



## **City of Keene Minor Project Review Committee**

### **AGENDA**

**Thursday, March 2, 2023**

**10:00 AM**

**City Hall, 2<sup>nd</sup> Floor Council Chambers**

I. **Call to Order** – Roll Call

II. **Minutes of Previous Meetings** – January 26, 2023 & February 2, 2023

III. **Final Vote on Conditional Approvals**

IV. **Public Hearing**

**SPR-06-19, Modification #1 – Site Plan – 20 Manchester St** - Applicant and owner 560 Main Street LLC, proposes to lease a portion of the Froling site at 20 Manchester St (TMP #114-012-000) to Phil's Tree Service for equipment and truck storage, create a second open yard rental space, construct an addition ~3,750 sf in size to an already approved 10,000 sf building, and make minor modifications to the landscaping and parking. The property is 9.88 ac and is located in the Industrial District.

V. **Upcoming Meeting Dates**

- Pre-submission Meeting - March 2, 2023 at 9:00 am
- 1<sup>st</sup> Monthly MPRC Meeting - March 2, 2023 at 10:00 am
- 2<sup>nd</sup> Monthly MPRC Meeting – March 16, 2023 at 10:00 am (*If needed*)

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

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4  
5 **MINOR PROJECT REVIEW COMMITTEE**  
6 **MEETING MINUTES**  
7

**Thursday, January 26, 2023**

**10:00 AM**

**Council Chambers,  
City Hall**

**Members Present:**

Don Lussier  
Jesse Rounds, Chair  
John Rogers  
Don Farquhar  
Med Kopczynski, Vice Chair

**Other Staff Present:**

Megan Fortson, Planning Technician

**Members Not Present:**

Kürt Blomquist, Alternate  
Mari Brunner, Alternate  
Mike Hagan, Alternate  
Steve Dumont, Alternate

8  
9 **1) Call to Order – Roll Call**

10  
11 Mr. Rogers called the meeting to order at 10:00 AM. Roll call was conducted.  
12

13 **2) Election of Chair and Vice Chair**

14  
15 Mr. Rogers nominated Jesse Rounds as Chair. Mr. Lussier seconded the motion, which passed by  
16 unanimous vote.

17  
18 Mr. Rogers nominated Mr. Kopczynski as Vice Chair. Mr. Farquhar seconded the motion, which  
19 passed by unanimous vote.  
20

21 **3) Minutes of Previous Meeting – December 8, 2022**

22  
23 Mr. Rogers made a motion to approve the minutes of December 8, 2022. Mr. Kopczynski  
24 seconded the motion, which passed by unanimous vote.  
25

26 **4) Final Vote on Conditional Approvals**  
27

28 Chair Rounds asked if the committee needs to vote on any conditional approvals. Ms. Fortson  
29 replied no.

30

31 **5) Public Hearing**

32

33 **A. SPR-204, Modification #3 – Site Plan – 216 Marlboro St. – Applicant Randall Walter,**  
34 **on behalf of owner, 216 Marlboro St LLC, proposes to replace the existing vinyl siding**  
35 **with new vertical metal siding and install rooftop equipment on the building at 216**  
36 **Marlboro St. (TMP #589-016-000). The site is 0.97 acres and is located in the**  
37 **Neighborhood Business District.**

38

39 Chair Rounds asked if staff has a recommendation for completeness of the application. Ms.  
40 Fortson replied that the applicant has requested exemptions from providing a proposed conditions  
41 plan, an existing conditions plan, allocation map, lighting plan, landscaping plan, and all technical  
42 reports. She continued that staff recommends the committee grant the requested exemptions and  
43 accept the application as complete.

44

45 Mr. Farquhar made a motion to accept the application as complete. Mr. Lussier seconded the  
46 motion, which passed by unanimous vote.

47

48 Chair Rounds asked the applicant to present.

49

50 Randall Walter stated that the site plan is on the screen. He explained the locations in the image.  
51 He continued that neighbors include U-Haul across the street, residential properties to the west,  
52 and the Kingsbury property and others to the east. The site is bounded by Beaver Brook on the  
53 east and north. The primary reason he ended up here today has to do with the siding. They are  
54 working on obtaining a sign permit, which will include the physical signs on the site and rooftop  
55 equipment related to the business, KEB Mechanical Systems, the primary resident of 216 Marlboro  
56 St. He explained that some signage installed about five years ago has been incorporated into this  
57 application. The building is comprised of three sections. The northern section is sided with metal  
58 siding with a blue mountain scheme that was installed in about 2015 or 2016. The new siding is  
59 well described in the application. The southernmost portion of the building has a green and white  
60 theme with trees and is preliminarily depicted here. There were some edits, but conceptually it is  
61 the same. There is a bit of remaining vinyl siding facing the neighbor. The vinyl siding was in  
62 bad condition on the front of the building, due to damage from snow plowing and things like that.  
63 It was quite architecturally inappropriate for this building. Flat roof architecture and vinyl siding  
64 are not great. They did some window replacement, again, going with a commercial window as  
65 opposed to the out-of-date Anderson product that was on it. All those are the same.

66

67 Mr. Walter continued that a theme the Committee will hear over and over is that a lot of this work  
68 is the same as what it was, and they are simply trying to make this building more friendly and  
69 appropriate and perhaps a bit colorful, to compete with the visual impact of businesses like U-  
70 Haul. U-Haul has technically over 100 signs, if you count every vehicle that has logos on all four

71 sides. Thus, it is a very busy visual area. He thinks this the proposed building exterior is more  
72 pleasant than having something, like the car dealership that previously occupied by the building.  
73 The precedent for metal siding is strong, as it was used on the original Subaru dealership that  
74 occupied the building. Staff helped him dig out some archives from the 1970s that show that the  
75 building was previously covered in vertical metal siding. Mr. Walter noted that no permitting was  
76 ever done when the vinyl siding was installed. They want to go back to a more sustainable, more  
77 durable, metal siding that is appropriate and consistent with the neighborhood. There is metal  
78 siding on many of the Kingsbury buildings, stretching all the way to 310 Marlboro St., so he thinks  
79 metal siding is appropriate and a better choice.

80  
81 Mr. Walter continued that regarding other topics that are part of this, the first coat of paving was  
82 completed last summer. That was done identical to what was there previously. There will be a  
83 topcoat this year but no proposed changes to the parking configuration. After that, it will be striped  
84 according to the site plan sketch that they applied, but he would call it more of a “site diagram”  
85 than a “site plan.” It is not a survey. It is an accurate representation of the building and the  
86 placement of the building. They do not have a boundary survey for this property, so that has been  
87 imposed from satellite images. He believes that the satellite images they look at are different from  
88 what the committee has access to, which may to lead to some conversation about whether it is  
89 closer to a neighboring building. However, at this point, there are no changes. It will be re-striped  
90 to all of the standards for ADA and the way it was before. The two curb cuts are staying the same.  
91 There are no other changes proposed.

92  
93 Chair Rounds thanked the applicant and asked if the committee had any clarifying questions.

94  
95 Mr. Rogers stated that he has a question about the site diagram, which is very different from what  
96 he has seen on site and what he has seen from the 2015 aerials, in terms of pavement. He continued  
97 that one of his concerns is that the impervious surface the applicants have listed is much higher  
98 than what is allowed in this district. He did a calculation based off the 2015 aerials. He is showing  
99 a little over 25,000 square feet of impervious surface, whereas the applicants’ diagram says over  
100 32,000 square feet.

101  
102 Mr. Walter replied that they were simply trying to measure what is on the drawing. Mr. Rogers  
103 replied that is part of his concern, too – the applicants’ drawing shows a good grass belt on the  
104 back of the building, which appears to have been, slowly over the years, converted into outdoor  
105 storage. Gravel was placed there. It appears to have been paved as well. He is concerned about  
106 the amount of impervious surface that has been done on this lot, especially near the brook, without  
107 possibly any sort of attention to stormwater issues.

108  
109 Mr. Walter replied that their intention is to simply represent that the same amount was paved. He  
110 continued that they are here regarding siding. They did not get a boundary survey. He imagines  
111 that given the shape, different mathematical numbers would come up. He simply did it as a  
112 percentage of the lot size. They can compare notes at some point if Mr. Rogers wants. He thinks  
113 the more impactful thing is that the paving that was just done, which will be top-coated this year,

114 is the same as what it was. [He does not know] how it got there, in other incremental steps from  
115 – he does not know what the reference would be. He does not know when the last time was when  
116 they had an impervious number for that site. He has not been given anything. He did not know  
117 that this site was on record as having X. The only reason he is bringing it up is because they were  
118 asked to bring it up, and he is saying, the amount of impervious surface has remained the same.  
119 They were doing a siding project, and [impervious surface] was added to the list he was asked to  
120 comment on.

121  
122 Mr. Lussier asked, if the site has evolved over the years, would the existing condition that the  
123 committee looks at for impervious surface be the previously approved site plan from whenever  
124 this was done? He continued that he is looking at the approved site plan for SPR-204, which is in  
125 the packet. It looks like (it is from) 1978. It looks like on the eastern side the pavement extends  
126 closer to the brook than it does today. He is questioning whether that is the established baseline,  
127 or if the baseline is 2015, or how they decide that.

128  
129 Mr. Rogers replied that that is a good question and he defers to the Chair. He continued that he is  
130 not sure. The applicant is stating that they are before the committee today for the siding of the  
131 building. The overall lot coverage and such is an issue they might have to take up outside of this  
132 application. There are some concerns there. Even going back to the 2015 plan, and the 2015  
133 aerials, it is not consistent with the site plan Mr. Lussier just referenced, so obviously some changes  
134 have been done to this site without going through the site plan process. At this point in time, he  
135 would just take the applicant's comment that they are here today regarding the siding. However,  
136 he wants the applicant to be aware that they might need to discuss the [impervious surface] possibly  
137 outside of this committee.

138  
139 Mr. Kopczyński stated that they know that buildings and sites are sometimes changed without any  
140 sort of approval from the City. He continued that they assume, but do not know, that the site was  
141 constructed to the site plan. They do not know how carefully the paving contractor followed the  
142 plan at the time. However, he does take note that today's application is for siding. It has nothing  
143 to do with the site plan. Chair Rounds replied yes, he thinks that is fair to say. He continued that  
144 as Mr. Rogers noted, they want to focus on the siding. However, they do need to address the  
145 impervious surface, especially close to the brook. They will need to have a discussion in the future.  
146 For now, they will stick to the topic of siding. He asked if there were any other comments or  
147 questions about the plan.

148  
149 Mr. Rogers stated that he knows they talked about the rooftop units being looked at as signage.  
150 He asked the applicant if they have gotten to a point of doing any calculations yet on that, for a  
151 sign permit. Mr. Walter replied that his understanding was that they need to have this committee's  
152 blessing that they can count the rooftop units as signage, and then they will work backwards from  
153 the existing signage. He continued that he wants to clarify with this committee that it is his  
154 understanding that they are taking the surface area of one side, the primary face, of the rooftop  
155 units. They are three-dimensional objects. They are not counting their volume or anything like  
156 that. Their goal is to take the allowable signage, and they will work backwards from that number,

157 deducting existing signage to remain. Those will be in the secondary calculation for the face area  
158 of those five rooftop units. Then, any balance will be used in some window art, which will also  
159 be signage. He thought they needed to agree that those would be allowed to go that way, before  
160 they would submit for a sign permit.

161  
162 Mr. Rogers replied that is fine; he just wanted to make sure the applicants were looking down that  
163 path. Mr. Walter replied that they are asking this committee to understand the unique circumstance  
164 – the mechanical equipment is the product, no different from how a U-Haul truck is the product.  
165 They would like those to not have to be screened for the purposes of recognizing the signage. They  
166 are state of the art, with green technology. This is an all-electric product. Bergeron Mechanical  
167 has focused on this technology to move away from fossil fuels. They need the product to be  
168 visible. It is useful, in the same way that it is useful to U-Haul to have all those trucks, trailers,  
169 and equipment (visible). They are fairly benign in this location. He has seen less attractive  
170 versions, ground-mounted in front of a building. To be clear, there is a sign, a big arrow on the  
171 roof saying, ‘this is what we’re selling,’ which they will count in the sign permit calculation that  
172 they submit. They are looking for this committee to say, ‘yes, that is okay,’ and then they will  
173 look back in a different process to get their sign permit.

174  
175 Chair Rounds asked if there was any public comment. Seeing no members of the public present,  
176 he closed the public hearing and asked the committee to deliberate.

177  
178 Mr. Lussier made a motion to approve SPR-204, Modification #3, as presented. Mr. Farquhar  
179 seconded the motion.

