOR TO ANY CONSTRUCTION. THE CITY ENGINEERING DIVISION SHALL BE CONTACTED 48 HOURS MINIMUM IN ADVANCE TO INSPECT THE DRIVEWAY.
6. ALL NECESSARY PERMITS WILL BE OBTAINED FROM CITY OF KEENE PUBLIC WORKS DEPARTMENT FOR SEWER AND WATER CONNECTIONS. PRIVATE ON-SITE SEWER EJECTOR PUMPS MAY BE NEEDED TO ACCESS CITY SEWER LINES.
7. GRADING OF THE PROPOSED HOUSE SITES SHALL BE DONE IN ACCORDANCE WITH THE CITY OF KEENE DEVELOPMENT STANDARDS.

DISCLAIMERS

1. THE PARCEL MAY BE SUBJECT TO OTHER EASEMENTS AS THEY EXIST OF RECORD OR IN FACT. CARDINAL SURVEYING AND LAND PLANNING DOES NOT INTEND OR REPRESENT THAT ALL RIGHTS AND EASEMENTS AFFECTING THE SUBJECT PROPERTY ARE SHOWN. A SPECIFIC TITLE EXAMINATION IS SUGGESTED TO DETERMINE THE NATURE AND EXTENT OF RIGHTS AND EASEMENTS AFFECTING THE SUBJECT PROPERTY.
2. THE LOCATION OF ANY UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. CARDINAL SURVEYING & LAND PLANNING MAKES NO CLAIMS TO THE ACCURACY OR COMPLETENESS OF THE UTILITIES SHOWN. FIELD VERIFICATION IS REQUIRED PRIOR TO ANY EXCAVATION ON THE SITE.
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APPROVED AS A SUBDIVISION
IN ACCORDANCE WITH THE PROVISIONS OF RSA 674.
THE CITY OF KEENE PLANNING BOARD
BY _____, CHAIRMAN

OWNER CERTIFICATIONS

WE, RICHARD W. DAVIS AND CAROLYN M. DAVIS, CERTIFY THAT WE ARE THE OWNERS OF LOT 532-050-000, AND APPROVE OF THIS SUBDIVISION.

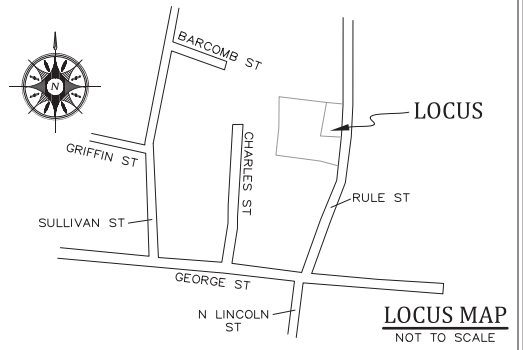
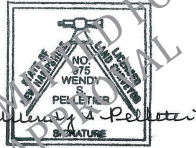
Richard W. Davis NOV 10, 2022
RICHARD W. DAVIS DATE

Carolyn M. Davis NOV 10, 2022
CAROLYN M. DAVIS DATE

SURVEYOR'S CERTIFICATION

THIS SURVEY IS THE RESULT OF A RANDOM TRAVERSE USING AN ELECTRONIC TOTAL STATION AND MEETS THE MINIMUM REQUIREMENTS OF AN URBAN SURVEY AS SPECIFIED IN NH LAN TABLE 500.1.

I HEREBY CERTIFY THAT THIS PLAT CONFORMS TO ALL APPLICABLE LOCAL ZONING ORDINANCES AND RULES.



