



City of Keene Planning Board

AGENDA - AMENDED

Monday, April 24, 2023

6:30 PM

City Hall, 2nd Floor Council Chambers

I. Call to Order – Roll Call

II. Election of Chair, Vice Chair, & Steering Committee

III. Minutes of Previous Meeting – March 27, 2023

IV. Extension Requests

1. **S-04-22 - Conservation Residential Development Subdivision & SPR-04-22 – Site Plan – 0 Drummer Rd** – Applicant and owner C. Eric Farris requests an extension to the deadline to satisfy the precedent conditions of approval for the 6-lot CRD subdivision, S-04-22, and site plan for the construction of 5 multi-family buildings, SPR-04-22, for the property located at 0 Drummer Rd (TMP# 515-015-000). The parcel is 13.1-ac and is located in the Low Density District.
2. **SPR-11-16, Modification #10 – Site Plan - Covenant Living of Keene - 95, 100, & 118 Wyman Rd** – Applicant SVE Associates, on behalf of owner Covenant Living of Keene, requests an extension to the deadline to satisfy the precedent conditions of approval for site plan SPR-11-16, Modification #10 for modifications to landscaping and pedestrian infrastructure on the properties at 95 Wyman Rd (TMP #221-019-000), 100 Wyman Rd (TMP #221-018-000), and 118 Wyman Rd (TMP #210-010-000). The properties are a combined 67 acres in size and are located in the Rural District.

V. Final Vote on Conditional Approvals

VI. Boundary Line Adjustment

3. **S-02-23 – Boundary Line Adjustment – 190 & 196 South Lincoln St** - Applicant Hans Porschitz, on behalf of owners Jennifer Whitehead & Aaron Cooper, proposes a boundary line adjustment between the properties at 190 & 196 South Lincoln St (TMP #s 572-004-000 & 587-001-000). This adjustment will result in the transfer of ~261 sf from the 0.13 ac parcel at 190 South Lincoln St to the 0.11 ac parcel at 196 South Lincoln St. Both properties are located in the Medium Density District.

VII. Staff Updates

VIII. New Business

IX. Upcoming Dates of Interest

- Joint Committee of the Planning Board and PLD – May 8, 6:30 PM
- Planning Board Steering Committee – May 9, 11:00 AM
- Planning Board Site Visit – May 17, 8:00 AM – To Be Confirmed
- Planning Board Meeting – May 22, 6:30 PM

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

3
4
5 **PLANNING BOARD**
6 **MEETING MINUTES**
7

8 **Monday, March 27, 2023**

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
Harold Farrington
Randyn Markelon, Alternate

Staff Present:

Jesse Rounds, Community Development
Director
Mari Brunner, Senior Planner
Megan Fortson, Planning Technician

Members Not Present:

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

9
10 **I) Call to Order – Roll Call**

11
12 Chair Russell-Slack called the meeting to order and roll call was taken.

13
14 **II. Minutes of Previous Meeting – February 27, 2023**

15
16 A motion was made by Mayor George Hansel to approve the February 27, 2023 meeting minutes.
17 The motion was seconded by Councilor Michael Remy and was unanimously approved.

18
19 **III. Final Vote on Conditional Approvals**

20
21 Chair Russell-Slack stated that as a matter of practice, the Board will now have a final vote on all
22 conditionally-approved applications after all of the “conditions precedent” have been met.
23 This final vote will be the final approval for the application and will start the 30-day appeal clock.
24 The Chair asked whether there were any applications tonight that are ready for a final vote.

25
26 Ms. Brunner stated there that there is one application that is ready for a final vote and potentially
27 a second one as well. Ms. Brunner stated that the first application that is ready for final approval

28 is SPR-870 Modification #2 for property located at 310 Marlboro Street, where the property owner
29 has received approval to construct an addition containing approximately 57 residential apartments.
30

31 There were three conditions of approval for this application that needed to be met prior to final
32 approval, including having the owner's signature on the plans, the submittal of a security, and the
33 submittal of a revised lighting plan and light fixture cut sheets. Ms. Brunner stated that all three of
34 these conditions have been met, and the plans are ready to be signed. Ms. Brunner noted that the
35 Earth Excavation & Hillside Protection Conditional Use Permits for the proposed gravel pit on
36 Route 9 may be ready for final approval tonight; however, she suggested that the Chair table this
37 item until later in the meeting after the public hearing for the Earth Excavation Permit
38 modification.

39 A motion was made by Mayor George Hansel that the Planning Board issue final site plan approval
40 for SPR-870, Modification #2. The motion was seconded by Councilor Michael Remy and carried
41 on a unanimous vote.