180  
181 Mr. Rogers stated that regarding the rooftop units and signage, as the Zoning Official, he and his  
182 staff have looked at this. He continued that while roof signage is prohibited under the Zoning  
183 Code, this building is unique in that there are different tiers to the roofing system. These rooftop  
184 units are on the lower tier, so as a backdrop they have another vertical plane of the other building  
185 behind them, so he does not look at these as “rooftop.” On that portion of the building, you would  
186 be able to attach signage there. The visual of these units are that it appears that they are sitting in  
187 front of that vertical plane. The Sign Code sits in the Zoning Code, and as the Zoning  
188 Administrator, he has made the determination that these could be considered signage. They will  
189 have to meet the square footage requirements, and as has been mentioned, it would be just the front  
190 side of these units that would be included in the calculations. That is the normal calculation -  
191 whether it be a free-standing sign or projecting sign, the measurement is that one side. If the  
192 calculations determine that not all of these units can be considered part of the signage, screening  
193 is needed for whichever units would not be able to be part of that calculation. That is a  
194 recommendation he would like added to the motion.

195  
196 Mr. Kopczynski stated that he thanks Mr. Rogers for the clarification, because he would have  
197 objected to this committee being asked to make an interpretation of the Zoning Code. He  
198 continued that this committee has no authority to do that.

199

200 Mr. Lussier asked if the motion to approve would be conditioned upon application for and approval  
201 of a sign permit. Mr. Rogers replied yes, they have a recommended motion from staff, and they  
202 will have to add some conditions if this committee were inclined to approve. A condition of an  
203 approved sign permit as part of the motion would cover that. They might want to discuss the  
204 possibility of screening one or more of the units, and screening material, just so the applicant would  
205 not have to come back to this committee if it was determined that some screening had to be done.  
206 That would be his only caution there.

207  
208 Mr. Kopczynski stated that A) that is in the background notes, and he thinks the applicant  
209 understands that, and B) for Mr. Rogers to issue a permit it has to be in conformance with the  
210 Zoning Code as he determines it, so he does not see that issue. He continued that his objection  
211 would have been this committee being asked to interpret the Zoning Code.

212  
213 Mr. Lussier asked what happens if it is determined that in order to get the sign permit the applicants  
214 have to screen. He continued that normally, this committee would have to approve the screening  
215 materials and aesthetics. He asked if the Department would be able to approve the screening  
216 materials and aesthetics administratively. Chair Rounds replied that he is not sure. He asked Ms.  
217 Fortson for thoughts. Ms. Fortson replied that the recommended motion includes “...*either*  
218 *documentation demonstrating that the rooftop condensers are permitted under the Sign Code or*  
219 *screened in accordance with Section 20.6 of the Land Development Code,*” which addresses the  
220 screening standards. She thinks that if the committee decided it was appropriate to include a  
221 condition like that, it would address both the Sign Code and, if there were units that were not  
222 included as part of the sign calculation, they would need to be screened. If the committee is  
223 comfortable leaving that up to the purview of staff, they could sign off on the condition as long as  
224 it met the screening requirements.

225  
226 Mr. Lussier replied that to be clear, he is just trying to make sure the applicants do not need to  
227 return to this committee for that. Ms. Fortson replied yes, if they included that in the condition,  
228 staff would make sure the screening was done.

229  
230 Mr. Rogers stated that they might want to clarify the applicant’s comments about the site diagram  
231 and their understanding that this is not a site plan. He continued that the actual site plan for this  
232 property would still be the one from 1978. Even though this site diagram is being referenced as a  
233 site plan or proposed condition plan, that is not the intent of the document. This site diagram is  
234 not part of the modification being done to the overall site plan. Chair Rounds replied that that  
235 makes sense. He continued that he thinks one of the proposed conditions, if the committee chooses  
236 to approve this, is in reference to impervious surface, and that gets at that point of how this is not  
237 a site plan, but rather a modification of an existing site plan.

238  
239 Mr. Kopczynski asked if it is enough to go back to the original application, which is to change the  
240 siding. He continued that everything else is peripheral. Chair Rounds replied that they do need to  
241 address it in this situation, with respect to the signs, with respect to the impervious surface, and so  
242 on and so forth. Mr. Kopczynski replied that this has nothing to do with the impervious surface;

243 the applicants are changing the siding. Chair Rounds replied that it is up to the committee. If Mr.  
244 Kopczynski wants to take it out, he is welcome to do so. Mr. Kopczynski replied that that is up to  
245 the person who made the motion.

246  
247 Mr. Lussier stated that the applicants have an approved site plan from 197[8]. He continued that  
248 if the Community Development Department finds that the applicants are not in compliance with  
249 that site plan, he thinks that would be a separate matter they could then address with the applicant.  
250 Chair Rounds replied that is correct. Mr. Lussier asked if they can then leave it out of this matter.  
251 Chair Rounds replied yes.

252  
253 Mr. Lussier made a motion for the Minor Project Review Committee to approve SPR-204,  
254 Modification #3, for changes to architectural and visual appearance as shown on the site plan and  
255 identified as Permit Set 216 Marlboro St., Keene, NH 03431, Parcel ID 589-016-000-000, prepared  
256 by Randall Walter at a scale of 1"=40' on January 24, 2023 and on the elevations identified as  
257 existing conditions 216 Marlboro St., Keene, NH 03431, Parcel ID 589-016-000-000, prepared by  
258 Randall Walter at a scale of 1/8"=1' on August 8, 2022, with the following conditions precedent  
259 prior to signature by the Minor Project Review Committee Chair:

- 260
- 261 1) Property owner's signature appears on the site plan.
  - 262 2) Submittal of five full-size copies and one digital copy of the site plan and color elevations.
  - 263 3) Submittal of a revised site plan showing the extent of the impervious area on the site, the  
264 zoning district, the lot coverage calculations, the location of the access aisle for the  
265 accessible parking space, site features, and the location of five rooftop condenser units on  
266 the building.
  - 267 4) Submittal of documentation to demonstrate that the proposed rooftop condensers are either  
268 permitted under the Sign Code or screened in accordance with Section 20.6 of the Land  
269 Development Code.

270  
271 Mr. Rogers stated that he recommends that 3) be reduced to remove the 'impervious area on the  
272 site' language. He continued that they still would need to see the correct zoning district, because  
273 this plan shows this property as being in the Business Growth and Reuse District and it is actually  
274 in the Neighborhood Business District. Showing the accessible parking and the rooftop condensers  
275 would be fine.

276  
277 Mr. Lussier agreed to Mr. Rogers' change to the motion, to read as follows:

278  
279 "motion for the Minor Project Review Committee to approve SPR-204, Modification #3, for  
280 changes to architectural and visual appearance as shown on the site plan and identified as Permit  
281 Set 216 Marlboro St., Keene, NH 03431, Parcel ID 589-016-000-000, prepared by Randall Walter  
282 at a scale of 1"=40' on January 24, 2023 and on the elevations identified as existing conditions  
283 216 Marlboro St., Keene, NH 03431, Parcel ID 589-016-000-000, prepared by Randall Walter at  
284 a scale of 1/8"=1' on August 8, 2022, with the following conditions precedent prior to signature  
285 by the Minor Project Review Committee Chair:

- 286  
287 1) Property owner’s signature appears on the site plan.  
288 2) Submittal of five full-size copies and one digital copy of the site plan and color elevations.  
289 3) Submittal of a revised site plan showing the zoning district, the lot coverage calculations,  
290 the location of the access aisle for the accessible parking space, site features, and the  
291 location of five rooftop condenser units on the building.  
292 4) Submittal of documentation to demonstrate that the proposed rooftop condensers are either  
293 permitted under the Sign Code or screened in accordance with Section 20.6 of the Land  
294 Development Code.”  
295

296 Mr. Rogers seconded the motion, which passed by unanimous vote.  
297

298 **6) Adoption of Amended 2023 Meeting Schedule**  
299

300 Chair Rounds stated that they had to make a change to the MPRC’s meeting schedule. He  
301 continued that currently, they have two monthly meetings, generally holding the second meeting  
302 on an as-needed basis. However, closer reading of the LDC revealed that through the creation of  
303 the MPRC, the pre-submission meeting that is required of all applicants for site plans falls under  
304 the MPRC’s purview and is therefore a public meeting. The pre-submission meeting needs to be  
305 noticed to the public and needs to have a minute-taker and [follow the guidelines for public  
306 meetings]. Currently it is one Wednesday morning per month. Staff proposes bringing that pre-  
307 submission meeting into the MPRC’s current meeting schedule. Thus, twice a month, people who  
308 have pre-submission applications would come to the MPRC meeting and the MPRC would have  
309 their discussion with them at that meeting.  
310

311 Mr. Rogers stated that the number of people he sees sitting at this table, and the number of people  
312 he sees at a pre-submission meeting, are not the same. He asked if the additional staff would be  
313 invited when there is a pre-submission application on the MPRC’s agenda. For example, staff  
314 from Police, Public Works, or other Community Development staff who are not MPRC members,  
315 speaking as staff from the audience. Chair Rounds replied yes, he thinks that is how it would  
316 work. He continued that since both of these meetings will happen every month, it means that such  
317 staff members who are members of pre-submission meetings but not members of the MPRC will  
318 have to make this a standing meeting on their schedules. He had not contemplated that until Mr.  
319 Rogers brought it up.  
320

321 Ms. Fortson stated that the first MPRC meeting of each month allows people to walk in and receive  
322 advice and comment from the committee, since it is a responsibility of the committee. She  
323 continued that the second meeting of the month is not a given, and will be held only if the MPRC  
324 has a continued public hearing or if someone has requested specifically to come to the meeting for  
325 advice and comment. That is, the first is for walk-ins, and the second is for scheduled pre-  
326 submission inquiries only. Chair Rounds replied that that is very helpful.  
327

328 Mr. Lussier stated that he thinks the benefit and value of the pre-submission meeting is that it is,  
329 by definition, an informal opportunity for applicants to talk to staff as they are preparing their  
330 applications before they submit them. He continued that even though he is all for transparency,  
331 he thinks that essentially turning it into a public hearing in front of a formal committee where  
332 minutes are kept, and so on and so forth, will result in losing the value of the pre-submission  
333 meeting. Chair Rounds replied point taken, but with the way the LDC is written, because the  
334 members of the pre-submission meeting are either members of this committee or alternate  
335 members, a public body is created when they meet/create quorum. Brief discussion ensued about  
336 who the alternate members are and the circumstances under which a quorum is created. Mr. Rogers  
337 stated that this may be something to think about and it may require the reorganization of the pre-  
338 submission team, although they need to be careful with who the alternates are from certain  
339 departments so they do not lose the needed expertise in the meetings. Mr. Lussier replied that they  
340 could still have up to three members of the MPRC in the pre-submission meetings, but no more,  
341 since four is a quorum.

342  
343 Chair Rounds stated that he spoke with the City Attorney. He continued that if they head down a  
344 path where they are skirting the rules just to avoid making it a public meeting that could be  
345 problematic. That said, they could explore the idea of ensuring that no one who sits in the pre-  
346 submission meetings is either an alternate or designee. For example, he as the Community  
347 Development Director has a designee, and Mr. Rogers as the Building and Health Official has a  
348 designee, but if, for example, Mr. Rogers and his designee are both unavailable, he can have an  
349 alternate sit in for him in the MPRC. As Mr. Rogers said, they start working down the ladder of  
350 responsibility.

351  
352 Mr. Kopczynski stated that he thinks Mr. Lussier is right. Chair Rounds replied that he hears him  
353 but disagrees. He continued that the other problem is that the LDC explicitly says that the pre-  
354 submission meeting is the responsibility of the MPRC. They are tied together; the pre-submission  
355 meeting is created as an extension of this committee. They can leave this open to more discussion,  
356 but currently they are in a bit of peril with respect to the purpose of the pre-submission meeting  
357 and whether they are taking notes. They have absolutely discussed that the point of the pre-  
358 submission meeting is to be informal, and this is not that space.

359  
360 Mr. Lussier stated that today Randall Walter was here, and he is an experienced applicant who  
361 knows the City's system. He continued that he could tell that when Mr. Walter walked in, he was  
362 surprised by the formality. It is a different context. He thinks they are losing something.

363  
364 Mr. Rogers stated that maybe this is a conversation to have with the City Attorney, but he wonders  
365 if it could be like having two different meetings in one. He continued that for actual applications,  
366 they could go through the format as they did today, and then if they move into a pre-submission  
367 inquiry, they could change the format to make it more informal. He agrees that being a little more  
368 informal tends to put people at ease. Some people are already nervous walking through the doors  
369 to speak with them to begin with and adding that anxiety could be problematic at times.