NOTES

1. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE LOT 532-050-000 INTO TWO BUILDING LOTS AND ADJUST THE BOUNDARY OF 532-051-000.
2. OWNERS OF RECORD:
LOT 532-050-000 & 532-051-000
RICHARD W. & CAROLYN M. DAVIS
PO BOX 107
KEENE, NH 03431
VOL. 2885 PG 0067 AND VOL. 2892 PG 0560
3. MAP AND LOT NUMBERS REFER TO THE CITY OF KEENE TAX MAPS.
4. CURRENT ZONING: LOW DENSITY
MIN. LOT AREA - 10,000 SF
MIN. FRONTAGE - 60 FEET
MIN. WIDTH AT BUILDING LINE - 70 FEET
BUILDING SETBACKS:
FRONT - 15 FEET
SIDE - 10 FEET
REAR - 20 FEET
WETLANDS BUFFER - 30 FEET
5. THE RIGHT OF WAY OF RULE STREET WAS DETERMINED BY THE LOCATION OF STONEWALLS AND MONUMENTATION AND IS SHOWN TO BE 33' WIDE BASED ON THE LAYOUT OF 1898 RECORDED IN VOLUME 3 PAGE 269 ON FILE AT THE CITY OF KEENE CLERK'S OFFICE.
6. ELEVATIONS ARE BASED ON AN ASSUMED DATUM. CONTOUR INTERVAL IS 2 FEET.
7. NO JURISDICTIONAL WETLANDS WERE OBSERVED.
8. LOT 532-050-000 & 532-051-000 ARE NOT WITHIN THE 100 YEAR FLOOD PLAIN.

REFERENCE PLANS

1. "PROPOSED SUBDIVISION OF LAND OWNED BY SUZANNE W. HARTMAN"; PREPARED BY R.K. PIPER; DATED SEP 4, 1973; SCALE 1"=50'; RECORDED AT CCRD IN PLAN BOOK 27 PAGE 7.
2. "PLAN OF LOTS ON CHARLES STREET, CHARLES BLAKE OWNER"; RECORDED IN PLAN BOOK 2 PAGE 143
3. "PROPERTY OF HAZEL J. SPOON INNES"; DATED APRIL 12, 1943; RECORDED AT CCRD PLAN BOOK 6 PAGE 77C.

SLOPE REPORT LOT 532-050-000

15 TO 25	PRECAUTIONARY SLOPE	6,795 SF
> 25	PROHIBITIVE SLOPE	8,637 SF

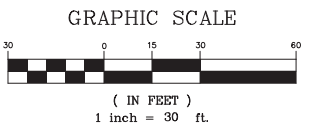
LOT COVERAGE	BLDG	IMPERVIOUS
LOT 532-050-000	3.43%	3.45%
LOT 532-051-000	11.87%	16.61%

PLAN SET

- SHEET 1/3 30 SCALE EXISTING CONDITIONS, NOTES, ABUTTERS
- SHEET 2/3 30 SCALE PROPOSED CONDITIONS, SUBDIVISION & BOUNDARY LINE ADJUSTMENT PLAN
- SHEETS 1 & 2 TO BE KEPT ON FILE AT CITY OF KEENE COMMUNITY DEVELOPMENT.
- SHEET 3/3 30 SCALE SUBDIVISION & BOUNDARY LINE ADJUSTMENT PLAN TO BE RECORDED AT C.C.R.D.

LEGEND

- - PIN FOUND
- - DRILL HOLE FOUND
- - REBAR SET
- - MONUMENT FOUND
- 100 - UTILITY POLE
- - CATCH BASIN
- - TREE LINE
- - STONE WALL/RETAINING WALL
- - EXISTING CONTOUR LINE
- - APPROXIMATE ABUTTER LINE
- - HYDRANT
- - WATER GATE
- - WATER VALVE
- - BUILDING SETBACK LINE
- - APPROX. WATER LINE



1	12/01/22	UPDATE NOTES, ADD SHT 3/3	LBJ
NO.	DATE	REVISION	BY

**EXISTING CONDITIONS
2 LOT SUBDIVISION &
BOUNDARY LINE ADJUSTMENT**

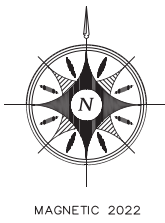
**LOTS 532-050-000 & 532-051-000
22 & 24 RULE STREET
KEENE, NH 03431**

DATE: NOV 10, 2022 SCALE: 1"=30'

PREPARED FOR:
RICHARD W. DAVIS
AND
CAROLYN M. DAVIS

CARDINAL SURVEYING & LAND PLANNING
Sullivan, New Hampshire 03445
Tel. (803) 209-1989