42 **IV. Boundary Line Adjustment**

43
44 1. **S-01-23 – Boundary Line Adjustment – 0, 59, 60 & 67 Thompson Rd - Applicant**
45 **Cardinal Surveying & Land Planning, on behalf of owners Gregory & Jeanette**
46 **Gardner, Jeffrey & Allison Gardner, Jessica & Francis Pierannunzi, and Michael,**
47 **Edward, & Thomas LaRoche, proposes a boundary line adjustment between the**
48 **properties located at 0, 60, 67, & 59 Thompson Rd (Tax Map 241, Lots 104, 103, 102 &**
49 **101). The adjustment would result in the transfer of .16 ac from Lot 102 to Lot 101, .21**
50 **ac from Lot 102 to Lot 103, and .61 ac from Lot 104 to Lot 102. A waiver is requested**
51 **from Sec. 25.10.8.B.2 of the Land Development Code regarding the requirement to**
52 **submit an updated survey showing the full metes and bounds for lots 102 and 104. All**
53 **properties are located in the Rural District.**

54 55 A. **Board Determination of Completeness**

56
57 Megan Fortson stated the applicant has requested exemptions from submitting a narrative
58 explaining how the proposal complies with the 13 Site Development Standards in Section 20 of
59 the Land Development Code, submitting separate existing and proposed conditions plans that show
60 the location of surface waters and steep slopes on the subject parcels, and all technical reports.
61 Staff have determined that the requested exemptions would have no bearing on the merits of the
62 application. The Applicant has also requested a waiver from Section 25.10.8.B.2 of the Land
63 Development Code regarding the requirement to submit an updated survey showing the metes and
64 bounds of the revised parcels following the lot line adjustment. The submitted plan shows the
65 metes and bounds for the parcel at 59 Thompson Road, which is Lot 101, and 60 Thompson Road,
66 which is Lot 103, but does not show the metes and bounds of the parcels at 67 Thompson Rd (Lot
67 102) or 0 Thompson Rd (Lot 104). The Applicant has submitted a written waiver request, which
68 is included as an attachment to the staff report. In making a decision as to whether or not to accept
69 this application as complete, the Board may wish to consider whether the missing information is
70 necessary for the Board to complete its review of this application.
71

72 A motion was made by Mayor George Hansel to recommend the Board accept application, S-09-
73 22, as complete. The motion was seconded by Councilor Michael Remy and was unanimously
74 approved.
75

76 B. Public Hearing
77

78 Ms. Wendy Pelletier of Cardinal Surveying addressed the Board and stated they have requested
79 a waiver from submitting a plan from showing the metes and bounds of all subject parcels. The
80 lots as shown on the plan are based on prior surveys. She noted that Lot 104 is 58 acres in size
81 and pointed to the only area the applicant is proposing changes in (the front area). The reason
82 for the waiver request is time, expense, and redundancy, as the area has already been surveyed.
83

84 A motion was made by Mayor George Hansel to accept the applicant's waiver request. The
85 motion was seconded by Councilor Michael Remy and was unanimously approved.
86

87 Staff comments were next. Ms. Fortson stated that the four subject parcels are located in
88 southeast Keene at the end of Thompson Road. The Branch River is located directly to the east,
89 Marlboro Road (Route 101) is located to the south, and there are several residential properties
90 located to the west and north. The property at 59 Thompson Road is a 0.53 acre parcel with an
91 existing single-family dwelling. The property at 67 Thompson Road is a 20.33 acre parcel with
92 an existing single-family dwelling. The property at 60 Thompson Road is a 0.98 acre parcel with
93 an existing single-family dwelling. The undeveloped parcel at 0 Thompson Road is 58 acres in
94 size and is owned by Gregory and Jeanette Gardner. All of these parcels are located in the Rural
95 District, which has a minimum lot size of 5 acres and a frontage requirement of 50 feet. She
96 indicated that the applicant's request is to perform a boundary line adjustment that will transfer
97 0.16 acres of land from Lot 102 to Lot 101, 0.21 acres of land from Lot 102 to Lot 103, and 0.61
98 acres of land from Lot 104 to Lot 102.
99

100 Ms. Fortson went on to say that there is no new development proposed as part of this application;
101 however, it should be noted that there are both surface waters and wetlands present on the parcels
102 at 0 and 67 Thompson Road and steep slopes present on all four parcels. Per Section 19.2.5 and
103 Section 22.3.2 of the Land Development Code related to lot monuments, "*Final subdivision*
104 *plans shall not be signed and recorded until after the monuments have been installed by the*
105 *developer and verified by the Public Works Director, or security in an amount deemed*
106 *satisfactory to the Public Works Director is posted ensuring the monuments will be set,*". As a
107 result, staff recommends that the Board make the inspection of the set monuments by the Public
108 Works Director or their designee a precedent condition of approval for this application.
109

110 With respect to sewer and water, the subject parcels do not have access to City water or sewer –
111 the sewer main ends further southwest on Thompson Road before it reaches the subject parcels.
112 The closest sewer main is along Marlboro Road , so any future development on these parcels
113 would require the installation of a private well and septic system.
114

115 With respect to Traffic and Access Management, the existing site access points are shown on the
116 BLA plan that was submitted by the Applicant. The parcels at 59 and 67 Thompson Road have
117 a shared driveway that has been in place for a number of years. As part of this application, the

118 property owners have submitted an access easement agreement to formalize the use of the shared
119 driveway by both sets of owners. In addition, the Applicant added a note on the BLA plan
120 specifying that the shared driveway easement will be recorded at the Registry of Deeds. Hence,
121 this standard appears to be met. The Applicant also included a note on the plan stating that, “*Any*
122 *future modifications to the driveways shown on this plan may be handled through the submittal*
123 *of a Street Access Permit application to the City of Keene Public Works Department.*” Including
124 this note on the plan will make it easy for any future property owners to go through a simple
125 process with the Public Works Department rather than having to come before the Planning Board
126 to seek approval for any modifications for their driveways.