370

371 Chair Rounds replied that he does not see why they could not do it that way. He continued that he  
372 is not sure why they have to meet in this room at all; they could use a different room. Mr. Rogers  
373 replied that the main reason they use this room is for the Minute-taker, who is remote and using  
374 the recording. Ms. Fortson replied that it is also because of the meeting recordings since this  
375 committee was created by the Planning Board. She continued that the intent is to have the meeting  
376 recordings posted on the City website, because any decisions made by this committee are  
377 appealable. Having that transparency to the public [is good]. The conference room does not have  
378 the same recording capabilities/set-up as here in Council Chambers. Chair Rounds replied that he  
379 thinks they could come up with a way to make this space less formal.

380  
381 Mr. Lussier asked if there is an opportunity to correct the underlying problem where the LDC  
382 makes the pre-submission meeting an appendage of this committee. Chair Rounds replied that  
383 they could look into that. It would require modifying the LDC, which would take time. The  
384 question is what to do in the meantime. Ms. Fortson stated that they had discussed in the past  
385 making this a correction to the LDC, striking through the section that gives the MPRC the  
386 responsibility of reviewing pre-submission inquiries. She continued that it comes down to the  
387 issue of the fact that they would still have a quorum of MPRC members if it were handled as a  
388 separate meeting. Chair Rounds stated that he thinks the only real solution is to enshrine the  
389 members of the pre-submission meeting and try to make sure they are not at all related to the  
390 MPRC members. He continued that that is the only way he sees to keep the two separate. Mr.  
391 Lussier replied that that would work for the Public Works representative, but it may be more  
392 difficult for Code Enforcement, Fire, or Police.

393  
394 Mr. Kopczynski stated that one of the advantages of the informal meeting is that it is not all about  
395 the planning process. He continued that the MPRC is a substitute to the Planning Board. It (the  
396 pre-submission meeting) gives the Fire Chief time to talk about Fire Code requirements; it gives  
397 Mr. Rogers an opportunity to talk about what is needed for a building permit, [and so on and so  
398 forth]. It is less targeted, which is why it is so informal. It is recognizing that someone has an idea  
399 for a project in mind and getting informal advice on how to advance that project. Chair Rounds  
400 replied that he understands. He continued that there is the intent, and then the reality of operating  
401 in NH. He recognizes the concern, and agrees, and his reaction was the same as Mr. Kopczynski's  
402 at first. He thinks they can direct staff to go back and see if there is a way to identify a way forward  
403 by codifying who is in the pre-submission meeting.

404  
405 Mr. Lussier stated that the agenda item they are discussing is the meeting schedule, regardless of  
406 whether the pre-submission meeting is part of this committee's purview. He asked if they could  
407 approve this meeting schedule and ask that the Chair continue conversations with the City Attorney  
408 regarding finding a better alternative to the MPRC being responsible for the pre-submission  
409 meetings. Chair Rounds replied that he thinks they can.

410  
411 Chair Rounds asked if it is correct that the meeting schedule in the agenda packet is the same as  
412 before, except for the asterisk note at the bottom. Ms. Fortson replied yes, it is the same schedule,  
413 just on the first and third Thursdays of the month instead of the second and fourth. She continued

414 that they were going to handle the pre-submission portion by adding it as a standing agenda item.  
415 Adopting the calendar will not affect the question of whether they include the pre-submission as  
416 part of the meeting. Mr. Lussier stated that the dates are different from the ones the committee  
417 previously approved, switching from the second and fourth Thursdays to the first and third. Ms.  
418 Fortson replied that is correct.

419  
420 Mr. Rogers made a motion to approve the amended 2023 meeting schedule of the MPRC. Mr.  
421 Lussier seconded the motion.

422  
423 Mr. Kopczynski asked what happens if they do not approve it. Mr. Lussier replied that their next  
424 meeting would be February 9 instead of February 2. Chair Rounds replied that if they do not  
425 approve it, they just go on with the schedule as it is now.

426  
427 Mr. Rogers stated that he thinks the change to the dates was to align better and give people more  
428 time, possibly, from pre-submission to application deadlines. This gives more wiggle room. Thus,  
429 regardless of where they land with this question of the pre-submission meetings, the changes to  
430 the meeting dates are beneficial to both staff and applicants.

431  
432 Mr. Lussier stated that to be clear, he has no issue with changing the meeting schedule. He  
433 continued that his concern is about turning MPRC meetings into pre-submission meetings.

434  
435 Chair Rounds stated that a point of clarification is that approving this motion does not mean the  
436 MPRC is approving the pre-submission meetings as part of the MPRC meetings.

437  
438 The motion passed by unanimous vote.

- 439  
440 **7) Upcoming Meeting Dates**  
441 **● February 2, 2023 at 10:00 AM**  
442 **● February 16, 2023 at 10:00 AM (if needed due to continued public hearing or pre-**  
443 **submission inquiries)**

444  
445 Chair Rounds stated that the next meeting is a week from today, Feb. 2. Mr. Kopczynski replied  
446 that he is unavailable. Chair Rounds replied that the City Manager will have to appoint someone  
447 to attend in Mr. Kopczynski's place. He continued that the following meeting is Feb. 16, if needed  
448 due to continued public hearing or pre-submission inquiries, although the latter is up for debate.  
449 He will move forward with that discussion and let the committee know how it goes.

- 450  
451 **8) Adjournment**

452  
453 There being no further business, Chair Rounds adjourned the meeting at 10:52 AM.

454  
455 Respectfully submitted by,  
456 Britta Reid, Minute Taker

457  
458 Reviewed and edited by,  
459 Megan Fortson, Planning Technician  
460

1 City of Keene  
2 New Hampshire

3  
4  
5 MINOR PROJECT REVIEW COMMITTEE  
6 MEETING MINUTES  
7

Thursday, February 2, 2023

10:00 AM

IT Training Room,  
City Hall

Members Present:

Don Lussier  
Jesse Rounds, Chair  
John Rogers  
Don Farquhar (arrived at 10:16 AM)  
Med Kopczynski, Vice Chair  
Mari Brunner, Alternate

Other Staff Present:

Megan Fortson, Planning Technician

Members Not Present:

Mike Hagan, Alternate  
Steve Dumont, Alternate  
Kürt Blomquist, Alternate

8 **1) Call to Order – Roll Call**  
9

10 Chair Rounds called the meeting to order at 10:06 AM. Roll call was conducted.  
11

12 **2) Pre-submission Consultations – Informal review and comment on proposed projects**  
13 **for site plan review or subdivision review prior to the formal submission of an**  
14 **application. Walk-ins accepted.**  
15

16 Chair Rounds stated that for pre-submission consultations, they will wait and see if anyone shows  
17 up. They will hold this open, and move on in the agenda in the meantime.  
18

19 **3) Discussion Regarding the Format and Schedule for Pre-submission Meetings**  
20

21 Chair Rounds stated that today is both a pre-submission meeting and a meeting of the MPRC. He  
22 continued that what Ms. Brunner, Ms. Fortson, and he propose is to go back to an alternate version  
23 where the pre-submission meeting happens right before the regularly scheduled MPRC meeting,  
24 in this room. It would not be recorded, but notes would be taken [by staff], roll call would be  
25 taken, and so on and so forth. It would be an official meeting, noticed, with an agenda published  
26 beforehand, but it will be similar to what the pre-submission meetings were like before.  
27

28 Mr. Lussier stated that if Mr. Blomquist can designate Yelma [Desseta] as an alternate, he could  
29 attend the pre-submission meetings and he (Mr. Lussier) can continue to attend the MPRC

30 meetings. Chair Rounds replied that that is his understanding. Ms. Brunner replied that currently,  
31 Mr. Lussier is the designee from the Public Works Department, and Mr. Blomquist is the alternate,  
32 so instead of Mr. Blomquist being the alternate, Mr. Desseta would be.

33  
34 Mr. Rogers stated that there are other departments not represented in the MPRC that would still  
35 need to be at pre-submission meetings, such as Police. He continued that Police staff members  
36 would be present for input. It might be better if (Mr. Lussier) was here as part of the MPRC. Mr.  
37 Lussier replied that he is trying to find a way to not have to attend both the pre-submission meetings  
38 and the MPRC meetings.

39  
40 Ms. Brunner stated that the intent would be to invite more staff than is represented on the MPRC.  
41 She continued that they would be attendees participating in the meeting. The minutes would  
42 consist of a list of the members present, a list of others participating in the meeting, and a brief  
43 description of the topics discussed. The fourth requirement under State law is to include any  
44 decisions the group makes, and she, Chair Rounds, and Ms. Fortson propose having no decisions  
45 made at the pre-submission meetings. Even the adoption of the minutes can happen at normal  
46 MPRC meetings. The pre-submission meetings will still be MPRC meetings, but the only item on  
47 the agenda will be pre-submission inquiries. The meetings will be on Thursdays, and people will  
48 have until the end of the day on Tuesday to let the MPRC know if they want to attend and be listed  
49 on the agenda. At the end of the meeting, they would also allow walk-ins.

50  
51 Chair Rounds stated that the normal MPRC meeting would only then happen if there were agenda  
52 items for it. Mr. Lussier asked if they would be separately noticed meetings. Chair Rounds replied  
53 yes.

54  
55 Ms. Brunner stated that the official MPRC meetings, such as for public hearings, will have detailed  
56 meeting minutes taken by the assigned minute-taker (from the City Clerk's Office). She continued  
57 that those meetings will be broadcast live and posted on the City's website the day after, so they  
58 are much more publicly accessible. They are also working with the Communications Department  
59 to make sure any decisions made at an MPRC meeting are posted online the next day, as the City  
60 Council actions are. This is because a Supreme Court decision from last June affects when the  
61 appeal timeframe starts for abutters. Staff is thus being more transparent about decisions that are  
62 made. Under State statute, the MPRC has to follow all of the same procedures as a Planning Board.  
63 Planning Boards issue conditional approvals all the time, and most likely, so will the MPRC. A  
64 conditional approval is not final until it is comes back to the MPRC to issue a final approval, at a  
65 publicly noticed meeting. That starts the appeal timeframe for abutters, but abutters would not  
66 necessarily know when the MPRC has issued its final approval. Thus, staff is trying to be extra  
67 transparent by publishing, the next day, the recording and the list of actions taken, so it is easier  
68 for abutters to follow along and see when a final decision was made.

69  
70 Mr. Kopczynski asked if the MPRC or the PB, when making a decision, does it in the form of a  
71 finding. Ms. Brunner replied no. She continued that the way that the "findings of fact" are  
72 included with the final decision is by having the meeting minutes from the deliberation attached.

73 She continued that this does bring up a good point. A public meeting begins with the MPRC  
74 members voting on whether to accept the application as complete, and then the applicant gives a  
75 presentation, which MPRC members can then ask the applicant questions about. The MPRC is  
76 not deliberating at that point. Staff has a chance to do a presentation (more common at PB  
77 meetings than at MPRC meetings), and the public has a chance to speak. The Chair could then  
78 invite the applicant back up to respond to any questions or concerns raised by the public, and so  
79 on and so forth. Once the Chair closes the public comment period that is the critical time where  
80 the MPRC should be deliberating. Those deliberations are the findings of fact that will support  
81 the MPRC's decision. If a decision is appealed, by either the developer or an abutter, those are  
82 the findings of fact the court would look at to see if the MPRC based its decision on information  
83 or a reason, or just personal feelings. When the Chair says, "I'm closing the public hearing and  
84 opening it up for deliberation," they do not want someone to immediately make a motion to  
85 approve. Before making such a motion, they should say, for example, "I think the applicant has  
86 demonstrated that they meet all of our standards."

87  
88 Mr. Rogers stated that it is okay to make a motion to approve, but even so, they still have to  
89 deliberate. Ms. Brunner replied that is true. Others agreed that it is okay for someone to make a  
90 motion and for the MPRC to then deliberate. Mr. Rogers stated that the point is that while someone  
91 can make a motion right away, the group should not be *voting* on the motion right away. Chair  
92 Rounds replied yes, the deliberations must happen.

93  
94 Mr. Lussier asked if there is a specific checklist of facts the MPRC should deliberate on, regarding  
95 determining, as Ms. Brunner stated, whether the application meets their standards. Ms. Brunner  
96 replied yes, if they are approving something or approving something with conditions, all the  
97 MPRC needs to find is that the applicant has met all of the City's standards. She continued that  
98 denying a portion of an application is a whole different ballgame.

99  
100 Chief Farquhar arrived at 10:15 AM.

101  
102 Ms. Brunner continued that the MPRC needs to be very clear and specific about what they are  
103 denying and why. If they decide to deny an entire application, they should hold off, and instead  
104 continue the public hearing to the next MPRC meeting, because they need to work with legal  
105 counsel to determine the proper language to include. That is to make sure that the decision the  
106 MPRC makes is defensible in court.

