

City of Keene
New Hampshire

PLANNING BOARD
MEETING MINUTES

Monday, April 24, 2023

6:30 PM

**Council Chambers,
City Hall**

Members Present:

David Orgaz, Vice Chair
Mayor George S. Hansel
Roberta Mastrogiovanni
Armando Rangel
Harold Farrington
Ryan Clancy
Randyn Markelon, Alternate

Staff Present:

Jesse Rounds, Community Development
Director
Mari Brunner, Senior Planner

Members Not Present:

Gail Somers, Alternate
Tammy Adams, Alternate
Kenneth Kost, Alternate
Councilor Michael Remy
Emily Lavigne-Bernier

I) Call to Order – Roll Call

Vice Chair Orgaz called the meeting to order at 6:30 PM and a roll call was taken. Randyn Markelon was invited to join the session tonight.

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

A motion was made by Mayor George Hansel to nominate David Orgaz as Chair of the Board. The nomination was seconded by Armando Rangel

Harold Farrington nominated himself as Chair of the Board. The nomination was seconded by Mayor Hansel.

David Orgaz declined his nomination for Chair.

The motion to nominate Harold Farrington as Chair carried on a unanimous vote. A motion was made by Mayor George Hansel to nominate David Orgaz as Vice-Chair of the Board. The nomination was seconded by Ryan Clancy and was unanimously approved.

A motion was made by Mayor George Hansel to nominate Roberta Mastrogiovanni as the third member of the Steering Committee. The motion was seconded by David Orgaz and was unanimously approved.

Chair Farrington thanked his fellow Board members for the confidence placed in him, in nominating him Chair of the Board. He acknowledged staff for their work and indicated he would lean on them for their guidance and also acknowledged Chair Russell-Slack's service on the Board.

III) Minutes of Previous Meeting – March 27, 2023

A motion was made by Mayor George Hansel to approve the March 27, 2023 meeting minutes as presented. The motion was seconded by David Orgaz and was unanimously approved.

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.**

Ms. Brunner addressed the Board and stated that the Applicant for this project was not present today and referred to their extension request letter on Page 9 of the Board's packet. She indicated that this is their first extension request to extend the timeframe for them to meet their precedent conditions of approval, which will need to be met before the Board can issue a final approval for this application. Ms. Brunner went on to say that after the Applicant received conditional approval, he heard about the Invest NH funding and he is also looking to participate in the Low Income Housing Tax Credit program. Part of this proposal is to provide affordable housing and he needs time to work through these details.

A motion was made by Mayor George Hansel to grant a 180-day extension to meet the conditions of approval for S-04-22 and SPR-04-22. The motion was seconded by David Orgaz and was unanimously approved.

- 2. SPR-11-16, and 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.**

Mr. Greg Burdett, Executive Director of Covenant Living, addressed the Board and stated that they are working with Staff on satisfying conditions of approval #3-4 related to the installation of pedestrian infrastructure on the Covenant Living site, which is taking longer than expected, and this is the reason for the extension request.

A motion was made by Mayor George Hansel to grant a 180-day extension for SPR-11-16, Modification #10. The motion was seconded by David Orgaz and was unanimously approved.

V) Final Vote on Conditional Approvals

Chair Farrington asked staff whether there were any applications tonight that are ready for a final vote. Ms. Brunner stated that there is one application that is ready for a final vote – subdivision application, S-08-22, for a two-lot subdivision of the property located at 284– 88 Hurricane Road. Ms. Brunner explained that the Board conditionally approved this application in August 2022 and there were four conditions of approval, all of which have been met. These conditions included having the owners sign the final plan, the submittal of four full-sized paper copies and two mylar copies of the final plan, and the submittal of a check in the amount of \$51 to cover the cost of recording the final plan at the Registry of Deeds, the submittal of a revised plan showing the location of all rights-of-way, and an affidavit signed by the right-of-way holders and property owners to be recorded with the final subdivision plot at the Cheshire County Registry of Deeds.

A motion was made by Mayor George Hansel that the Planning Board issue final approval for S-08-22. The motion was seconded by David Orgaz and carried on a unanimous vote.

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.**

A. Board Determination of Completeness

Jesse Rounds, the Community Development Director, stated that the Applicant has requested exemptions from submitting a drainage report, traffic analysis, soil analysis, and 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.”

A motion was made by Mayor George Hansel to accept the BLA application, S-02-23, as “complete.” The motion was seconded by David Orgaz and was unanimously approved.

B. Public Hearing

Mr. Hans Porschitz, the project applicant, addressed the Board. Mr. Porschitz stated that he was addressing the Board on behalf of Jennifer Whitehead, the owner of the property at 196 South Lincoln Street, and Aaron Cooper, the former owner of the property at 190 South Lincoln Street. The new owners of 190 South Lincoln Street are Emily Lavigne-Bernier and Casey Bernier. Mr. Porschitz stated that the request is to adjust the lot line between the two parcels to reflect the actual use of the two properties. He indicated that this mis-alignment was discovered last summer when they were doing some work on their property.

Staff comments were next.

Mr. Rounds addressed the Board and stated that this is a simple request. It is a request to transfer 261 sf of land by moving the side lot line that separates these two properties. At the Zoning Board of Adjustment meeting on March 6th, 2023, Mr. Porschitz requested a variance on behalf of the property owners to permit a smaller lot size than is allowed in the Medium Density District. In addition, there were two other variances requested at that time - one was to allow the garage on the property to be within the setback and the second variance was to allow a driveway to be within three feet of the property line. All three variances were approved.

Mr. Rounds noted that as mentioned by Mr. Porschitz, there is garden that currently crosses the property line and this lot line adjustment would resolve this issue.

Mr. Rounds stated that from staff's perspective, there were no concerns about this proposal. He also noted that staff felt that this change would promote safe and orderly development of the City and protect abutters from hazards, unsightliness, nuisances, and detriments to property values.

Mr. Clancy asked who the current owner of the property at 190 South Lincoln Street was. Mr. Rounds stated that it is Emily Lavigne-Bernier and her partner. Mr. Clancy clarified that having Aaron Cooper listed as the property owner on the application would not be an issue. Mr. Rounds answered in the negative.

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

C. Board Discussion and Action

A motion was made by Mayor George Hansel that the Planning Board 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.

4. 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.
5. 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.”

The motion was seconded by David Orgaz and was unanimously approved.

VII. Staff Updates

Ms. Brunner stated that there are a few Certificates of Adoption for Board members to sign to certify that the Board adopted amendments to its Regulations. The first one is for the amendments to the subdivision regulations that the Board adopted in February. The second is for the changes to the Conservation Residential Development subdivision regulations.

Ms. Brunner went on to say that there will be a meeting regarding the Community Power Program on April 25th at 6:00 pm at Heberton Hall. On May 2nd at 6:00 pm, there will be another in-person meeting with a Zoom option.

VIII. New Business

None

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

There being no further business, Chair Farrington adjourned the meeting at 7:00 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Reviewed and edited by,
Megan Fortson, Planning Technician