127
128 In regards to surface waters and wetlands, Ms. Fortson referred to aerial imagery of the subject
129 parcels, which shows that there are surface waters and wetlands present on the properties at 0
130 and 67 Thompson Road and steep slopes present on all four parcels. The Applicant has requested
131 an exemption from submitting separate existing and proposed BLA plans that show the locations
132 of these features on the subject parcels and noted that no development is proposed at this time.
133 The Applicant has also added a note on the plan stating that any future development on these
134 lots will need to comply with the Surface Water & Hillside Protection Ordinances.

135
136 This concluded staff comments.

137
138 Councilor Remy noted there is a condition precedent being recommended related to the
139 installation of lot monuments and clarified that the monuments would need to be installed before
140 final approval of the plan. Ms. Brunner explained that there is a requirement in the Land
141 Development Code, under Public Improvement Standards in Article 22, which states that, “*prior*
142 *to signature of the plans by the Planning Board Chair, the monuments shall be set and inspected*
143 *by the City Engineer*”. When staff became aware of this standard, they started recommending
144 this as a condition of approval, so that everyone is aware that this is a requirement.

145
146 C. Board Discussion and Action

147
148 A motion was made by Mayor George Hansel that the Planning Board approve S-01-23 for a
149 boundary line adjustment between the properties at 0, 59, 60, & 67 Thompson Rd as shown on
150 the plan identified as, “Boundary Line Adjustment, Lots 241-102- 000, 101, 103, & 104,
151 Thompson Road, Keene, NH 03431” prepared by Cardinal Surveying & Land Planning at a scale
152 of 1 inch = 100 feet on February 17, 2023 and last revised on March 16, 2023, with the following
153 conditions precedent prior to final approval and signature of the plans by the Planning Board
154 Chair:

- 155
156 1. Submittal of four (4) full-sized paper copies, two (2) mylar copies, and a digital copy of
157 the final plan.
158 2. Owners’ signatures appear on the plan.
159 3. Submittal of a check in the amount of \$51.00 made out to the City of Keene to cover the
160 cost of recording the final plat.
161 4. Inspection of lot monuments by the Public Works Director or their designee following
162 their installation or the submittal of a security in an amount deemed satisfactory to the
163 Public Works Director to ensure that the monuments will be set.

164
165 The motion was seconded by Councilor Michael Remy and was unanimously approved.
166

167 **V. Public Hearings**
168

- 169 1. **EXP-01-22, Modification #1 – Earth Excavation Permit – Gravel Pit, 0 Route 9 -**
170 **Applicant and owner G2 Holdings LLC, requests to modify a condition of approval**
171 **for EXP-01-22 related to the restoration of unpermitted impacts to the 75-ft wetland**
172 **buffer at the proposed gravel pit on the property at 0 Route 9 (TMP #215-007-000) by**
173 **changing it from a condition precedent to a condition subsequent to final approval.**
174 **This site is 84.71 ac and is located in the Rural District.**
175

176 A. Board Determination of Completeness
177

178 Ms. Brunner addressed the Board and stated that the applicant has requested exemptions from all
179 submittal items except for the narrative, application form, and the required fees; this includes an
180 exemption request from submitting the required plans and technical reports. The reason for these
181 exemption requests is because this application does not propose any new modifications to the site
182 and there is nothing changing physically on the site. Hence, staff recommends that the Board grants
183 the requested exemptions and accepts the application as complete.
184

185 A motion was made by Mayor George Hansel to recommend that the Board accept application
186 EXP-01-22, Modification #1 as complete. The motion was seconded by Councilor Michael Remy
187 and was unanimously approved.
188

189 B. Public Hearing
190

191 Brent Cole of Granite Engineering stated that they were before the Board last month for an
192 extension request for the original Earth Excavation Permit application, EXP-01-22, which the
193 Board granted. He indicated that there were two conditions of approval that the applicant had not
194 met at that point, including the submittal of a security and the restoration of the wetlands buffer.
195 Mr. Cole stated that they have submitted a security and it has been approved by the City. The one
196 condition that they have not met is the restoration of the wetlands buffer. He indicated that due to
197 the current season and weather, they are having a difficult time restoring the wetlands buffer. At
198 this time, the applicant is requesting that condition #8 from the original approval be changed from
199 a condition precedent to a condition subsequent to allow the applicant to have additional time for
200 the buffer restoration to be completed and approved to the satisfaction of the City Engineer. He
201 added that the wetlands scientist on the project will view all the plantings and make sure they are
202 planted properly and are established appropriately.
203

204 Mr. Farrington asked for the timeline for the restoration of the wetlands buffer. Mr. Cole stated
205 that they discussed this issue with City staff and if it meets the Board's approval, they would like
206 the timeline to be extended to September 30th. He stated that the work will be completed very soon,
207 the plantings are in – the City Engineer just needs to approve the plantings.
208

209 Chair Russell-Slack asked staff whether the applicant has discussed the September timeframe.

210 Ms. Brunner stated that a deadline of September 30, 2023 makes staff feel more comfortable. If
211 the applicant does not meet the September 30th deadline, the approval would be invalid.