107  
108 Mr. Kopczynski asked if that would be something like, "Based on what we have heard, we have  
109 some concerns, and we want to continue this deliberation to a date certain." Chair Rounds replied  
110 that that would typically be the next meeting. Mr. Kopczynski stated that if it was some specific  
111 issue, it gives the opportunity for staff from whichever department to sit down with the City  
112 Attorney to craft the actual motion. Ms. Brunner replied yes, or it could give the applicant time/a  
113 chance to correct something. She continued that for example, if the MPRC is ready to deny the  
114 application because they do not think it meets the standards, they could decide to continue it to  
115 give the applicant time to submit information about how they will address certain concerns. That

116 is something the MPRC could do. They do have a specific timeframe within which they have to  
117 make a decision; she thinks it is 60 days.

118  
119 Mr. Rogers stated that typically the applicant would be back before the MPRC within a two-week  
120 window. Mr. Lussier replied yes, that is the purpose of the second meeting of the month.

121  
122 Mr. Kopczynski stated that during the deliberations, there should be clarity so the applicant knows  
123 if there are concerns and has a chance to address them. Others agreed. Ms. Brunner stated that  
124 the Community Development Department always follows up after a MPRC meeting with a letter  
125 (to the applicant), summarizing any action taken by the MPRC, and they put in that letter any  
126 additional information the MPRC requested. Thus, it is clear to the applicant that the matter was  
127 continued, and that the continuation was due to the MPRC's concerns about XYZ. That way, the  
128 applicant knows what to bring to the next meeting to address those concerns. The State statute  
129 requires staff to do that. Again, the MPRC's deliberations are when they make all of that  
130 information clear.

131  
132 Ms. Brunner stated that it is unlikely, given the MPRC's meeting schedule, but if they want to go  
133 beyond their decision timeline of 60 days - for whatever reason, such as the applicant being on a  
134 three-week vacation – the MPRC must get something in writing from the applicant that says that  
135 the applicant agrees to continue beyond that 60-day timeframe. She continued that otherwise, the  
136 MPRC would need to either approve or deny the application within those 60 days. They are  
137 allowed to deny based on not having sufficient information. That is a valid reason. In that case,  
138 they would deny an application without prejudice, so the applicant has a chance to try again.

139  
140 Mr. Kopczynski stated that there is a second half to his question. He continued that this a PB  
141 process, where the MPRC is a substitute for the PB. He is not aware of any definition of “abutter”  
142 in that case. Ms. Brunner replied that “abutter” is anyone who is a direct abutter, which is the State  
143 definition, or across a road or a stream. She continued that the City of Keene has expanded the  
144 definition to also include anyone within 200 feet. Mr. Kopczynski asked if they put that in the  
145 Land Development Code (LDC). Ms. Brunner replied yes. She continued that the only board it  
146 is different for is the Historical District Commission (HDC), which only requires that direct  
147 abutters be noticed as part of the application process.

148  
149 Chair Rounds asked if everyone is okay with the plan and if everyone's questions have been  
150 answered. He continued that to recap, going forward the MPRC will hold pre-submission meetings  
151 the first Thursday of every month, in this room. The meetings will be noticed, with an agenda  
152 published beforehand, but the meetings will be more informal. Staff will take basic notes on who  
153 was there and what generally was discussed, and there will be an open format allowing walk-ins.  
154 Then the MPRC will meet on the first and third Thursdays, at 10:00 AM, in City Council  
155 Chambers, following the normal MPRC agenda. If they do not have agenda items, they will not  
156 meet.

157

158 Mr. Lussier asked if the pre-submission meetings will be from 9:00 AM to 10:00 AM. Ms. Fortson  
159 replied that the pre-submission meetings used to be at 8:30 AM. She asked if an hour is enough  
160 time. Ms. Brunner replied that they do not need to notice the meeting until 24 hours in advance  
161 and there is no public hearing, so they can wait until the end of the day on the Tuesday before the  
162 meeting to assess whether the number of items can be addressed in an hour. Meetings will  
163 regularly be from 9:00 to 10:00 AM because it is rare to have more than three items, but if they  
164 get a lot of interest and have, say, six items for a pre-submission meeting, they can schedule it for  
165 8:30 AM. If the pre-submission meeting runs late, that is okay. They are not allowed to start a  
166 meeting early [without the 24-hour notice], but they are allowed to start the MPRC meeting late,  
167 as long as someone is at Council Chambers to tell people that the meeting is still going to happen  
168 and keep them updated. That would be the contingency plan if there comes a time when 8:30 to  
169 10:00 AM is still not enough for the pre-submission meeting. She hopes that the flexibility of  
170 starting the pre-submission meeting at 8:30 AM when needed will be enough.

171  
172 Chief Farquhar asked if the same person could sit in on the pre-submission meetings and the MPRC  
173 meetings, or if it has to be a different person. Ms. Brunner replied that the same person can be at  
174 both meetings, and in fact, the pre-submission meetings need to have quorum to be held. Chief  
175 Farquhar replied that that means he could then do both. Ms. Brunner replied yes. Mr. Lussier  
176 stated that he plans to have Mr. Desseta attend the pre-submission meetings as an alternate.

177  
178 Mr. Rogers asked what happens if a pre-submission meeting does not have any agenda items. Do  
179 they still hold the meeting and wait for a certain amount of time, such as 15 minutes, to see if any  
180 walk-ins show up? Mr. Kopczynski asked if the meeting notices specify a time by which walk-  
181 ins have to show up, so they do not have people waiting until close to 10:00 to show up. Mr.  
182 Lussier suggested the agenda say that walk-ins are welcome from [9:00 to 9:15 AM], and then if  
183 there are no walk-ins by 9:15 they could end the meeting. Mr. Kopczynski replied yes, because  
184 he would hate for someone to show up at 9:20 to find an empty room.

185  
186 Ms. Brunner replied that Ms. Fortson has been emailing the list of ‘known entities’ who submit  
187 applications. She continued that if someone calls, they can let them know about the pre-submission  
188 meeting and ask if they want to be on the agenda. There is always the chance that someone will  
189 just walk in, but they have not seen that happen in years. It used to be somewhat common before  
190 COVID, but even then, the walk-ins were people the City had worked with regularly. During  
191 COVID, because the meetings were on Zoom, staff would email the known entities ahead of time  
192 and ask them to let staff know if they wanted to be on the agenda. They have not had any walk-  
193 ins since COVID.

194  
195 Ms. Brunner stated that one clarification is that the “notes” taken at pre-submission meetings will  
196 be official sets of minutes, but will only include the minimum the State RSA requires. She  
197 continued that she proposes having the pre-submission meeting minutes adopted at the regular  
198 MPRC meetings. Mr. Kopczynski asked why the minutes need to be approved. Ms. Brunner  
199 replied that NH RSA 91-A requires it. Mr. Rogers asked if it would be an issue if the MPRC  
200 members approving the pre-submission meeting minutes were not all present at the pre-submission

201 meeting. Ms. Brunner replied that the people voting on the minutes do not necessarily need to be  
202 the people who were present at the meeting.

203  
204 Mr. Lussier stated that he has something that is not on the agenda. He continued that yesterday,  
205 staff was working on staff comments on applications that were before the PB. He asked if it is  
206 appropriate to bring up a question, he had about one of those, in this meeting. Ms. Brunner and  
207 Chair Rounds replied yes. Mr. Lussier stated that regarding the light industrial project by Black  
208 Brook, it will be about 850 feet from the hydrant back to the last building. It occurred to him that  
209 they should have a second hydrant on the site. Is that something Chief Farquhar would comment  
210 on or should he (Mr. Lussier) should stay in his lane? Chief Farquhar replied that a collaborative  
211 approach is great, so if Mr. Lussier notices something he did not, it is good to speak up. To him,  
212 the value of a group like this is that each person has their own lens, and everyone's observations  
213 and opinions are better in the aggregate than individually. Chair Rounds replied yes, that is the  
214 whole intent of this process. Mr. Rogers agreed and stated that it is helpful to have other sets of  
215 eyes looking at these things and asking questions.

216

217 **4) Upcoming Meeting Dates**

- 218 • February 16, 2023 at 10:00 AM (*if needed*)  
219 • March 2, 2023 at 10:00 AM

220 Ms. Fortson stated that there probably will be an agenda item for February 16.

221

222 **5) Adjournment**

223

224 There being no further business, Chair Rounds adjourned the meeting at 10:35 AM.

225

226 Respectfully submitted by,  
227 Britta Reida, Minute Taker

228

229 Reviewed and edited by,  
230 Megan Fortson, Planning Technician



# City of Keene, NH Site Plan Application

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

SECTION 1: PROJECT INFORMATION	
<b>PROJECT NAME:</b> 560 Main Street LLC Phase 2	<b>TYPE OF APPLICATION BEING SUBMITTED:</b> <input type="checkbox"/> MAJOR PROJECT APPLICATION <input checked="" type="checkbox"/> MINOR PROJECT APPLICATION
<b>PROJECT ADDRESS(ES):</b> 20 Manchester Street	
<b>EXISTING OR PREVIOUS USE:</b> Industrial, Manufacturing, Multi-use	<b>PROPOSED USE:</b> Office, Truck Shop, Production
<b>GROSS FLOOR AREA OF NEW CONSTRUCTION</b> (in square feet) 12,750sf	<b>GROSS FLOOR AREA OF EXISTING BUILDINGS/STRUCTURES</b> (in square feet) 38,000
<b>AREA OF PROPOSED NEW IMPERVIOUS SURFACES</b> (in square feet) 30,000	<b>TOTAL AREA OF LAND DISTURBANCE</b> (in square feet) 45000sf

SECTION 2: CONTACT INFORMATION	
PROPERTY OWNER	APPLICANT
<b>NAME/COMPANY:</b> 560 Main Street LLC	<b>NAME/COMPANY:</b> Mark Froling
<b>MAILING ADDRESS:</b> 20 Manchester Street, Keene NH 03431	<b>MAILING ADDRESS:</b> 20 Manchester Street, Keene NH 03431
<b>PHONE:</b> (603) 520 6272	<b>PHONE:</b> (603) 520 6272
<b>EMAIL:</b> mark@frolingenergy.com	<b>EMAIL:</b> mark@frolingenergy.com
<b>SIGNATURE:</b> Mark Froling <small>Digitally signed by Mark Froling Date: 2023.01.20 08:47:18 -05'00'</small>	<b>SIGNATURE:</b> Mark Froling <small>Digitally signed by Mark Froling Date: 2023.01.20 08:47:32 -05'00'</small>
<b>PRINTED NAME:</b> Mark Froling	<b>PRINTED NAME:</b> Mark Froling

AUTHORIZED AGENT (if different than Owner/Applicant)	FOR OFFICE USE ONLY:	
<b>NAME/COMPANY:</b>	<b>TAX MAP PARCEL #(s):</b> 114012.000.000.000	
<b>MAILING ADDRESS:</b>	-----	
<b>PHONE:</b>	<b>PARCEL SIZE:</b> 9.88 acres	<b>DATE STAMP:</b> 
<b>EMAIL:</b>	<b>ZONING DISTRICT:</b> Industrial	
<b>SIGNATURE:</b>		
<b>PRINTED NAME:</b>	<b>PROJECT #:</b> SP-06-19, Mod. 1	

## SECTION 3: APPLICATION SUBMISSION REQUIREMENTS

**A COMPLETE APPLICATION MUST INCLUDE THE FOLLOWING ITEMS. APPLICATION MATERIALS MUST BE SUBMITTED BOTH PHYSICALLY & DIGITALLY AS OUTLINED IN THE ATTACHED DOCUMENTS.**

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

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

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

### GENERAL SUBMITTAL REQUIREMENTS

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

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

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

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

\$250 base fee  
 \$0.05 per-sf of new construction x 3750 sf of new construction = 12250  
 \$62 legal ad fee  
 74.69 current USRS certified mailing rate x 448 abutters = 336.80  
 = 872.50 (TOTAL FEE)

~~250~~  
~~187.50~~  
~~10.~~  
~~447.50~~

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

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

- WAIVER(S) REQUESTED**  
 **NO WAIVER(S) REQUESTED**

PLAN SETS (See Attachment C for additional information.)	SUBMITTED	EXEMPTION REQUESTED
LOCATION MAP OF PROPOSED IMPROVEMENTS	Existing	
EXISTING CONDITIONS PLAN	Existing	
PROPOSED CONDITIONS PLAN	Existing	
GRADING PLAN	Existing	
LANDSCAPING PLAN	Existing	
LIGHTING PLAN	Existing	
ELEVATIONS	See Attachment	
TECHNICAL REPORTS (See Attachment C for additional information.)	SUBMITTED	EXEMPTION REQUESTED
DRAINAGE REPORT	Existing	
TRAFFIC ANALYSIS	Existing	
SOIL ANALYSIS	Existing	
HISTORIC EVALUATION	Existing	
SCREENING ANALYSIS	Existing	
ARCHITECTURAL & VISUAL APPEARANCE ANALYSIS	Existing	
OTHER REPORTS / ANALYSES	NA	

# Project Narrative: at 20 Manchester Street Keene NH

1. Additional use of property for rental purposes:

560 Main Street LLC is the current owner of the property and Froling Energy is the current Lessee of the property. Froling Energy sublets about 2 acres of the property To Phil’s Tree Service for equipment storage and truck storage. Currently the property is not in compliance for this multi-use purpose and 560 Main Street is seeking the right to operate with some of its land being used for storage and business operations by others. Two areas are identified. Please see plans for delineation of convertible space for rental use.