SHT 1/3



SEE SHEET 1/3 FOR NOTES

SLOPE REPORT LOT 532-050-000

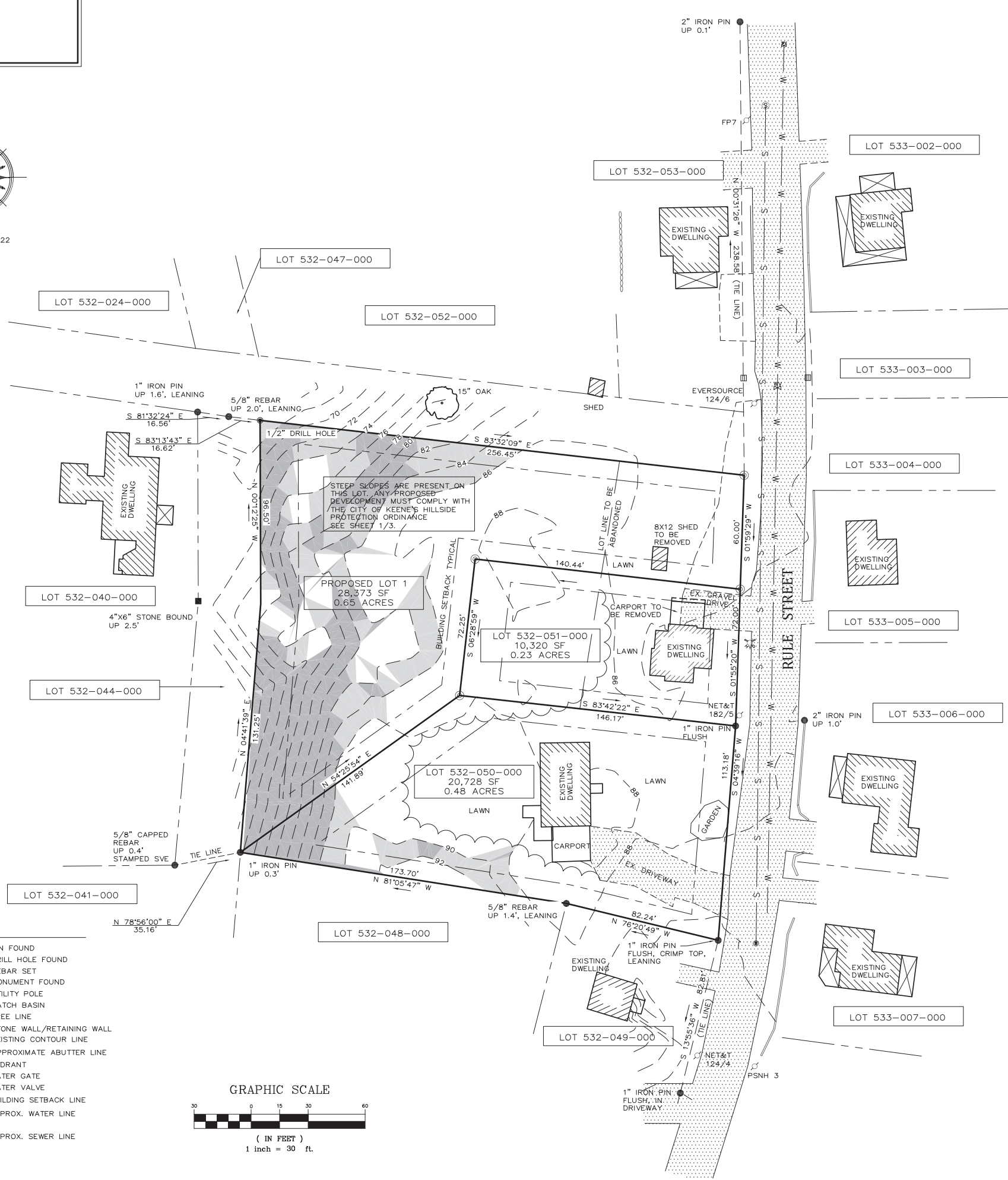
● 15 TO 25	- PRECAUTIONARY SLOPE	1,280 SF
● > 25	- PROHIBITIVE SLOPE	1,286 SF

PROPOSED LOT 1

● 15 TO 25	- PRECAUTIONARY SLOPE	5,515 SF
● > 25	- PROHIBITIVE SLOPE	7,352 SF

LOT COVERAGE BLDG IMPERVIOUS

LOT 532-050-000	8.21%	8.27%
LOT 532-051-000	7.94%	5.66%
PROPOSED LOT 1	0.30%	3.94%



APPROVED AS A SUBDIVISION
IN ACCORDANCE WITH THE PROVISIONS OF RSA 674.
THE CITY OF KEENE PLANNING BOARD
BY _____, CHAIRMAN