212
213 The Chair asked for staff comments. Ms. Brunner stated that staff comments were the same as
214 when the application first came before the Board. The only request being made as part of this
215 application is to change one of the conditions precedent to a condition subsequent to allow the
216 applicant more time to achieve it. She stated that because this is an unusual modification, staff did
217 not prepare a staff report.

218
219 The Chair asked for public comment next. With no comments from the public, the Chair closed
220 the public hearing.

221
222 Councilor Remy stated he is glad there is a timeline.

223
224 **C. Board Discussion and Action**

225
226 A motion was made by Mayor George Hansel that the Planning Board approve EXP-01-22,
227 Modification #2 to change the condition of approval #A.8 for EXP-01-22 from a condition
228 precedent to a condition subsequent with the following amendment to the condition:

- 229 1. The restoration of unpermitted impacts to wetlands and wetland buffers shall be
230 completed and inspected to the satisfaction of the Community Development
231 Director no later than September 30, 2023.

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

233
234 **VI. Final Vote on Conditional Approvals**

235
236 Chair Russell-Slack explained that the Board would now move on to discussing whether or not
237 they should issue a final approval for the original Earth Excavation Permit, EXP-01-22, & the
238 Hillside Protection Conditional Use Permit, CUHP-01-22, for the proposed gravel pit on Route 9.
239 A motion was made by Mayor George Hansel that the Planning Board issue final approval for
240 EXP-01-22 and CUHP-01-22. The motion was seconded by David Orgaz and carried on a
241 unanimous vote.

242
243 **VI. Staff Updates**

244
245 Ms. Brunner stated that the Keene Community Power Program is launching in June. All residents
246 who are eligible to participate in the program will be sent a postcard and an opt out letter by mid-
247 April. There will be public meeting on April 25th at 6:00 pm at Heberton Hall.

248
249 Ms. Brunner went on to say this is the last meeting for Chair Russell-Slack and extended her
250 appreciation for her years of service on the Board. The Community Development Director and the
251 Mayor also extended their appreciation to the Chair. The Mayor stated he will be submitting a
252 name to City Council for a new Planning Board member to be appointed.

253

254 **VII. New Business**

255

256 None

257

258 **VIII. Upcoming Dates of Interest**

259 • Joint Committee of the Planning Board and PLD – April 10, 6:30 PM

260 • Planning Board Steering Committee – April 11, 11:00 AM

261 • Planning Board Site Visit – April 19, 8:00 AM – To Be Confirmed

262 • Planning Board Meeting – April 24, 6:30 PM

263

264 There being no further business, Chair Russell-Slack adjourned the meeting at 6:58 PM.

265

266 Respectfully submitted by,

267 Krishni Pahl, Minute Taker

268

269 Reviewed and edited by,

270 Megan Fortson, Planning Technician

Christopher Eric Farris
34 Old Nottingham Rd.
Epping NH 03042
603.365.1820

Keene NH Planning Department
Planning Board
3 Washington St.
Keene NH 03431

April 16, 2023

Greetings Board:

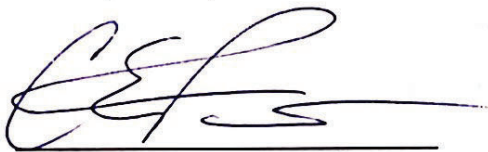
I respectfully request the conditional approval for the subdivision known as Timberlane Woods, be extended to meet those conditions.

The surveying/engineering firm has developed a substantial backlog which is causing delays.

Further, the newfound expectation is that this project will be facilitated through the federal Low Income Housing Tax Credit program will likely increase some required tasks that should be completed in the process of finalizing the approval with the Board.

We do not anticipate construction on this project prior to 2024 in any case.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read 'C. Eric Farris', written over a horizontal line.

C. Eric Farris
Owner

SVE Associates

Engineering * Surveying * Landscape Architecture * Planning

April 18, 2023

Keene Community Development
Attn: Mari Brunner, Senior Planner
3 Washington St
Keene, NH 03431

sent via email only to: mforston@keeneh.gov , mbrunner@keeneh.gov
dlussier@keeneh.gov , kblomquist@keeneh.gov
eclements@keeneh.gov & gburdett@covliving.org

Re: Site Plan Application for SPR-11-16 Mod. #10, Covenant Living of Keene

Dear Mari,

SVE Associates, on behalf of Covenant Living of Keene is requesting a time extension to the conditional site plan approval SPR-11-16, Modification #10 due to the fact that the revocable license and maintenance agreement from the City of Keene has not yet been obtained and the conditional approval expires April 23, 2023, a day before the next Planning Board meeting. We anticipate obtaining the revocable license and maintenance agreement within a month. All other conditions of approval appear to have been met.

Sincerely,
SVE Associates

Liza Sargent

Liza Sargent, PE

STAFF REPORT

S-02-23 – BOUNDARY LINE ADJUSTMENT –190 AND 196 SOUTH LINCOLN ST

Request:

Applicant Hans Porschitz, on behalf of owners Jennifer Whitehead and Aaron Cooper, proposes to adjust the property line between 190 and 196 South Lincoln St. The adjustment would result in the transfer of 261 sf from 190 to 196 S. Lincoln St. The properties are .11 ac (TMP 587-001-000) and .13 ac (TMP 572-004-000) and are located in the Medium Density District.

