



City of Keene Planning Board

AGENDA

Monday, September 25, 2023 6:30 PM City Hall, 2nd Floor Council Chambers

- I. **Call to Order** – Roll Call
- II. **Minutes of Previous Meeting** – July 24, 2023
- III. **Extension Request**
 1. **SPR-02-23 & SWP-CUP-01-23 – Site Plan & Surface Water Conditional Use Permit – Contractor Bays, 0 Black Brook Rd** – Applicant Patriot Holdings LLC, on behalf of owner New England Interconnect Systems Inc., requests an extension to the deadline to satisfy the precedent conditions of approval for the Site Plan & Surface Water CUP applications, SPR-02-23 & SWP-CUP-01-23, for the proposed construction of two buildings ~36,000 sf and ~25,200 sf in size for use as rental units for contractors and associated site modifications on the properties at 0 Black Brook Rd (TMP #s 221-023-000 & 221-024-000). The combined parcels are 12.57 ac and are located in the Corporate Park District.
- IV. **Final Vote on Conditional Approvals**
- V. **Boundary Line Adjustment**
 1. **S-07-23 – Boundary Line Adjustment:** Applicant BCM Environmental & Land Law PLLC, on behalf of owners Tilden Properties, LLC & the James A. Putnam Trust, proposes a Boundary Line Adjustment between the properties located at 168 & 180 Court St (TMP #s 554-010-000 & 554-011-000). Both properties are in the Medium Density District.
- VI. **Public Hearings**
 1. **S-06-23 – Subdivision:** Applicant Brickstone Land Use Consultants LLC, on behalf of owner Carlisle Park Avenue LLC, proposes to subdivide the existing ~5.66 ac lot at 800 Park Ave (TMP #227-002-000) into two lots that are ~2.64 ac and ~3.02 ac. The parcel is located in the Commerce District.
 2. **S-08-23 – Subdivision & SPR-04-13, Mod. 1 – Site Plan:** Applicant and Owner Markem Corporation proposes to subdivide 150 Congress St (TMP #598-002-000) into two lots and remove pavement and portions of an existing tunnel structure. A waiver from Sec.

20.7.3.C of the Land Development Code has been requested. The parcel is located in the Industrial Park District.

VII. **Advice & Comment**

1. **Aroma Joe's Site Modifications – 348 West St** – Applicant Brickstone Land Use Consultants, on behalf of owner West Street AJ's LLC, is seeking input from the Planning Board regarding proposed modifications to the existing queuing layout on the Aroma Joe's property at 348 West St (TMP #577-025-000). The parcel is 0.23 ac and is located in the Commerce District.

VIII. **Nomination of City Representative to SWRPC Commissioners**

IX. **Staff Updates**

X. **New Business**

- a. Request for Planning Board Comments on Route 101 Improvements Project

XI. **Upcoming Dates of Interest**

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

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

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

8 **Monday, July 24, 2023**

6:30 PM

**Council Chambers,
City Hall**

Members Present:

Harold Farrington, Chair
David Orgaz, Vice Chair
Mayor George S. Hansel
Councilor Michael Remy
Emily Lavigne-Bernier
Roberta Mastrogiovanni
Armando Rangel
Ryan Clancy
Randyn Markelon
Kenneth Kost, Alternate

Staff Present:

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

Members Not Present:

Gail Somers, Alternate
Tammy Adams, Alternate

9 **I) Call to Order**

10 Chair Farrington called the meeting to order at 6:30 PM and a roll call was taken.
11

12 **II) Minutes of Previous Meeting – June 26, 2023**

13 A motion was made by Mayor George Hansel to approve the June 26, 2023 meeting minutes. The
14 motion was seconded by Councilor Remy and was unanimously approved.
15

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

17 Chair Farrington stated as a matter of practice, the Board will now issue a final vote on all
18 conditionally approved plans after all of the “conditions precedent” have been met. This final vote
19 will be the final approval and will start the 30-day appeal clock. He asked if there were any
20 applications tonight that are ready for a final vote.
21

22 Ms. Brunner stated there is one application ready for final vote: SPR-01-23, which is a site plan
23 application for a car wash facility on the properties at 364 West Street and 12 Pearl Street. She
24 stated that there were three conditions precedent that were set for this application.