OWNER CERTIFICATIONS

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Richard W. Davis NOV 10, 2022
RICHARD W. DAVIS DATE

Carolyn M. Davis NOV 10, 2022
CAROLYN M. DAVIS DATE

PLAN SET

SHEET 1/3 30 SCALE EXISTING CONDITIONS, NOTES, ABUTTERS

SHEET 2/3 30 SCALE PROPOSED CONDITIONS, SUBDIVISION & BOUNDARY LINE ADJUSTMENT PLAN

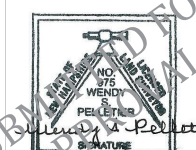
SHEETS 1 & 2 TO BE KEPT ON FILE AT CITY OF KEENE COMMUNITY DEVELOPMENT.

SHEET 3/3 30 SCALE SUBDIVISION & BOUNDARY LINE ADJUSTMENT PLAN TO BE RECORDED AT C.C.R.D.

SURVEYOR'S CERTIFICATION

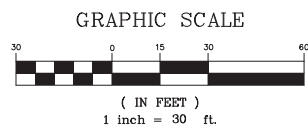
THIS SURVEY IS THE RESULT OF A RANDOM TRAVERSE USING AN ELECTRONIC TOTAL STATION AND MEETS THE MINIMUM REQUIREMENTS OF AN URBAN SURVEY AS SPECIFIED IN NH LAN TABLE 500.1.

I HEREBY CERTIFY THAT THIS PLAT CONFORMS TO ALL APPLICABLE LOCAL ZONING ORDINANCES AND RULES.



LEGEND

- - PIN FOUND
- - DRILL HOLE FOUND
- - REBAR SET
- - MONUMENT FOUND
- - UTILITY POLE
- - CATCH BASIN
- - TREE LINE
- - STONE WALL/RETAINING WALL
- - - - - EXISTING CONTOUR LINE
- - - - - APPROXIMATE ABUTTER LINE
- — — — — HYDRANT
- — — — — WATER GATE
- — — — — WATER VALVE
- - - - - BUILDING SETBACK LINE
- - - - - APPROX. WATER LINE
- - - - - APPROX. SEWER LINE



1	12/01/22	UPDATE NOTES, ADD SHT 3/3	LBJ
NO.	DATE	REVISION	BY

PROPOSED CONDITIONS
2 LOT SUBDIVISION &
BOUNDARY LINE ADJUSTMENT
LOTS 532-050-000 & 532-051-000
22 & 24 RULE STREET
KEENE, NH 03431

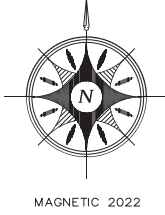
DATE: NOV 10, 2022 SCALE: 1"=30'

PREPARED FOR:
RICHARD W. DAVIS
AND
CAROLYN M. DAVIS

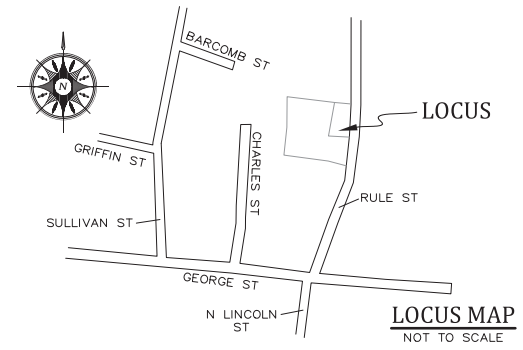
CARDINAL SURVEYING & LAND PLANNING
Sullivan, New Hampshire 03445
Tel. (603) 209-1989

SHT 2/3

JOB NO: 762 SURVEY DATE: 11-2-22 FEB. 11/42



MAGNETIC 2022



DISCLAIMERS

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NOTES

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2. OWNERS OF RECORD:
LOT 532-050-000 & 532-051-000
RICHARD W. & CAROLYN M. DAVIS
PO BOX 107
KEENE, NH 03431
VOL. 2885 PG 0067 AND VOL. 2892 PG 0560
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MIN. FRONTAGE - 60 FEET
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SIDE - 10 FEET
REAR - 20 FEET
WETLANDS BUFFER - 30 FEET
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THE CITY OF KEENE PLANNING BOARD
BY _____, CHAIRMAN