Background:



Figure 1. Aerial image of the properties located at 190 South Lincoln St and 196 South Lincoln St.

The subject parcels are located on the east side of Keene, directly north of the intersection of South Lincoln St and Water St. The property at 190 South Lincoln St. (TMP# 572-004-000) is 5,685 sf / 0.11 acres, and the 196 South Lincoln St. property (TMP# 587-001-000) is 4,739 sf / 0.13 acres. Both parcels are developed and contain existing single-family dwellings and accessory structures, including a shed on the 196 South Lincoln St. parcel and a detached garage on the 190 South Lincoln St. parcel. Both parcels are located in the Medium Density District, which has a minimum lot size of 8,000 sf.

The request is to perform a boundary line adjustment that will transfer 216 sf of land from 190 South Lincoln St to 196 South Lincoln St. This lot line adjustment will increase the size of the parcel at 196 South Lincoln St to 5,000 sf and decrease the size of the parcel at 190 South Lincoln St to 5,424 sf. Table 1 below shows the size of each lot before and after the BLA. The purpose of this adjustment is to recognize the current location of the garden tended by the occupants of 196 South Lincoln St. As the boundary lines exist now, much of the garden is located on 190 South Lincoln St parcel. There is no new development proposed as part of this application.

On March 6, 2023, the Applicant was granted a variance by the Zoning Board of Adjustment to permit a lot size of 5,424 sf (190 South Lincoln St) and 5,000 sf (196 South Lincoln St) where a minimum lot size of 8,000 sf is required.

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,*” staff recommend that the Board make the inspection of the set monuments by the Public Works Director or their designee a precedent condition of approval for this application.

Completeness:

The Applicant has requested exemptions from submitting a drainage report, traffic analysis, soil analysis, all other technical reports. 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.”

STAFF REPORT

Table 1. Area of Land Affected by Proposed Boundary Line Adjustment

	190 South Lincoln St. (TMP# 572-004-000)	196 South Lincoln St. (TMP# 587-001-000)
Prior to Adjustment	5,685 sf	4,739 sf
Amount of Land Transferred	-261 sf	+261 sf
After Adjustment	5,424 sf	5,000 sf

Departmental Comments:

There were no comments from other departments within the City of Keene.

Application Analysis:

No new development is proposed as part of this application and this change will largely recognize an existing condition. There will be no change to site access, utilities, or impervious cover for either property. In addition, there are no surface waters, wetlands, steep slopes, or floodplain areas located on either property. Given the *de minimis* nature of this proposal, staff does not feel this proposed boundary line adjustment will have any impact on the Subdivision Review Standards in Article 19 or the Site Development Standards in Article 20 of the Land Development Code. However, the proposal does comport with the Purpose in Article 20.1.2 including:

20.1.2.1.1 – Promote the safe and orderly development of the City.

20.1.2.1.5 – Protect abutters against hazards, unsightliness, and nuisances detrimental to property values.

Recommended Motion:

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

“Approve S-02-23 for a boundary line adjustment between the properties located at 190 South Lincoln St. (TMP# 572-004-000) and 196 South Lincoln St. (TMP# 587-001-000) as shown on the plan identified as “Boundary Line Adjustment Plat of Map-587 Lot-1 & Map 572 Lot-4 196 South Lincoln St and 190 South Lincoln St Keene, New Hampshire” prepared by Graz Engineering at a scale of 1” = 15 feet on November 2, 2022 and last revised on April 7, 2023, with the following conditions precedent prior to final approval and signature of the plans by the Planning Board Chair:

- 1. Submittal of four (4) full-sized paper copies, two (2) mylar copies, and a digital copy of the final plan.**
- 2. Owners’ signatures appear on the plan.**
- 3. 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.**
- 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.”**



City of Keene, NH Planning Board Boundary Line Adjustment (BLA) Application

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

SECTION 1: PROJECT INFORMATION

PROJECT NAME: 190/196 S.Lincoln street BLA	NUMBER OF PARCELS AFFECTED: TWO (2)
PROJECT ADDRESS(ES): 190&196 S.Lincoln street	

SECTION 2: CONTACT INFORMATION

PROPERTY OWNER #1	PROPERTY OWNER #2
NAME/COMPANY: Jennifer Whitehead	NAME/COMPANY: Aaron Cooper
MAILING ADDRESS: 196 S.Lincoln Street	MAILING ADDRESS: 190 S.Lincoln Street
PHONE: 603-620-3662	PHONE: 603-209-4447
EMAIL: jenjwhitehead@gmail.com	EMAIL: 3ribis@gmail.com
SIGNATURE: <small>DocuSigned by:</small> <i>Jennifer Whitehead</i>	SIGNATURE: <small>DocuSigned by:</small> <i>Aaron Cooper</i>
PRINTED NAME: Jen Whitehead	PRINTED NAME: Aaron Cooper