25 The first was the submittal of a security for sedimentation and erosion control and as-built plans
26 in a form and amount acceptable to the City Engineer.

27 The second condition was the addition of a note on the plan stating that the hours of operation for
28 the vacuums on the site shall be from 7:00 AM To 8:00 PM.

29 The third condition was submittal of five full-sized paper copies signed by the owner and one
30 digital copy of the final plan.

31 Ms. Brunner stated all three conditions precedent have been met.

32 A motion was made by Mayor George Hansel that the Planning Board issue final site plan approval
33 for SPR-01-23. The motion was seconded by David Orgaz and was unanimously approved.

34 **IV) Extension Requests**

35

36 **1. SPR-790, Modification #1 – Site Plan – 7 Krif Ct – Applicant Keach-Nordstrom**
37 **Associates Inc., on behalf of owner Summit Packaging Systems LLC, requests an**
38 **extension to the deadline to satisfy the precedent conditions of approval for the site**
39 **plan, SPR-790 Modification #1, for the proposed construction of an ~6,400 sf addition**
40 **to the existing building and associated site modifications on the property at 7 Krif Ct**
41 **(TMP #118-002-000). The parcel is 1.98 ac and is located in the Industrial District.**

42

43 Ms. Bridget Sousa of Keach-Nordstrom Associates Inc., on behalf of owner Summit Packaging
44 Systems, stated the applicant submitted a request for extension to meet the conditions of approval
45 issued on January 23, 2023. She indicated that, unfortunately, the initial project estimate costs were
46 much lower than what was actually bid. For the time being, Summit Packaging has decided to put
47 the project on hold for budgetary reasons. Hence, they would like to request this extension. Ms.
48 Sousa noted that the applicant has moved forward with the architectural plans and MEP plans.
49 When the project is ready to move forward, they will need to submit a Floodplain Development
50 Permit application.

51

52 A motion was made by Mayor George Hansel to approve the request for a 180-day extension to
53 the deadline to satisfy the precedent conditions of approval for the site plan application, SPR-790
54 Modification #1.

55

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

57

58 **V) Public Hearings**

59

60 **1. S-05-23 – 2-lot Subdivision – 86 Nims Rd – Applicant and owner Innisfree Rev.**
61 **Living Trust proposes to subdivide the ~34.44 ac parcel at 86 Nims Rd (TMP #230-**
62 **004-000) into two lots that are ~15.60 ac and ~18.84 ac. The parcel is located in the**
63 **Rural District.**

64

65 **A. Board Determination of Completeness**

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67 Evan Clements, Planner, stated the applicant has requested exemptions from providing separate
68 existing and proposed conditions plans, showing a wetlands delineation on the existing conditions
69 plan, a drainage analysis, a traffic analysis, and a soil analysis. Staff have determined that the

70 requested exemptions would have no bearing on the merits of the application and recommend that
71 the Board accept the application as “complete.”

72
73 A motion was made by Mayor George Hansel to accept the subdivision application, S-05-23, as
74 “complete.” The motion was seconded by David Orgaz and was unanimously approved.
75

76 Mr. Clements clarified that the application was noticed as a subdivision producing two parcels
77 approximately 15.68 acre and 18.84 acres in size; however, after plan revisions were conducted,
78 the new parcel sizes for the final proposal for this application came out as 19 acres and 15.42 acres.
79 Mr. Clements stated this should have no bearing on the legality of the notice; it is just a point of
80 clarification as the Board moves through its review of the application.

81
82 B. Public Hearing

83
84 Wendy Pelletier of Cardinal Surveying addressed the Board. Ms. Pelletier stated this parcel of land
85 is approximately 34.4 acres in size and is located at the end of Nims Road. The rear of the property
86 abuts Otter Brook Dam preserve. The request is for a two-lot subdivision. She explained that there
87 is 50 feet of frontage on the Class V portion of the road and there are no proposal for construction
88 at this time.

89
90 Mayor Hansel asked if this subdivision would create two conforming lots. Ms. Pelletier answered
91 in the affirmative.