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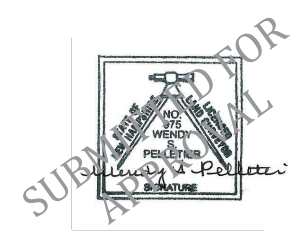
Richard Davis NOV 10, 2022
RICHARD W. DAVIS DATE

Carolyn Davis NOV 10, 2022
CAROLYN M. DAVIS DATE

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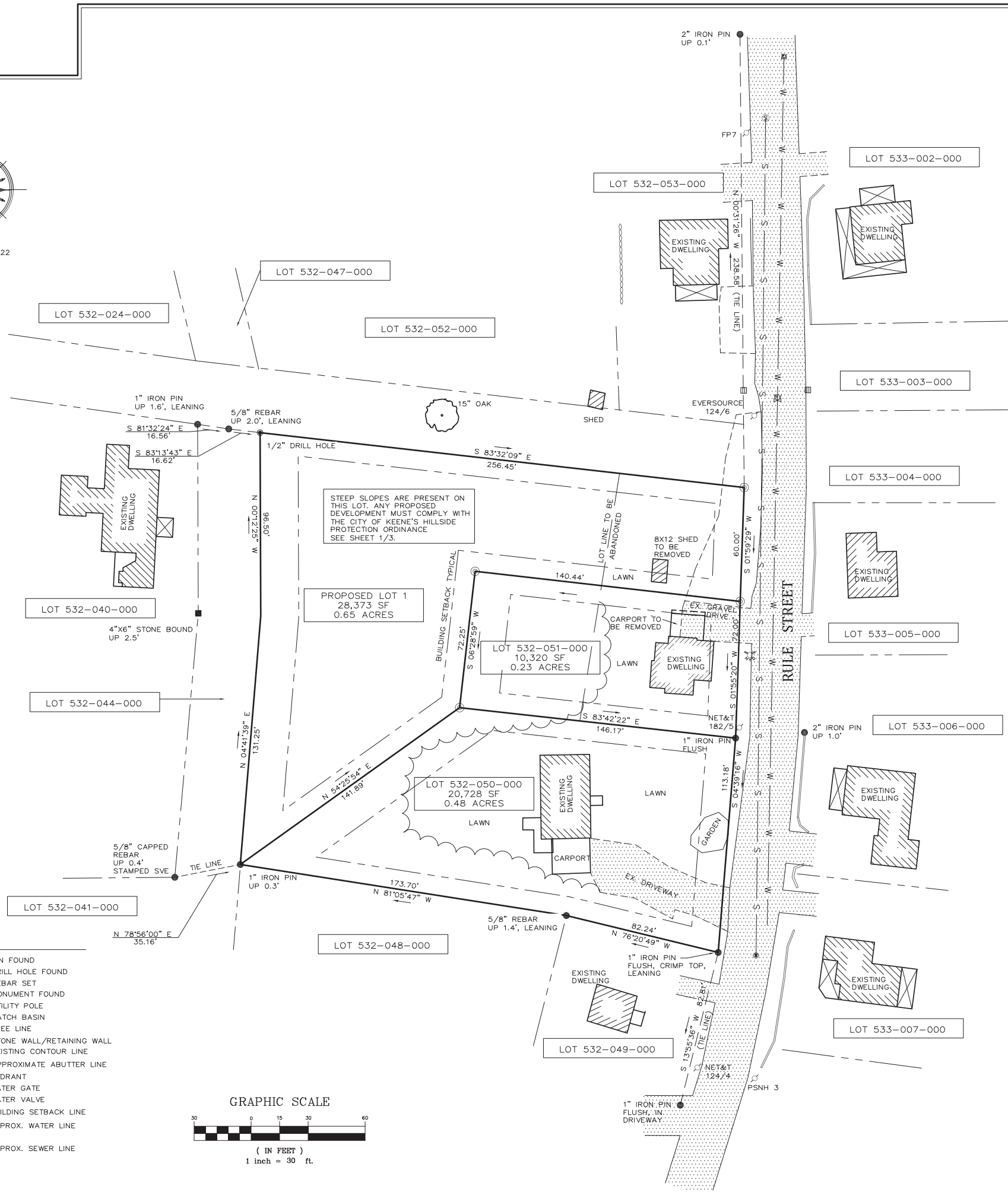
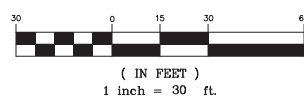
I HEREBY CERTIFY THAT THIS PLAT CONFORMS TO ALL APPLICABLE LOCAL ZONING ORDINANCES AND RULES.