APPLICANT / AUTHORIZED AGENT	FOR OFFICE USE ONLY:	
NAME/COMPANY: Hans Porschitz	TAX MAP PARCEL #(s): 572.004000.000.000-0.13acres	
MAILING ADDRESS: 196 S.Lincoln Street	577.001.000.000.000-0.11acres	
PHONE: 603-892-1543	-----	
EMAIL: hansporschitz@gmail.com	PARCEL SIZE: sec above	DATE STAMP: By _____
SIGNATURE: <small>DocuSigned by:</small> <i>Hans Porschitz</i>	ZONING: Medium Density	
PRINTED NAME: Hans Porschitz	PROJECT #: S-02-23	

To:

The Planning Board of the City of Keene

Application for Boundary Line Adjustment (BLA) between the properties **190 South Lincoln Street and 196 South Lincoln Street** in Keene, NH.

Project Narrative:

The application for a BLA is for property line between the following 2 properties:

190 South Lincoln Street, TMP 572-004-000-000-000
owned by Aaron Cooper, residing at same location,

and

196 South Lincoln Street, TMP 587-001-000-000-000
owned by Jen Whitehead, residing at same location

The proposed lot line adjustment between the 2 above listed properties is requested, in order better reflect the actual current use of the properties as well as to ensure the property owner of 196 South Lincoln Street has the ability to maintain maximum permeable yard space to allow proper storm water drainage control and prevent it from getting into the basement of the home. Please see site plan and photo exhibit for reference.

The yard space between the 2 properties has been and is currently used as back/side yard of the residents at 196 South Lincoln Street using the area as a yard garden space with a seating area. Upon discovery by Jen Whitehead last fall that a portion of this yard space she has been using over the past 10+ years is part of the adjacent property lot at 190 South Lincoln Street, she brought it up with her neighbor Aaron and he was also not aware that this was the case. Since the part of the area in question had been used as described above it was mutually agreed that a BLA makes sense, and to apply for such.

With the help of a contracted site engineer, Graz Engineering, a site survey was conducted and site plans prepared.

Both properties are in the Medium Density District per the LDC 3.5 and are below the required Lot size of 8000sft. Per the proposed BLA:

The lot size for **190 South Lincoln Street** will change **from 5,685 S.F. (E) to 5,424 S.F. (P)**

The lot size for **196 South Lincoln Street** will change **from 4,739 S.F. (E) to 5,000 S.F. (P)**

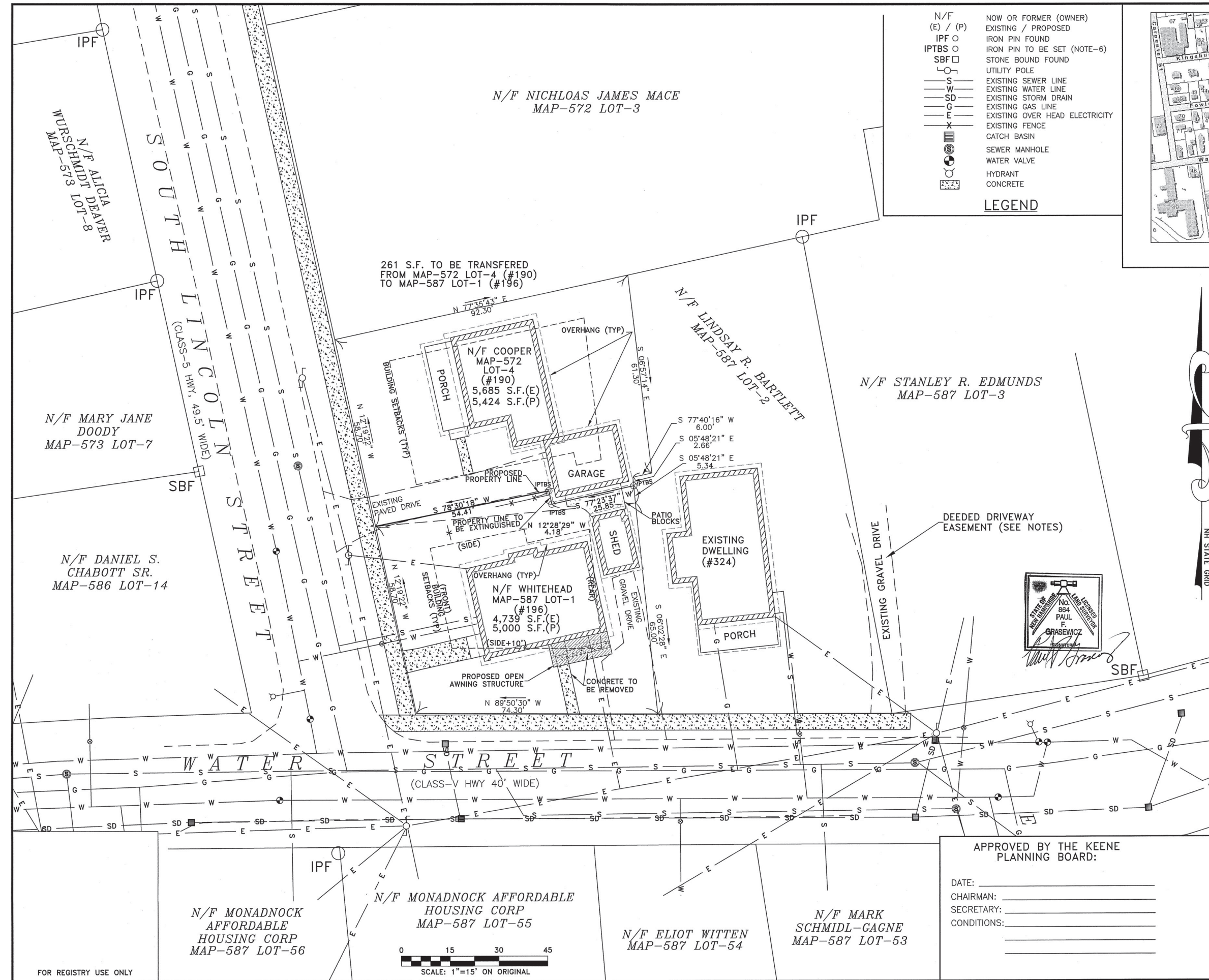
No physical change of landscape or structures on either property is part of, or intended with this BLA, neither is the change of use for either property. The respective access locations and road frontage for each property will remain unchanged.