92
93 Staff comments were next. Mr. Clements stated the subject property is an existing 34.2-acre parcel
94 located on the east side of Nims Road at the point where the road transitions from a Class V to a
95 Class VI roadway and noted that it has frontage on both. Otter Brook Lake is located directly to
96 the east. There is an existing garage/shed located on the northwestern corner of the property. The
97 property has historically been used for agricultural purposes and was most recently a Christmas
98 tree farm. A flowage easement exists on the property to the benefit of the United States of America
99 for the purposes of supporting the construction, maintenance, and operation of the Otter Brook
100 Dam and Reservoir Project. The easement was dedicated as part of a Mortgage agreement executed
101 in 1958. The subdivision will create a 19-acre parcel with approximately 278’ of frontage on the
102 Class V road. The second lot will be 15.42 acres with 50’ of frontage on the Class V road and
103 approximately 247’ of frontage on the Class VI road. Both lots will have sufficient frontage to
104 meet zoning.

105
106 With reference to Regional Impact: After reviewing the application, staff has made a preliminary
107 evaluation that the proposed subdivision does not appear to have the potential for “regional
108 impact” as defined in RSA 36:55. The Board will need to make a final determination as to whether
109 or not the proposal, if approved, could have the potential for regional impact.

110
111 With respect to specific subdivision regulations for this application, Mr. Clements stated:

112
113 **Character of Land:** There appears to be sufficient land area near the road to support low density
114 residential development. The existing property slopes away from the road with an average slope
115 of approximately 11%. The property contains areas of precautionary and prohibitive slopes starting

116 approximately 500' from the road. The 19- acre lot will have 23% of its total lot area classified as
117 precautionary and 2.72% as prohibitive slopes. The 15.44-acre lot will have 29.5% of its total land
118 area classified as precautionary and 4.26% as prohibitive slopes. It appears that this standard has
119 been met.

120
121 **Preservation of Existing Features:** The applicant states in their narrative that no development is
122 being proposed with this application. The front portion of the lots is characterized by gently sloping
123 fields. Notes on the plan indicate that any future development shall comply with steep slope and
124 surface water regulations. It appears that this standard has been met.

125
126 **Special Flood Hazard Areas:** All parcels associated with this application are outside of the 100-
127 year floodplain. This standard does not apply.

128
129 **Fire Protection and Water Supply:** Note 7 on the plan states that any future building shall have
130 adequate and approved fire protection installed. It appears that this standard has been met.

131
132 **Utilities:** Note 8 on the plan states that private well and sewer systems will be required for any
133 future building. The proposed lots are over 5 acres, so DES subdivision approval is not required.
134 It appears that this standard has been met.

135
136 **Drainage and Stormwater Management:** Note 2 on the plan states that any future development
137 shall not result in increased volume or velocity of runoff onto adjacent properties or surface water
138 bodies. Staff has also added a new subsequent motion which states as follows: *“Prior to the*
139 *issuance of a building permit, for new residential dwellings a grading and drainage plan shall be*
140 *submitted for the proposed development area to the Community Development Department for*
141 *review and approval by the City Engineer.”*

142
143 **Sediment & Erosion Control:** Note 3 on the plan states that any future development shall be
144 designed to prevent erosion and sedimentation during and subsequent to construction. It appears
145 that this standard has been met.

146
147 **Traffic & Access Management:** Note 5 on the plan states that a Street Access permit shall be
148 obtained prior to any construction. It appears that this standard has been met.

149
150 Mr. Clements then reviewed the second subsequent condition of approval that staff is
151 recommending: *“Prior to the issuance of a building permit for a new residential dwelling, a*
152 *wetlands delineation shall be conducted by a licensed NH Soils Scientist and a plan showing the*
153 *delineated wetlands and their buffer shall be submitted to the Community Development*
154 *Department. If the delineation conducted reveals no wetlands in the building area, a letter with*
155 *the licensed NH Soils Scientist’s stamp stating that no wetlands were found shall be submitted*
156 *instead.”*

157
158 Mr. Clements explained that the above-mentioned items, in tandem with the grading and drainage
159 plans, are recommendations staff has come up with as a way to address future development at the
160 subdivision level, in all parts of the City, but particularly in the Rural District, which has a
161 significant amount of steep slopes and surface waters. As a way to bring a little more density into

162 the Rural District by changing minimum lot size from five acres to two acres, Mr. Clements noted
163 that the items he reviewed are items that staff will be encouraging the Board to include as
164 subsequent conditions of approval moving forward to ensure that natural features are protected as
165 the City allows development to expand within the Rural District.