LEGEND

- - PIN FOUND
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- - - - - APPROX. SEWER LINE

GRAPHIC SCALE



1	12/01/22	ADD SHT 3/3	LBJ
NO.	DATE	REVISION	BY


2 LOT SUBDIVISION & BOUNDARY LINE ADJUSTMENT
LOTS 532-050-000 & 532-051-000
22 & 24 RULE STREET
KEENE, NH 03431

DATE: DEC 01, 2022 SCALE: 1"=30'

PREPARED FOR:
 RICHARD W. DAVIS
 AND
 CAROLYN M. DAVIS

CARDINAL SURVEYING & LAND PLANNING
 Sullivan, New Hampshire 03445
 Tel. (603) 209-1989

SH3/3

Date: November 30, 2022
Project: Keene Skatepark
Location: 160 Water Street - corner of Water and Carpenter Streets
Submitted By: Andy Bohannon, Parks, Recreation and Facilities Director 
Purpose: Request for consideration of change in zoning to Governmental Use



In 2010, the City Council created a Skatepark Relocation Sub-Committee to visit the idea of relocating the park out of the downtown footprint. After a year, the report came back and suggested the park be moved to Carpenter Street. This location gained approval because of the potential development of a multiuse park (now Patricia T. Russell Park) on the property that would include other recreational activities. The skate park would be placed in a designated area that could be expanded for future growth of the skate area, and other activities that surround it. There would be plenty of parking for multiple users and is within a short walk, bike ride or skate to downtown, via the Cheshire Rail Trail or Water, Roxbury or Railroad Streets. It allowed the development of the skate park to be the 16,000 - 20,000 square feet, the size desired and recommended by the Skateboard Adoption Model. However, current funding will support a 10,000 square foot facility. The Active and Passive Recreation management Plan adopted in 2012 supported this direction through Key issue #2: Institute Long Range Capital Planning and Park Site-Specific Master Plans.

The goals of the project will be to:

- Build a new concrete skate park
- Demolition the building
- Provide additional parking
- Create additional storm water retention areas
- Improve the aesthetics of the Park
- Create a more vibrant presence within the neighborhood
- Provide easier and safe access from downtown Keene and the Cheshire Rail Trail.

What makes a skatepark location successful?

With a newly renovated Patricia T. Russell Park in the adjacent lot to the new location of the skate park, critical amenities will be on location to support a successful skate park such as restrooms, water fountains, and parking. This location does not provide immediate access to refreshments, but private stores are located within a reasonable distance.

A Design-Build Contract timeline:

In the spring of 2022, the Keene Skatepark group donated to the City through a fiscal agent a total of \$200,000, which has increased an additional \$15,000. In addition, the City in 2018 through its Capital Improvement Program provided \$25,000 towards the park. In July, through a public bid process, the City hired Spohn Ranch Inc. to a design-build contract for a poured in place concrete facility to be located at 160 Water Street. On October 19, 2022, the public session with 37 attendees brought forward ideas and concepts to the layout of the facility. Following the public session, an online survey resulted in an

additional 67 responses to what elements the skate park users desired for their new park. As a result of this input, Spohn Ranch will return to Keene in the middle of December to provide a final design session before creating the final design for the project. A fully designed park during the January and February 2023 time frame will allow for construction to begin in May or June of 2023.

The attached map is a conceptual design of the layout of the park expansion. The Keene Skatepark location (formerly known as Findings Inc.) is a 2.5 acre space that sits on the East side of Keene. It is currently an abandoned jewelry factory that was in operation from 1950 to 2012, and has been abandoned since. The green space outside of the tall outside fence was once the City of Keene, but was land swapped in 2005 for what is now the basketball courts on Water Street which received LWCF funding in 2007. The green space will connect to the newly renovated Patrica T Russell Park and the existing parking lot at the corner of Carpenter and Water Streets is 15,000 square feet and the location of the future home of the skate park. Located just a half mile from downtown Keene, the demolition of the building, and a new poured in place concrete skatepark will further enhance the east side neighborhood.