2. Changes to “Phase Two” construction

560 Main Street LLC is seeking to begin construction of the approved “Phase Two” building known as the truck shop and office for Froling Energy. We are seeking to add a 3750sf addition on the east side of the already approved 100x100ft structure. This addition would house some cord wood processing machinery that we are planning to use in the future. The proposed addition is shown on the submitted site plan.

3. Changes to the parking striping

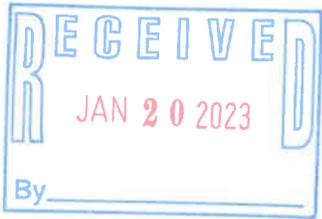
The original site plan application was approved with parallel parking spots, 560 Main Street LLC is seeking to rotate the parking as shown on the plan in red.

4. Tree Plantings

560 Main Street LLC is seeking to plant Emerald Green Arborvitae to replace the original proposed Balsam Fir. A slight location change is also proposed.

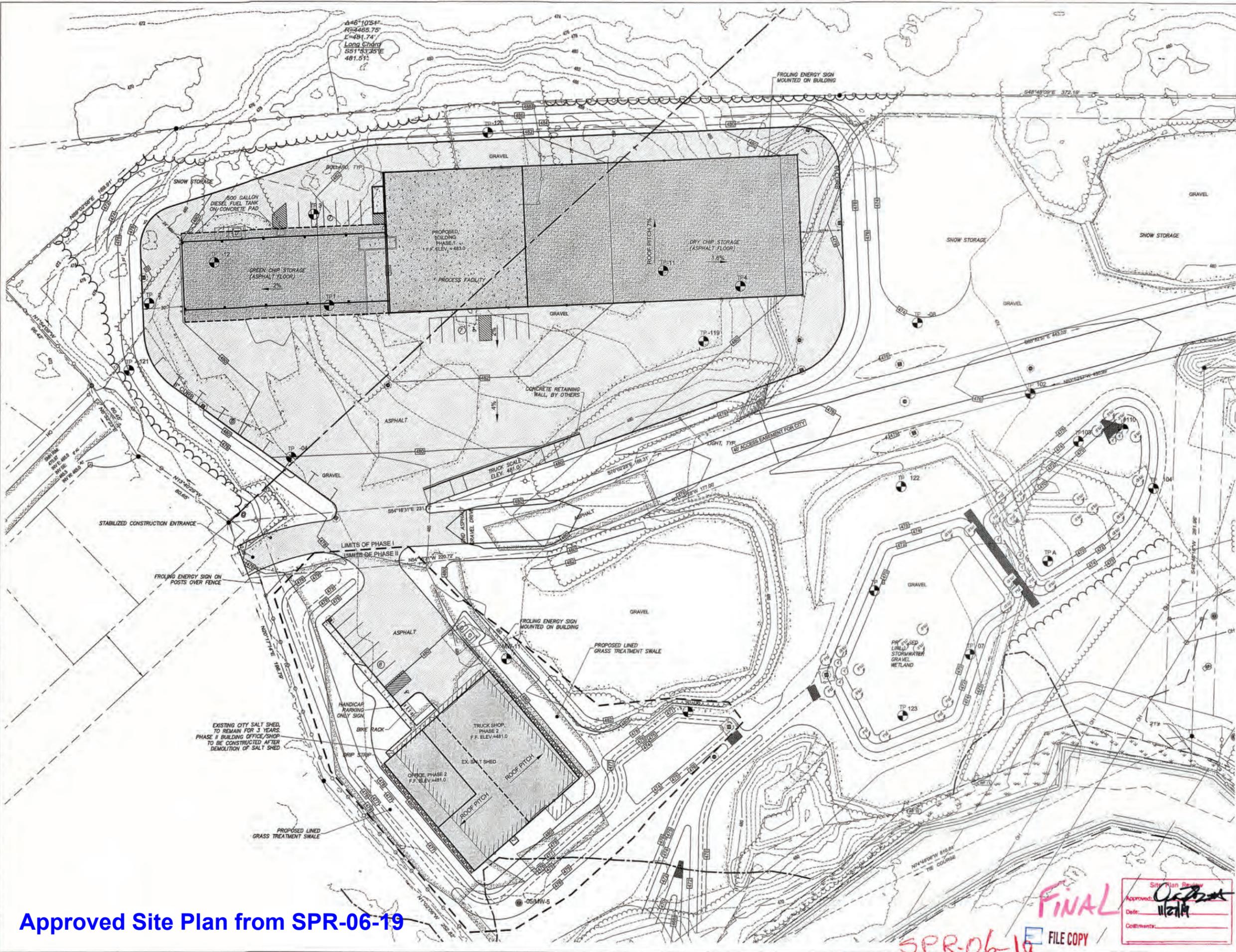
These changes are minor in request and we hope that the original site plan can just be amended with the proposed changes.

Mark Froling  
1/20/23



SPR-06-19, Mod. 1

Drawing name: P:\Project\NH PROJECT\SH2665 560 Main Street, LLC\DWG\Concepts\K2665 SITE 20180917.dwg Nov 21, 2018 - 12:28pm



Approved Site Plan from SPR-06-19

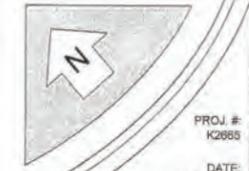
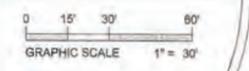


*L. Sargent* 11/21/19  
 LIZA P. SARGENT DATE  
 R.C.E. NUMBER 13365  
**FOR PERMITTING**

NO.	REVISION	DATE	DWN	CHK
1	RELOCATED ADA SPACE	20-NOV-19	LPS	LPS
2	LABELLED 40' ACCESS EASEMENT	21-NOV-19	LPS	LPS

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**OVERALL SITE PLAN**  
 560 MAIN STREET  
 560 MAIN STREET, LLC  
 390 Hancock Road  
 Brattleboro, VT 05302



Site Plan Review  
 Approved: *[Signature]*  
 Date: 11/21/19  
 Comments:

**FINAL**

FILE COPY

SPR-06-19

PROJ. # K2665  
 DATE: 20-SEPT-19  
 SHEET 23 of 34  
 DESIGN: LPS  
 DRAWN: TS/LPS  
 CHECKED: RH

# 560 MAIN STREET, LLC

560 MAIN STREET, KEENE, NEW HAMPSHIRE



## INDEX OF PLANS

N-1	NOTES & LEGEND	
1 of 2	EXISTING CONDITIONS PLAN	
2 of 2	EXISTING CONDITIONS PLAN	<i>Liza Sargent</i> 2/9/23
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C-2	GRADING & DRAINAGE PLAN-PHASE I NORTH	
C-2A	CLEARING/GRUBBING & EXCAVATION LIMITS (AOT APPROVAL IN PART AOT-1709)	
C-3	GRADING & DRAINAGE PLAN-PHASE I EAST	
C-4	GRADING & DRAINAGE PLAN-PHASE II SOUTH	
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C-7	CONSTRUCTION DETAILS	
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C-9	CONSTRUCTION DETAILS	
C-10	CONSTRUCTION DETAILS	
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D-1	PRE DEVELOPMENT DRAINAGE PLAN	
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APPLICANT:

## 560 MAIN STREET, LLC

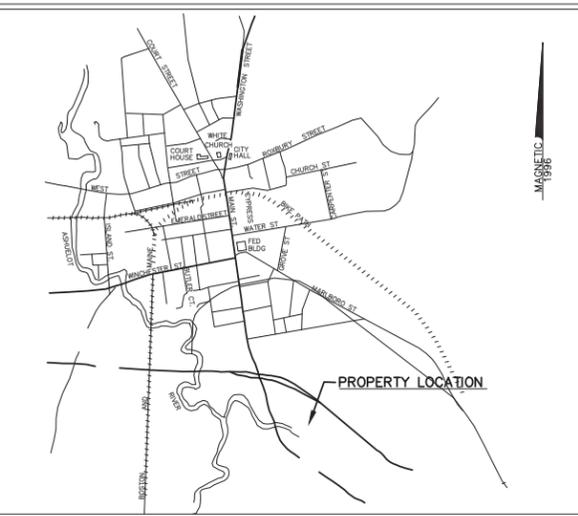
590 HANCOCK ROAD  
PETERBOROUGH, NEW HAMPSHIRE 03458  
(603) 520-6272

PROPERTY OWNER:

**CITY OF KEENE**  
3 WASHINGTON STREET  
KEENE, NEW HAMPSHIRE 03431  
(603) 352 - 0133

SVE PROJECT #: K2665

PREPARED BY



LOCUS  
NOT TO SCALE

Land Use Consultant:

**Brickstone**  
Land Use Consultants, LLC  
Site Planning, Permitting and Development Consulting  
185 Winchester Street, Keene, NH 03431  
Phone: (603) 357-0116

Land Surveyor & Wetland Scientist:

**Huntley Survey  
& Design, PLLC**  
659 West Road  
Temple, NH 03084  
PHONE (603) 924-1669

Civil Engineer:

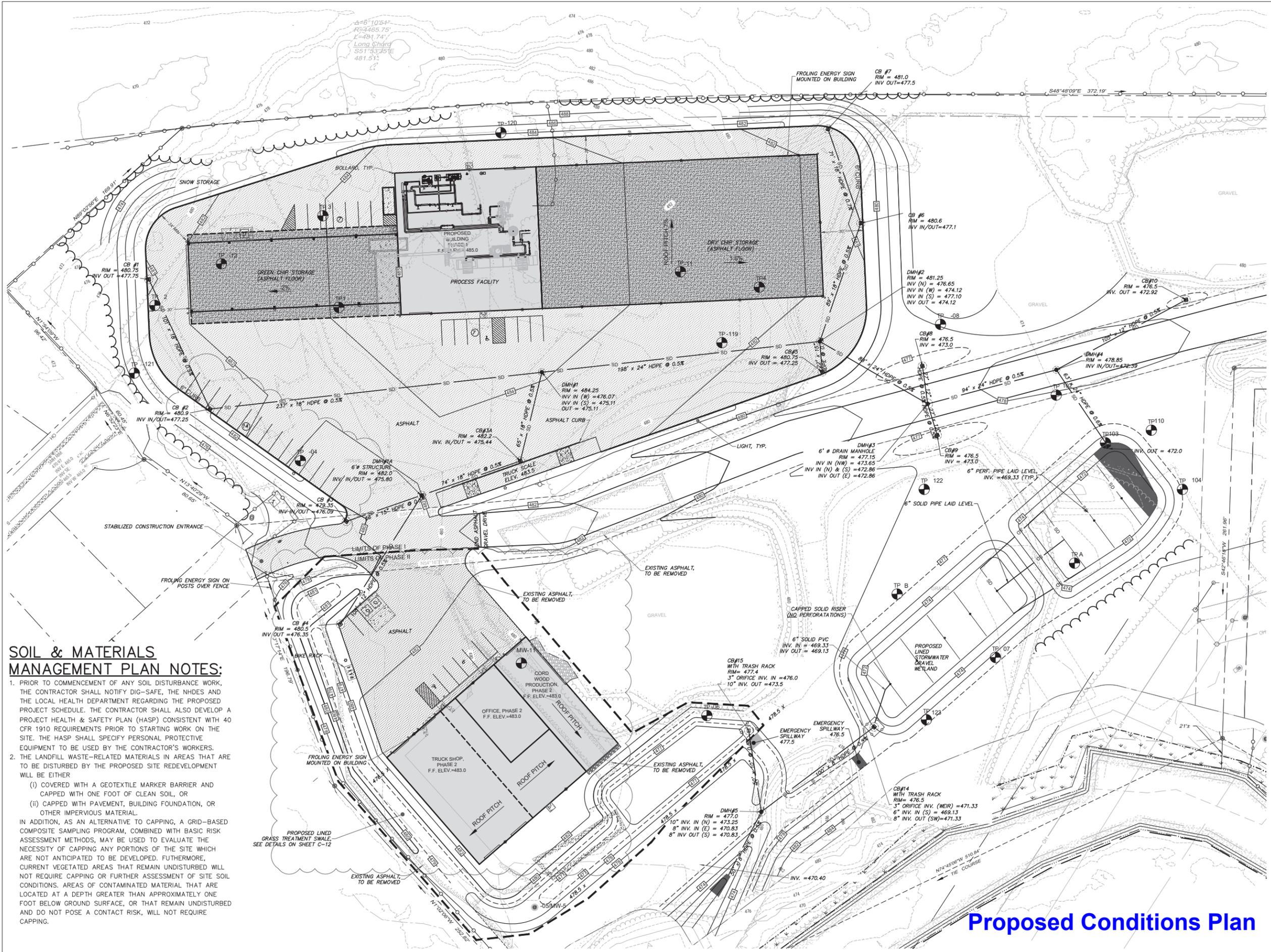
**SVE Associates**  
439 West River Road  
P.O. Box 1818  
Brattleboro, VT 05302  
PHONE (802) 257-0561  
FAX (802) 257-0721