166
167 Mr. Clements then reviewed the other recommended conditions of approval outlined in the staff
168 report.

169
170 Ms. Brunner stated that she wanted to add some context to the subsequent condition of approval
171 just reviewed by Mr. Clements. She indicated that Planning Staff recently met with Code
172 Enforcement & Public Works Staff to discuss some other areas of the City where there have been
173 ongoing issues with previous subdivisions that were approved when no development was
174 proposed. She explained that when development occurred later on, the City started receiving
175 concerns from neighbors about having water runoff going between private properties, but also
176 runoff going onto private properties from the public right-of-way. In some instances, this has
177 caused the City to have to expend unbudgeted funds on infrastructure upgrades and has cost a
178 significant amount of staff time to come up with a solution.

179
180 She explained that City Staff are trying to get ahead of these types of issues by recommending
181 these additional subsequent conditions of approval. Ms. Brunner indicated that the idea with this
182 application is that with lot sizes of 20 acres and 15 acres having the applicant complete a wetlands
183 delineation of the entire parcel would be cost prohibitive. However, at the time when a building is
184 going to be constructed, having the applicant complete a wetlands delineation of the immediate
185 vicinity would be much more financially feasible and this would ensure they are meeting the
186 Planning Board's regulations.

187
188 The same would be true with having the applicant submit a grading and drainage plan at the time
189 of construction to ensure they are not causing runoff and drainage issues onto abutting properties.
190 This would provide Code Enforcement Staff with the opportunity to require the submittal of a
191 grading and drainage plan, which they don't have the ability to request unless the Board makes it
192 a requirement.

193
194 The Mayor noted the proposed language sounds like the City is looking for the entire parcel to be
195 delineated and asked for clarification. Ms. Brunner noted perhaps it would be good to clarify the
196 motion, but explain that staff's intention is only to have the delineation performed in the vicinity
197 of the proposed building – when that determination has been made. Mr. Clements suggested the
198 term “development area” to be included in the motion.

199
200 The Chairman asked for public comment next.

201
202 Ms. Penny Shanks stated she was before the Board to request that she be allowed to purchase 50
203 feet of road frontage on Nims Road, which would allow her daughter and husband to build a small
204 house on their land. She stated that they have owned their property since 1971 and this has always
205 been their home. She noted her husband Jay's many contributions to the Keene community,
206 including many homes that he has designed and built, as well as many other buildings in Keene.
207 She added that her daughter would like to move to Keene to start a bio tech lab.

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With no further public comment, the Chairman closed the public hearing.

Mr. Clements provided clarification about the comments just made by Ms. Shanks. He noted there is a landlocked parcel located to the south of the subject property that only has access via the Class VI portion of Nims Road. He added that while Ms. Shanks' request is motivating, he wanted to clarify that the Planning Board has no authority to sell private property to other private individuals and suggested Ms. Shanks speak to the landowners, if they are looking to buy property on the Class V portion of Nims Road.

The Chairman reopened the public hearing.

Ms. Anne Shanks addressed the Board next and stated she is speaking on behalf of her family. She indicated her sister is trying to discuss different options with the landowner, but did not hear about this application in enough time to address this with the landowner. She indicated that their request is that the Board deny this application at this time, so they have time to negotiate with the landowner to obtain the 50 feet of road frontage the Shanks need to construct a home. She added that in the past, they have tried to get a variance to build a home on their land, but the variance was denied; hence, their reason for trying to purchase the 50 feet of frontage.

Mr. Jacob Westrate, applicant, and property owner, stated that he and his wife, Nancy, purchased this land in 2014. He indicated that in 2015, he was approached by two of his neighbors, Paul Venezia of 75 Nims Road and Steve Hart of 78 Nims Road, who asked about a variance, which Mr. Westrate stated he was not aware of. The request for a variance was from Jean and Julia Garcia and no one knew these individuals were. The Garcias were asking for a variance to build a home on landlocked land to the south that had 247 feet of frontage along the Class VI portion of the road. He added he and his wife should have been noticed as abutters, but were not. In addition, the applicant for this variance did not own the land, which he said was a concern to all abutters.