The Economic Impact of the Skatepark:

In the heart of the City, just outside of the downtown footprint, a once abandoned rail road bed has seen an economic development burst in the last 20 years. Through the Monadnock Economic Development Corporation, hotels, a co-op grocery store, restaurants, mixed use commercial buildings, housing, non-profit centers, a senior living center, work force housing development, a homeless shelter, and a rail trail have been established. We have added two LWCF projects, a potential third with this application, to add 8 acres of recreation connectivity to the area which creates a significant connection to the vitality of this neighborhood.

Keene serves as the economic hub of Cheshire County with 7 out of 10 largest businesses located in Keene and 77% of residents working within the City limits. In addition, the skate park will be in an area that 48.5% of the Keene residents live within a 10 minute walk to. The health benefits are significant to larger vision of Keene working towards being one of the healthiest communities in the United States. The skate park lot will remove a dilapidated building from the neighborhood, adding space for the community to explore opportunities for a farmers market, an artisan market, public art displays, and add additional flood storage capacity.

In 2012, the City began to look at the East side of town as an opportunity. We have concentrated on rezoning for increased economic development and increased and improved housing with a focus on connectivity with smart street implementation. The once heavy industrial area has changed significantly throughout the decades and by taking the steps to make necessary change happen, the City is seeing impacts to the community as a whole. The addition of the Keene Skate Park and major park renovations complete the vision of revitalization for a destination recreational experience for families and youth in our community.

According to The Skatepark Project, skateboarding is the third least expensive sport (out of 21 of the most popular sports, annual average spending on one child, behind only track and field and flag football). (Aspen Institute/Utah State University 2019 National Youth Sports Survey - 1,032 youth sport parents). This statistic demonstrates why the City of Keene has specifically focused a campaign to get more kids engaged with the Keene Housing Kids Collaborative program, an unique non-profit that seeks

recreation and arts programs for their clients, through various fundraising efforts. The Keene Skatepark group has donated skateboards and helmets to kids in this program during a "learn to skate" day.

In addition to the development of the skate park, a new skate shop has opened in Keene as a direct result of the future skate park. This helps to keep families buying local, getting kids started immediately, and as stated earlier, giving access to one of the least barrier sports for all incomes. Also, as stated in the letter of support from Keene State College, it attracts perspective students to select Keene knowing they have a destination skate park within 10 minutes of the campus.