Architect:

**Weller & Michal Architects**  
P.O. Box 360, 71 Main Street-Mill#2  
Harrisville, NH 03450  
PHONE (603) 827-3840

September 20, 2019  
Revised thru January 26, 2023

Drawing name: P:\Projects\NH\PROJECTS\K2665-560 Main Street, LLC\DWG\K2665 SITE Phase II.dwg Feb 09, 2023 - 1:15pm



### SOIL & MATERIALS MANAGEMENT PLAN NOTES:

1. PRIOR TO COMMENCEMENT OF ANY SOIL DISTURBANCE WORK, THE CONTRACTOR SHALL NOTIFY DIG-SAFE, THE NHDES AND THE LOCAL HEALTH DEPARTMENT REGARDING THE PROPOSED PROJECT SCHEDULE. THE CONTRACTOR SHALL ALSO DEVELOP A PROJECT HEALTH & SAFETY PLAN (HASP) CONSISTENT WITH 40 CFR 1910 REQUIREMENTS PRIOR TO STARTING WORK ON THE SITE. THE HASP SHALL SPECIFY PERSONAL PROTECTIVE EQUIPMENT TO BE USED BY THE CONTRACTOR'S WORKERS.
  2. THE LANDFILL WASTE-RELATED MATERIALS IN AREAS THAT ARE TO BE DISTURBED BY THE PROPOSED SITE REDEVELOPMENT WILL BE EITHER
    - (i) COVERED WITH A GEOTEXTILE MARKER BARRIER AND CAPPED WITH ONE FOOT OF CLEAN SOIL, OR
    - (ii) CAPPED WITH PAVEMENT, BUILDING FOUNDATION, OR OTHER IMPERVIOUS MATERIAL.
- IN ADDITION, AS AN ALTERNATIVE TO CAPPING, A GRID-BASED COMPOSITE SAMPLING PROGRAM, COMBINED WITH BASIC RISK ASSESSMENT METHODS, MAY BE USED TO EVALUATE THE NECESSITY OF CAPPING ANY PORTIONS OF THE SITE WHICH ARE NOT ANTICIPATED TO BE DEVELOPED. FURTHERMORE, CURRENT VEGETATED AREAS THAT REMAIN UNDISTURBED WILL NOT REQUIRE CAPPING OR FURTHER ASSESSMENT OF SITE SOIL CONDITIONS. AREAS OF CONTAMINATED MATERIAL THAT ARE LOCATED AT A DEPTH GREATER THAN APPROXIMATELY ONE FOOT BELOW GROUND SURFACE, OR THAT REMAIN UNDISTURBED AND DO NOT POSE A CONTACT RISK, WILL NOT REQUIRE CAPPING.



*Liza Sargent* 2/9/23  
 LIZA P. SARGENT DATE  
 R.C.E. NUMBER: 13365

NO.	REVISION	DATE	CHK	LPS		
				DWN	LPS	LPS
1	S & MMP NOTES, RAISED GRADE 2 FT	22-NOV-19	LPS	LPS	LPS	
2	ADDED DRAINAGE PIPING & INVERTS	11-DEC-19	LPS	LPS	LPS	
3	PHASE II	26-JAN-23	LPS	LPS	LPS	

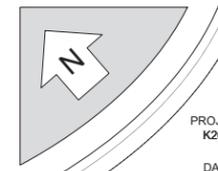
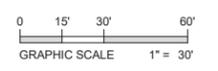
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### OVERALL SITE PLAN

560 MAIN STREET  
 560 MAIN STREET, LLC  
 590 Hancock Road  
 Peterborough, NH 03458

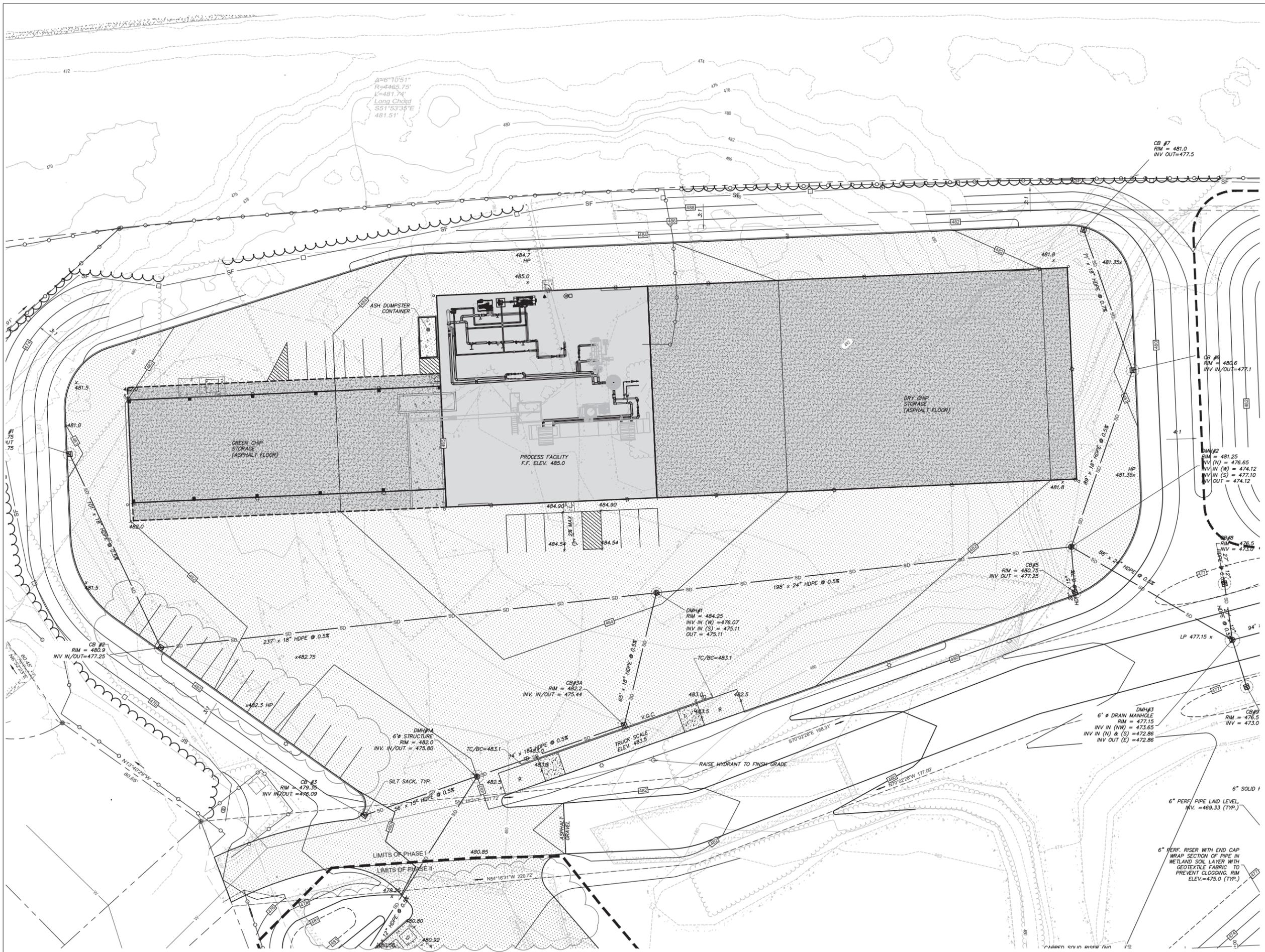


PROJ. #:  
K2665  
 DATE:  
20-SEPT-19

DESIGN: LPS  
 DRAWN: TS/LPS  
 CHECKED: RH  
 SHEET  
 25 of 62

**Proposed Conditions Plan**

Drawing name: P:\Project\NH PROJECTS\2065 500 Main Street, LLC\DWG\2065 SITE Phase II.dwg Feb 09, 2023 - 1:16pm



Liza Sargent 2/9/23

LIZA P. SARGENT DATE  
R.C.E. NUMBER: 13365

NO.	REVISION	DATE	DWN	CHK
1	RAISED FINISH GRADE & STORM DRAIN 2 FT	22-NOV-19	LPS	LPS
2	PARKING, PHASE II DUMPSTER	26-JAN-23	LPS	LPS

# SVE

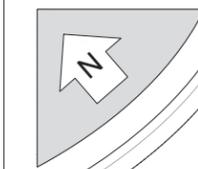
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## GRADING & DRAINAGE PLAN - PHASE I NORTH

560 MAIN STREET  
560 MAIN STREET, LLC  
590 Hancock Road  
Peterborough, NH 03458

0 10' 20' 40'  
GRAPHIC SCALE 1" = 20'



PROJ. #  
K2665  
DATE:  
20-SEPT-19

DESIGN: LPS SHEET  
DRAWN: LPS  
CHECKED: LPS  
26 of 32

# C-2

Drawing name: P:\Project\NH PROJECTS\K2665 560 Main Street, LLC\DWG\K2665 SITE Phase II.dwg Feb 09, 2023 - 1:16pm



*Liza Sargent* 2/9/23

LIZA P. SARGENT DATE  
R.C.E. NUMBER: 13365

NO.	REVISION	DATE	DWN	CHK
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2	PHASE II	26-JAN-23	LPS	LPS

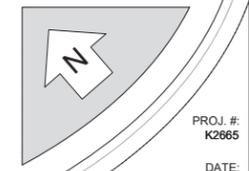
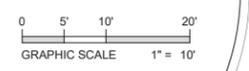
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## GRADING & DRAINAGE PLAN-PHASE II SOUTH