Mr. Westrate stated that he and his wife came to City Hill when they were made aware of the variance request and met with Gary Schneider, who told them that they were not on the abutter list. He indicated that everyone who lived on Nims Road showed up for the variance hearing on June 1st and noted that there were various reasons raised at the meeting not to approve this request; however, the main reason was that the applicant had applied for a similar variance in 1999, which was approved subject to meeting certain conditions, but those conditions were not met and the Council denied the request. Mr. Westrate stated that they hired Attorney Tom Hanna to represent them, and it was explained to him that under NH Law once a variance granted, it is considered null and void if the conditions are not met and you are not allowed to reapply again. Mr. Westrate added that City Attorney Mullins agreed with Attorney Hanna's assessment.

Since that time, Mr. Westrate stated they have signed two Purchase and Sales Agreements. He added they have completed the necessary surveys and have also complied with all requests from the Planning Department.

The Chairman closed the public hearing again.

254 C. Board Discussion and Action

255

256 A motion was made by Mayor George Hansel that the Planning Board approve S-05-23 as shown
257 on the plan set identified as “2 Lot Subdivision Plan Existing & Proposed Conditions” prepared
258 by Cardinal Surveying & Land Planning at a scale of 1” = 100’ dated June 16, 2023 with the
259 following conditions:

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261 1. Prior to final approval and signature by the Planning Board Chair, the following conditions
262 precedent shall be met:

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264 A. Owner’s signature appears on the plan.

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266 B. Submittal of a revised plan set with the following changes:

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i. The parcel identification number for the new lot be removed from the plan.

268

269 C. Inspection of lot monuments by the Public Works Director or their designee following
270 their installation or the submittal of a security in an amount deemed satisfactory to the
271 Public Works Director to ensure that the monuments will be set.

272

273 D. Submittal of four (4) full sized paper copies, two (2) mylar copies, and a digital copy of
274 the final plan set.

275

276 E. Submittal of a check in the amount of \$51.00 made out to the City of Keene to cover
277 recording fees.

278

279 2. Subsequent to final approval and signature by the Planning Board Chair, the following
280 conditions shall be met:

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282 A. Prior to the issuance of a building permit for a new residential dwelling, a wetlands
283 delineation for the building area shall be conducted by a licensed NH Soils Scientist and a
284 plan showing the delineated wetlands and their buffer shall be submitted to the Community
285 Development Department. If the delineation conducted reveals no wetlands in the building
286 area, a letter with the licensed NH Soils Scientist’s stamp stating that no wetlands were
287 found shall be submitted instead.

288

289 B. Prior to the issuance of a building permit for a new residential dwelling, a grading and
290 drainage plan shall be submitted for the proposed development to the Community
291 Development Department for review and approval by the City Engineer.

292

293 The motion was seconded by Councilor Michael Remy.

294

295 Mayor Hansel stated he does feel for the abutters to the south. However, the Planning Board cannot
296 do much about their situation. He added the Planning Board’s task tonight is to look very
297 objectively at the plan that was submitted and how that plan adheres to the Board’s Development
298 Standards and subdivision regulations. Through that analysis, it appears that all of the requirements
299 for a subdivision have been met. He stated the one argument they could make would have to do

300 with surface waters and wetlands, but the condition of approval that staff is recommending
301 addresses that issue.

302
303 Chair Farrington stated he hopes there would be some solution for the Shanks to work out with
304 whoever purchases these parcels.

305
306 Mr. Clancy encouraged staff to reach out to abutters to help with negotiation.

307
308 Chair Farrington added that he sees no regional impact with this request.