A project photo exhibit provides context to the above narrative and outline.

Per input by city staff during the preparation of the application it was pointed out that 3 variances were necessary as prerequisite of such BLA in order to stay compliant with the rules set in the recently adopted LDC. During the Zoning board meeting on 3/6/2023, all 3 variances were approved and a copy of the decision is attached to this application.

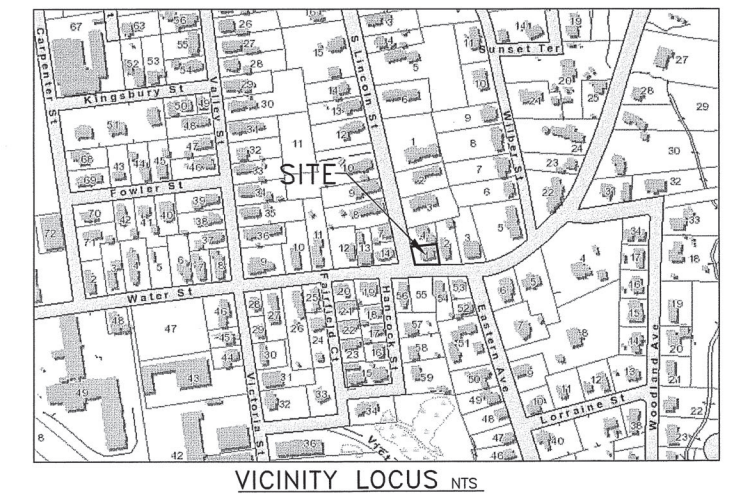
Besides the approved variances, and in consideration that no changes to the use, landscape or structures are considered, the applicants are not aware of any items of non-compliance or deviation of the standards stipulated in Articles 19 and 20 of the LDC.

In consideration of the narrative above and the provided additional Exhibits the property owners and applicant kindly request your approval of this BLA. Thank you.



LEGEND

N/F	NOW OR FORMER (OWNER)
(E) / (P)	EXISTING / PROPOSED
IPF ○	IRON PIN FOUND
IPFBS ○	IRON PIN TO BE SET (NOTE-6)
SBF □	STONE BOUND FOUND
○	UTILITY POLE
—S—	EXISTING SEWER LINE
—W—	EXISTING WATER LINE
—SD—	EXISTING STORM DRAIN
—G—	EXISTING GAS LINE
—E—	EXISTING OVER HEAD ELECTRICITY
—X—	EXISTING FENCE
■	CATCH BASIN
⊙	SEWER MANHOLE
⊖	WATER VALVE
⊕	HYDRANT
■	CONCRETE



- REFERENCE PLANS & DEEDS**
- CCRD BOOK-2793 PAGE-927 (MAP-587 LOT-1)
 - CCRD BOOK-2186 PAGE-93 (MAP-587 LOT-2)
 - CCRD BOOK-3095 PAGE-1061 (MAP-572 LOT-4)
 - CCRD BOOK-2676 PAGE-879 (MAP-587 LOT-3)
 - CCRD BOOK-414 PAGE-502 (DRIVEWAY EASEMENT)
 - EXISTING CONDITIONS PLAN FOR WATER STREET BY SVE ASSOCIATES FOR KEENE PUBLIC WORKS JOB #K2540 DATED JANUARY 6, 2017
- NOTES**
1. THE PURPOSE OF THIS PLAN IS TO ADJUST THE BOUNDARIES BETWEEN MAP-587 LOT-1 AND MAP-572 LOT-4.
 2. ZONING REQUIREMENTS FOR MEDIUM DENSITY DISTRICT:
AREA: 8,000 S.F. MINIMUM
FRONTAGE: 50' MINIMUM
FRONT/REAR SETBACK: 15' MIN.
SIDE SETBACK: 10' MIN. (+10' FOR CORNER LOT SIDE LOT LINES)
MAXIMUM BUILDING COVERAGE: 45%
MAXIMUM IMPERVIOUS COVERAGE: 60%
 3. FIELD SURVEY PERFORMED BY GRAZ ENGINEERING W/ ROBOTIC TOTAL STATION.
 4. NO DETERMINATION OF PROPERTY TITLE IS MADE OR IMPLIED HEREIN.
 5. LOCATION OF UTILITIES IS COMPILED FROM THE UNRECORDED PLAN BY SVE ASSOCIATES (SEE ABOVE)
 6. "IPFBS" CONSISTS OF 5/8" DIAMETER STEEL REINFORCING BARS TO BE SET WITH PLASTIC CAPS MARKED "GRAZ ENG. LLS 864".
 7. BEARINGS AND DISTANCES COMPILED FROM DEEDS AND/OR PLANS RECORDED WITH THE CHESHIRE COUNTY REGISTRY OF DEEDS.
 8. NOT LOCATED IN FLOOD HAZARD AREA.
SEE FEMA FIRM MAP #33005C0267E
 9. THIS BOUNDARY LINE ADJUSTMENT IS SUBJECT TO ZBA 23-05, APPROVED ON MARCH 6, 2023.
 10. SUBJECT LOTS OWNERS AND LOT INFORMATION