560 MAIN STREET  
560 MAIN STREET, LLC  
590 Hancock Road  
Peterborough, NH 03458

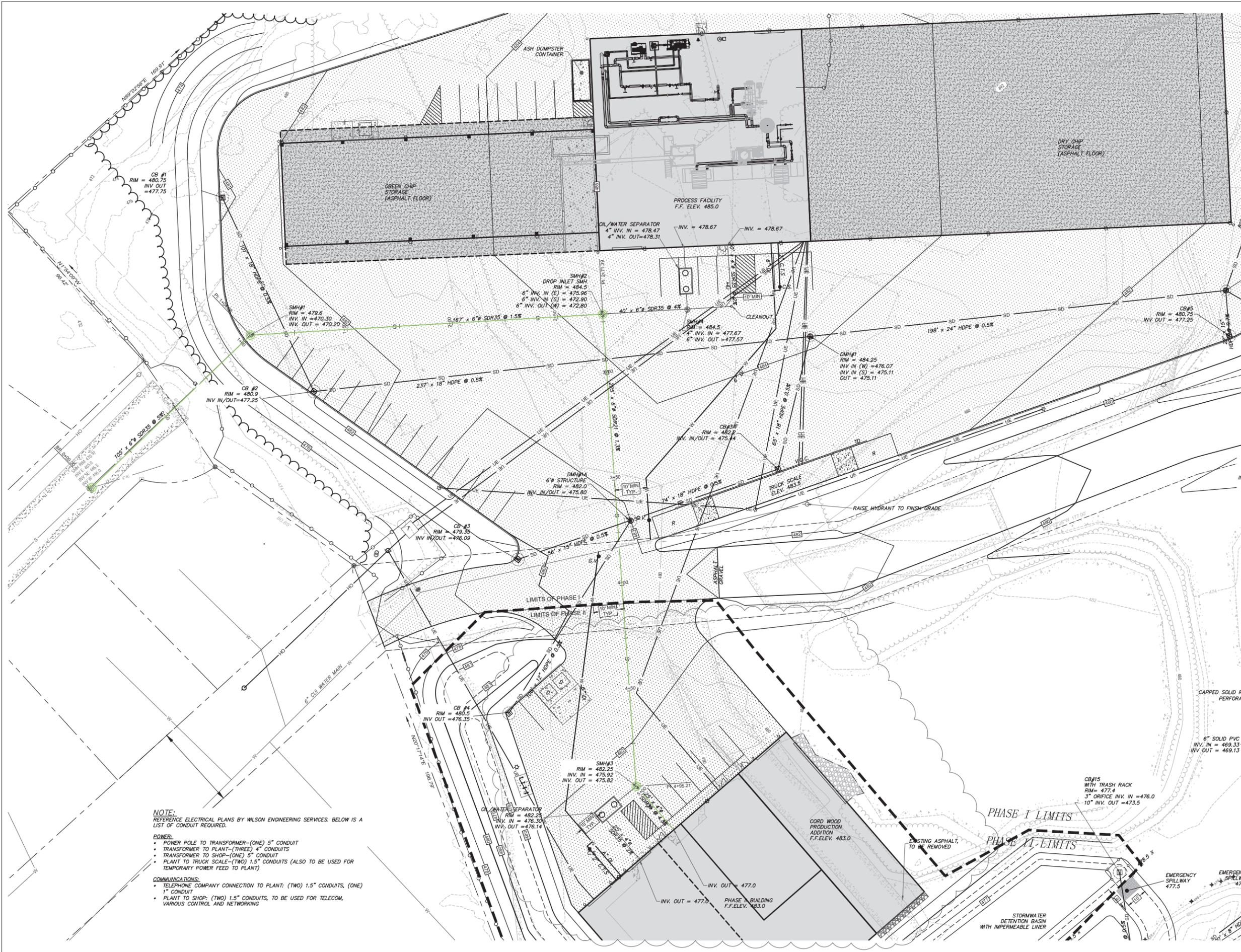


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K2665  
DATE:  
20-SEPT-19

DESIGN: LPS SHEET  
DRAWN: LPS  
CHECKED: RL  
27 of 32

# C-4

Drawing name: P:\Project\NH PROJECTS\2065 500 Main Street, LLC\DWG\K2065 SITE Phase II.dwg Feb 09, 2023 - 1:16pm



**NOTE:**  
 REFERENCE ELECTRICAL PLANS BY WILSON ENGINEERING SERVICES. BELOW IS A LIST OF CONDUIT REQUIRED.

**POWER:**

- POWER POLE TO TRANSFORMER--(ONE) 5" CONDUIT
- TRANSFORMER TO PLANT--(THREE) 4" CONDUITS
- TRANSFORMER TO SHOP--(ONE) 5" CONDUIT
- PLANT TO TRUCK SCALE--(TWO) 1.5" CONDUITS (ALSO TO BE USED FOR TEMPORARY POWER FEED TO PLANT)

**COMMUNICATIONS:**

- TELEPHONE COMPANY CONNECTION TO PLANT; (TWO) 1.5" CONDUITS, (ONE) 1" CONDUIT
- PLANT TO SHOP; (TWO) 1.5" CONDUITS, TO BE USED FOR TELECOM, VARIOUS CONTROL AND NETWORKING



*Liza Sargent* 2/9/23  
 LIZA P. SARGENT DATE  
 R.C.E. NUMBER: 13365

NO.	REVISION	DATE	DWN	CHK
1	RAISED FINISH GRADE & STORM DRAIN 2 FT	22-NOV-19	LPS	LPS
2	PHASE II	26-JAN-23	LPS	LPS

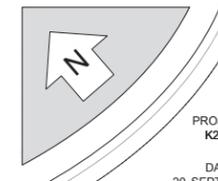
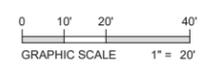
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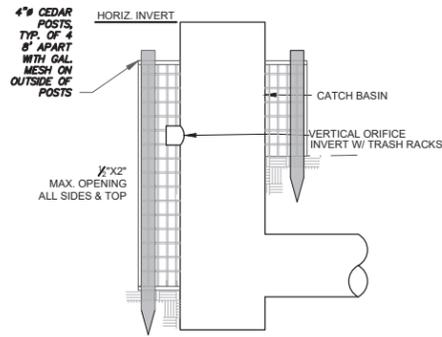
## UTILITY PLAN

560 MAIN STREET  
 560 MAIN STREET, LLC  
 590 Hancock Road  
 Peterborough, NH 03458



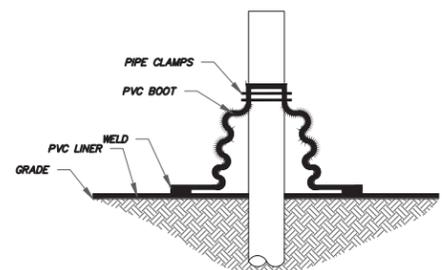
PROJ. #:  
 K2665  
 DATE:  
 20-SEPT-19

DESIGN: LPS SHEET  
 DRAWN: LPS  
 CHECKED: LPS  
**C-5**  
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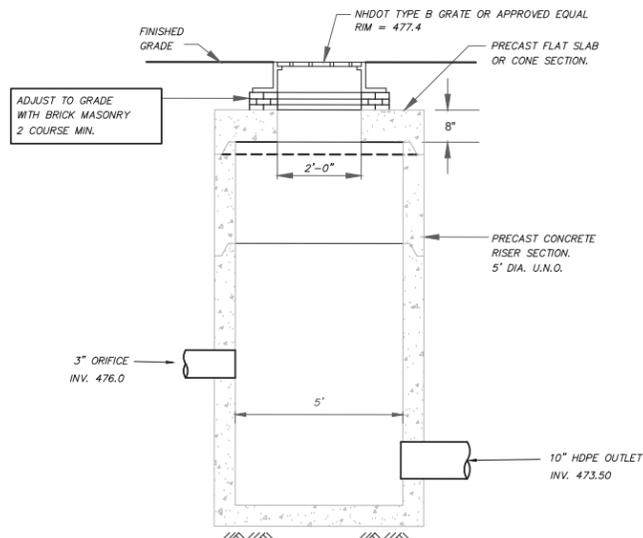


PROFILE VIEW

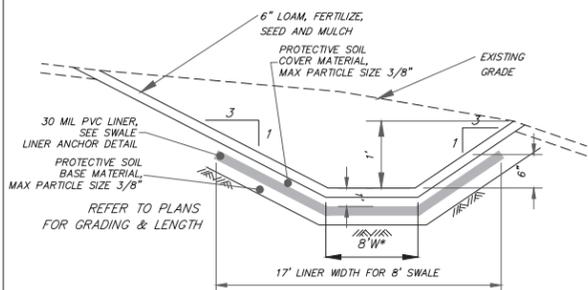
ALL ORIFICES 8" OR SMALLER SHALL HAVE A TRASH RACK  
**TRASH RACK DETAIL**  
 NO SCALE



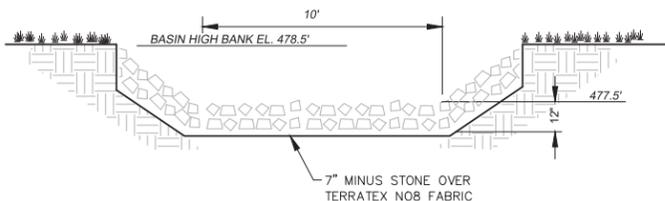
**IMPERVIOUS LINER PIPE BOOT**  
 NO SCALE



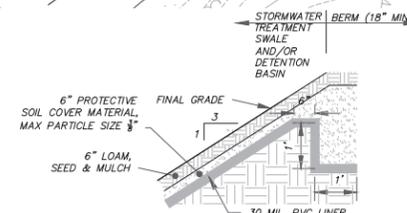
**CB#15 OUTLET STRUCTURE**  
 NOT TO SCALE



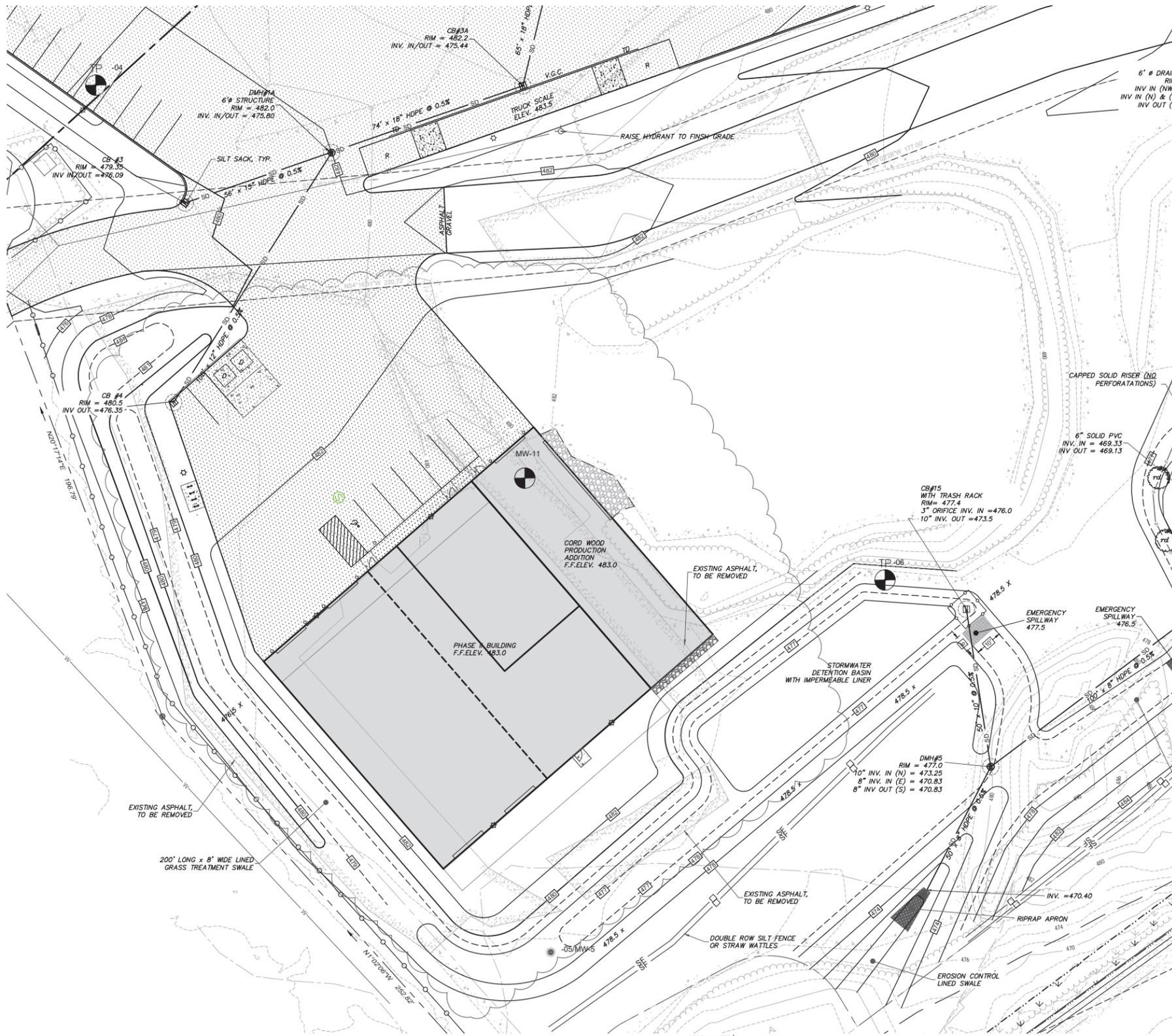
**GRASS TREATMENT SWALE**  
 NOT TO SCALE



**EMERGENCY SPILLWAY**  
 NOT TO SCALE



**DETENTION POND & SWALE LINER ANCHOR**  
 NOT TO SCALE



*Liza Sargent* 2/9/23  
 LIZA P. SARGENT DATE  
 R.C.E. NUMBER: 13365

NO.	REVISION	DATE	CHK	DWN
1	PB STAFF COMMENTS	07-OCT-19	LPS	LPS
2	RAISED GRADE 2 FEET	17-OCT-19	LPS	LPS
3	DES COMMENTS	16-DEC-19	LPS	LPS
4	DETENTION POND OUTLET DIAMETER	03-JAN-20	LPS	LPS
5	PHASE II	26-JAN-23	LPS	LPS

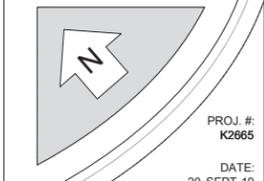
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**STORMWATER TREATMENT SWALES**