Existing Site Layout Plan

160 Water Street - Future Keene Skate Park Site










70 35 0 70 Feet



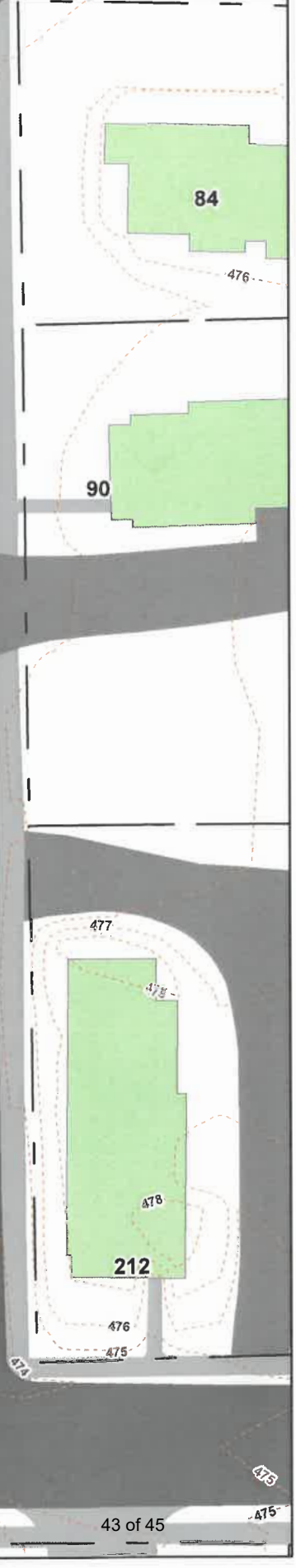
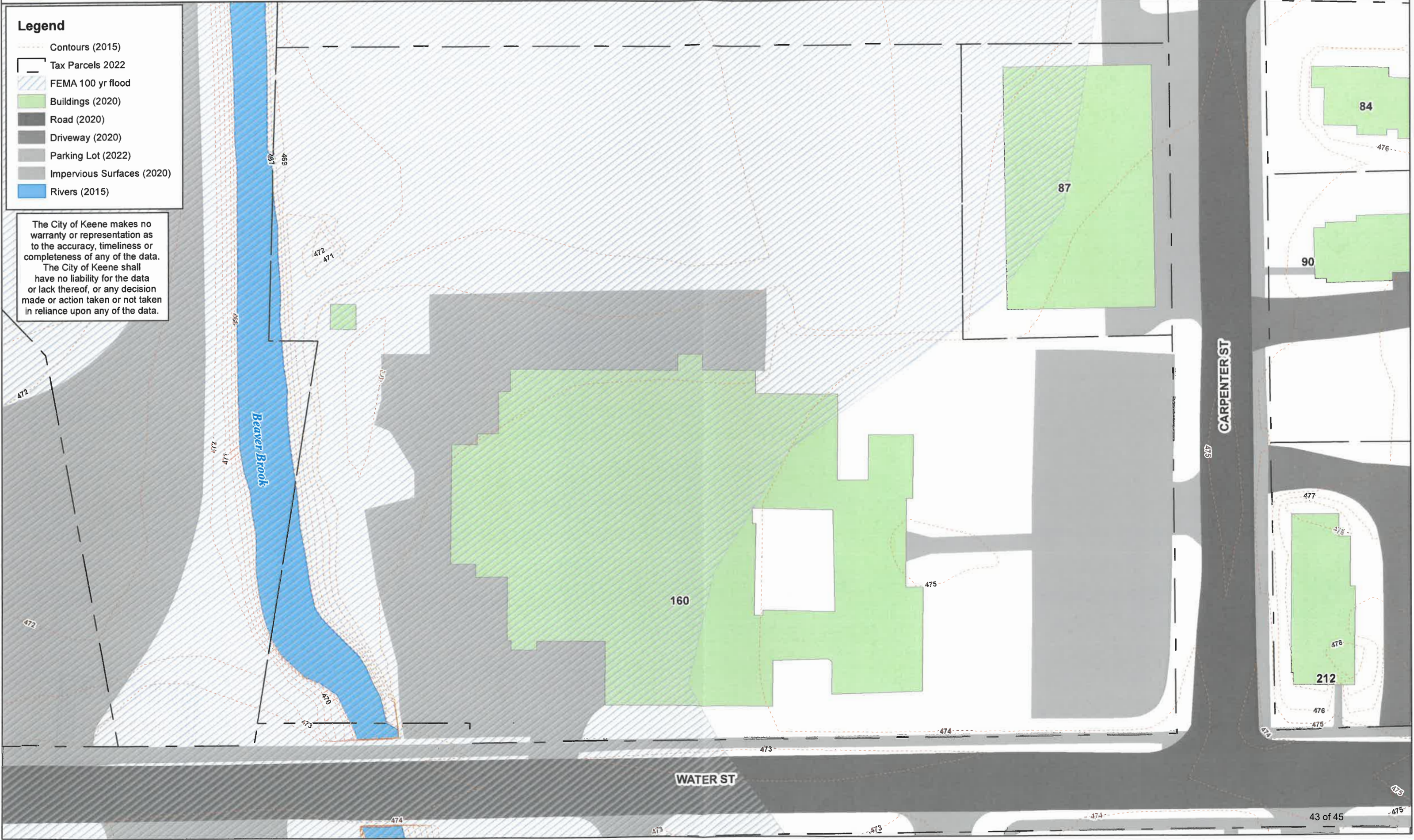
1 inch = 35 feet



Legend

-  Contours (2015)
-  Tax Parcels 2022
-  FEMA 100 yr flood
-  Buildings (2020)
-  Road (2020)
-  Driveway (2020)
-  Parking Lot (2022)
-  Impervious Surfaces (2020)
-  Rivers (2015)

The City of Keene makes no warranty or representation as to the accuracy, timeliness or completeness of any of the data. The City of Keene shall have no liability for the data or lack thereof, or any decision made or action taken or not taken in reliance upon any of the data.



Proposed Site Layout Plan





Planning Board

2023 Meeting Schedule

All meetings are on the 4th Monday of each month at 6:30 PM, unless otherwise noted with an *

January 23, 2023

February 27, 2023

March 27, 2023

April 24, 2023

May 22, 2023

June 26, 2023

July 24, 2023

August 28, 2023

September 25, 2023

October 23, 2023

November 27, 2023

December 18, 2023*

January 22, 2024