MAP-587 LOT-1:	MAP-572 LOT-4:
N/F JENNIFER J. WHITEHEAD	N/F AARON F. COOPER
LOT SIZE: 4,739 S.F. (E)	LOT SIZE: 5,685 S.F. (E)
LOT SIZE: 5,000 S.F. (P)	LOT SIZE: 5,424 S.F. (P)
BUILDING COVER: 27.5% (E)	BUILDING COVER: 26.4% S.F. (E)
BUILDING COVER: 26.1% (P)	BUILDING COVER: 27.7% S.F. (P)
IMPERVIOUS AREA: 44.0% (E)	IMPERVIOUS AREA: 38.8% (E)
IMPERVIOUS AREA: 43.2% (P)	IMPERVIOUS AREA: 39.5% (P)



REVISED: 4/5/2023 Per City of Keene Community Development Comments

BOUNDARY LINE ADJUSTMENT PLAT
OF
MAP-587 LOT-1 & MAP-572 LOT-4
196 S. LINCOLN STREET & 190 S. LINCOLN STREET
KEENE, NEW HAMPSHIRE

OWNERS:
JENNIFER J. WHITEHEAD
196 SOUTH LINCOLN STREET; KEENE, NH 03431
AND
AARON F. COOPER
190 SOUTH LINCOLN STREET; KEENE, NH 03430

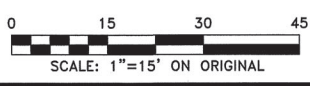
NOVEMBER 2, 2022

GRAZ Engineering, LLC
323 WEST LAKE ROAD; FITZMILLIAM, NH 03447; (603) 585-6959

APPROVED BY THE KEENE PLANNING BOARD:

DATE: _____
CHAIRMAN: _____
SECRETARY: _____
CONDITIONS: _____

FOR REGISTRY USE ONLY





City of Keene

New Hampshire

NOTICE OF DECISION

ZONING BOARD OF ADJUSTMENT

CASE NUMBER: ZBA 23-05
Property Address: 190 South Lincoln St.
Zone: Medium Density District
Owner: Aaron Cooper
Petitioner: Jennifer Whitehead and Hans Porschitz
Date of Decision: March 6, 2023

Notification of Decision:

Petitioner, Jennifer Whitehead and Hans Porschitz requested a Variance for property located at 190 South Lincoln St., Tax Map #572-004-000-000-000, is in the Medium Density District, and owned by Aaron Cooper. The Petitioner requested to permit a smaller lot size than prescribed, a smaller side setback than prescribed and a less than 3 foot distance of a drive way to the property line, per Chapter 100, Articles 3.6.5, 1.3.3.A.3 and 9.3.2.2 of the Zoning Regulations. This request was approved 5-0 according to the Variance Findings of Fact listed below and as further specified in the minutes of the meeting.

Criteria 1: It's in the public interest to encourage this type of good neighbor relationship, 5-0.

Criteria 2: There is no public impact as the properties are currently being used as proposed, 5-0

Criteria 3: There is a significant harm to the Applicants, more so than harm to the public, 5-0.

Criteria 4: There will be zero effect to the surrounding property values, and the current configuration of the two properties is unique with the use having no impact to the surrounding area, 5-0.

Criteria 5: This proposal provides an opportunity for corrective drainage measures, improving area and that the request is eminently reasonable, 5-0

Condition: None

NOTE: Contact the Community Development Department and the Fire Prevention Officer for any applicable permits that may be needed.


Corinne Marcou, Clerk

Any person directly affected has a right to appeal this Decision. The necessary first step, before any appeal may be taken to the courts, is to apply to the Board of Adjustment for a rehearing. The Motion for Rehearing must be filed not later than 30 days after the first date following the referenced Date of Decision. The Motion must fully set forth every ground upon which it is claimed that the decision is unlawful or unreasonable. See New Hampshire RSA Chapter 677, *et seq.*

cc: Planning Technician
City Attorney
City Appraiser
File Copy

City of Keene • 3 Washington Street • Keene, NH • 03431-3191 • www.keeneh.gov

Working Toward a Sustainable Community