560 MAIN STREET

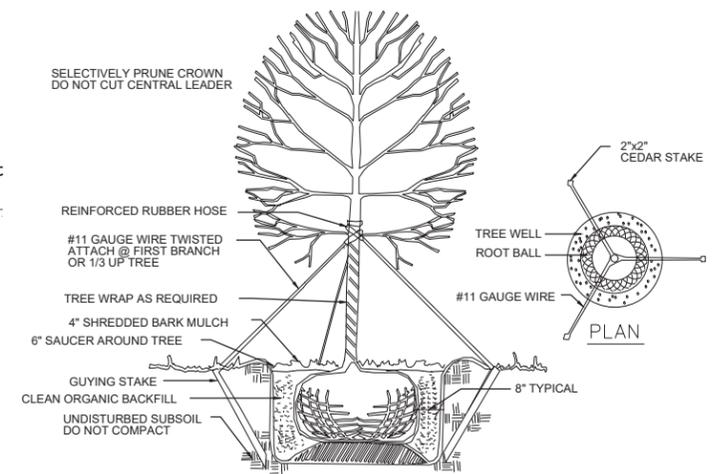
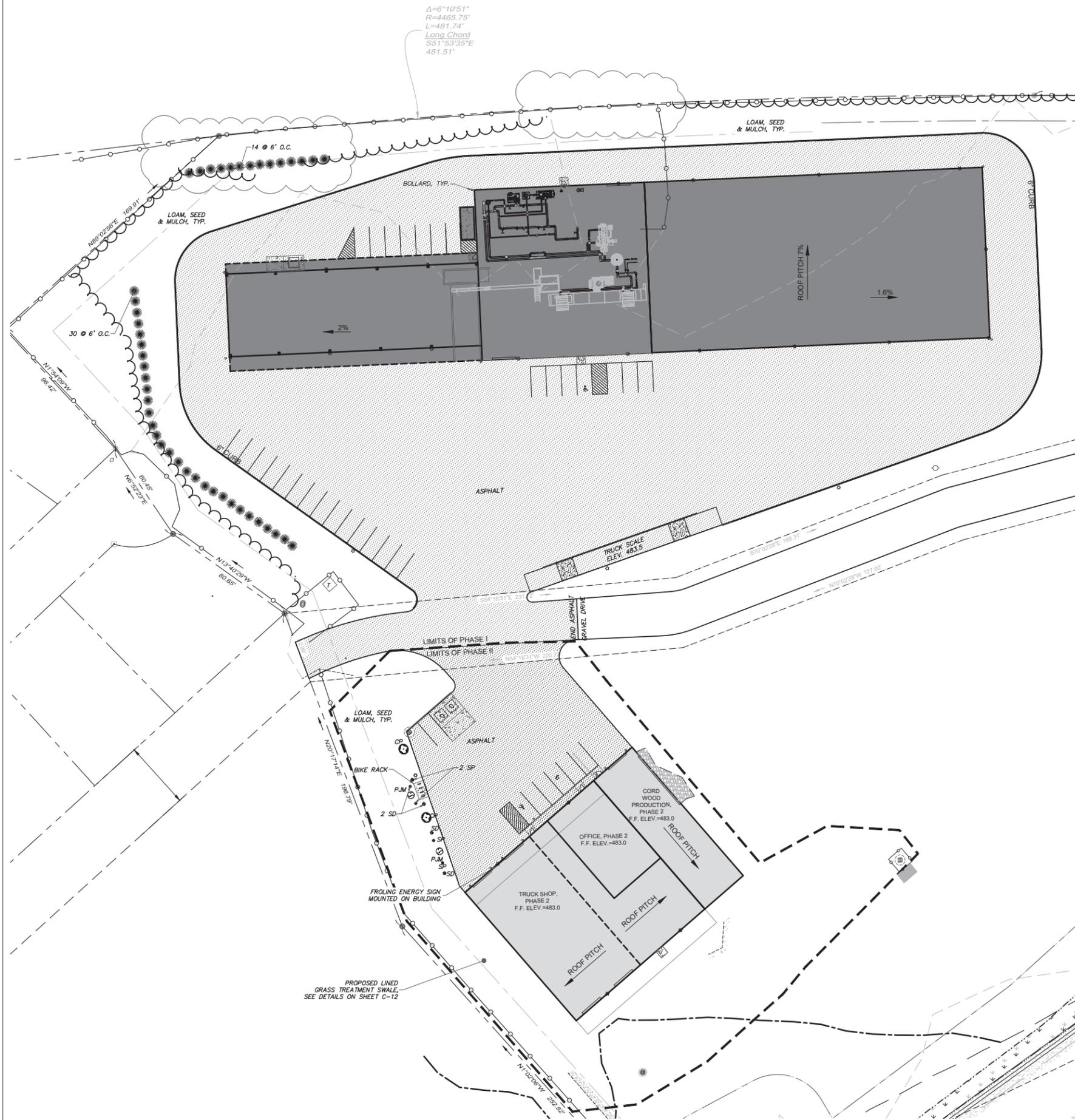
560 MAIN STREET, LLC  
 590 Hancock Road  
 Peterborough, NH 03458



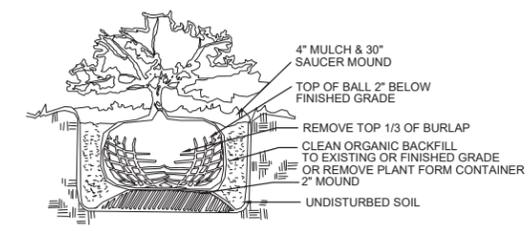
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 DATE: 20-SEPT-19  
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Drawing name: P:\Project\NH PROJECTS\K2665 560 Main Street, LLC\DWG\K2665 SITE Phase II.dwg Feb 09, 2023 - 1:17pm



**TREE PLANTING & GUYING DETAIL**  
NO SCALE



**SHRUB PLANTING DETAIL**  
NO SCALE

**LANDSCAPE LEGEND**

TYPE	QUANTITY	SIZE AT PLANTING	MATURE HEIGHT
EGA-EMERALD GREEN ARBORVITAE	44	4-5'	10'-15'
CP-CHANTICLEER PEAR	2	3" CAL.	25'-30'
PJM-PJM RHODODENDRON	2	2 GAL.	8'
SP-SPIREA	4	1 GAL.	2'
SD-SEDUM	4	1 GAL.	2'

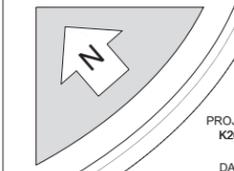
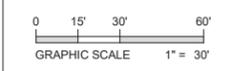


*Liza Sargent* 2/9/23  
 LIZA P. SARGENT DATE  
 R.C.E. NUMBER: 13365

NO.	REVISION	DATE	DWN	CHK
1	BALSAM FIR TO EMERALD GREEN ARBORVITAE	07-OCT-19	LPS	LPS

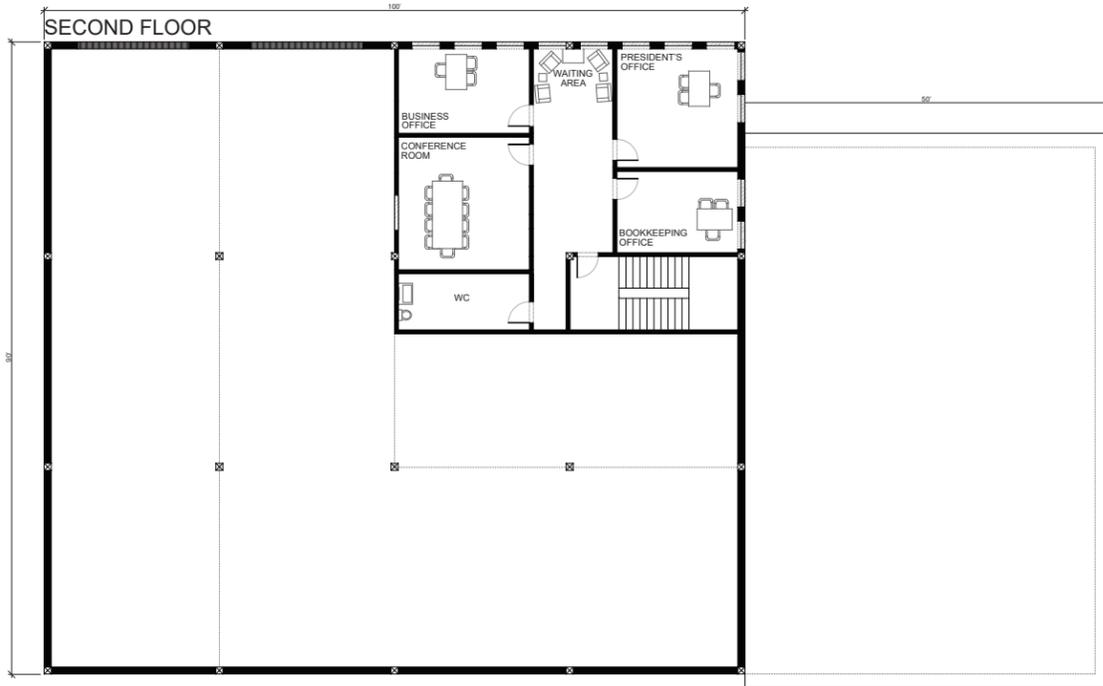
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**LANDSCAPING PLAN**  
 560 MAIN STREET  
 560 MAIN STREET, LLC  
 590 Hancock Road  
 Peterborough, NH 03458



PROJ. #: K2665  
 DATE: 20-SEPT-19  
 DESIGN: LPS  
 DRAWN: TS/LPS  
 CHECKED: RA





NORTH ELEVATION



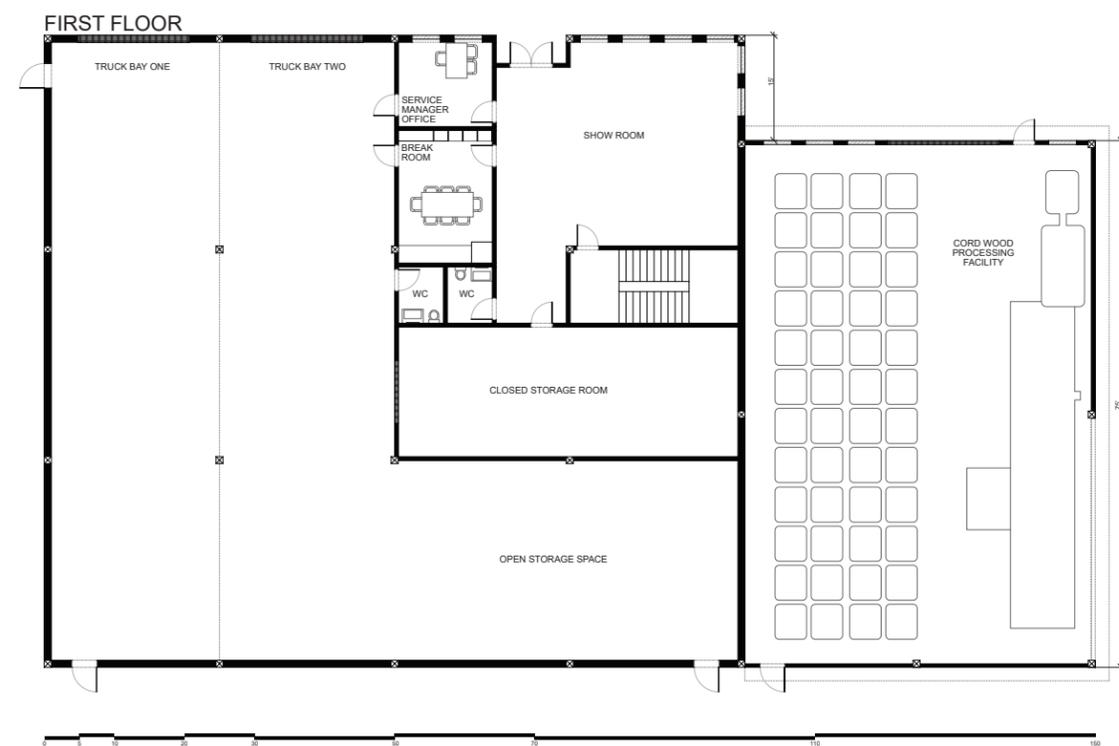
EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



GRAPHIC SCALE: 1" = 12'



FRILING ENERGY HQ

PHASE TWO

20 MANCHESTER STREET  
KEENE, NH 03431

MAIN OFFICE AND TRUCK SHOP

FEBRUARY 2023



MARK FRILING - OWNER, PRESIDENT  
DESIGNED BY HAZEL FRILING