309
310 Ms. Lavigne-Bernier asked whether there was any clarity on the variance as far as a time constraint
311 is concerned. Mr. Clements explained that as Mr. Westrate stated, a variance can only be requested
312 once unless you make substantive changes to the application. At that point, an applicant could
313 come back before the Zoning Board to seek some form of relief. He stated that there are some state
314 RSAs related to obtaining building permits on Class VI roads and there is another body of work
315 related to landlocked parcels. He noted that at some point in the process, the Planning Board does
316 have involvement, but from the state level the Zoning Board does not. However, the City of Keene
317 has done certain things in a way to include the Zoning Board, but at this point it would be up to
318 the landowner to get creative and come up with some sort of alternative.

319
320 The motion made by the Mayor was unanimously approved.

321
322 **2. S-10-22 – 2-lot Subdivision & SWP-CUP-03-23 – Surface Water Protection**
323 **Conditional Use Permit – 0 Old Walpole Rd - Applicant Brickstone Land Use**
324 **Consultants, on behalf of owner Keene Executive Homes LLC, proposes to subdivide**
325 **the ~211 ac parcel at 0 Old Walpole Rd (TMP #211-010-000) into two lots that are ~5**
326 **ac and ~206 ac. A Conditional Use Permit is requested to install a driveway that will**
327 **be partially located within the Surface Water Protection buffer. Waivers are**
328 **requested from Sec. 25.10.5.B.2.b.iii & Sec. 25.10.5.B.2.c.ii of the Land Development**
329 **Code regarding the requirement that updated plans showing the metes and bounds**
330 **of the revised parcels be submitted. The parcel is located in the Rural District.**

331
332 Councilor Remy noted this application has a connection to C&S Wholesale Grocers, who is his
333 employer, but he indicated that he has not had any involvement with this project.

334
335 A. Board Determination of Completeness

336
337 Mr. Clements stated the Applicant has requested waivers from the two sections of the LDC that
338 the Chairman just noted. He indicated that the notice for this application included those waiver
339 requests. However, it turns out that those requests can be handled as administrative exemptions
340 and a formal waiver was not required. Staff's recommendation for completeness will include those
341 items.

342
343 He went on to say the Applicant has requested exemptions from providing an existing conditions
344 plan that shows the metes and bounds of the entire parent parcel, a drainage report, landscaping
345 plan, lighting plan, elevations, historic evaluation, screening analysis, architectural & visual

346 appearance analysis, and a traffic analysis. Staff have determined that the requested exemptions
347 would have no bearing on the merits of the application and recommend that the Board accept the
348 application as “complete.”
349

350 A motion was made by Mayor George Hansel to accept the subdivision application, S-10-22, as
351 complete. The motion was seconded by David Orgaz and was unanimously approved.
352

353 B. Public Hearing
354

355 Mr. Jim Phippard of Brickstone Land Use Consultants, on behalf of owner Keene Executive
356 Homes, addressed the Board. Mr. Phippard stated this property is located on Old Walpole Road
357 and consists of a 211.6-acre tract. He indicated this proposal is to subdivide off a single 5.1 acre
358 lot a single-family home with the remaining 206 acres left undeveloped. Mr. Phippard referred to
359 the area outlined in blue on the plan, which shows existing wetlands. He explained that the parcel
360 has over 460 feet of frontage on Old Walpole Road. Based on the frontage, lot size, and lot
361 dimensions, the new lot complies with zoning dimensional requirements. The remaining tract of
362 land has over 400 feet of frontage, so both lots will comply with zoning dimensional requirements.

363 Mr. Phippard stated that they are proposing to provide access to this property via a shared
364 driveway, which is actually an existing woods road at this property today.

365 Mr. Phippard stated that staff has requested that the applicant show that the proposed building area
366 is truly accessible and can comply with the City’s driveway standards. He noted that a portion of
367 this property has steep slopes that exceed 20% grade, while other portions are flatter. The building
368 area is at a 6% grade.

369 Test pits were completed, which identified an area that could support a septic system (there is no
370 water or sewer available in this part of the City). There is also a well located within the protective
371 radius of the lot. All in compliance with current regulations.

372 He explained that the proposed driveway design, however, does require a conditional use permit.
373 This is the other application in front of the Board tonight. Mr. Phippard indicated he completed a
374 site visit with the Conservation Commission and they have expressed no concerns with this
375 proposal. He understands their approval as a recommendation to approve the conditional use
376 permit application.

377 Mr. Phippard stated that for a conditional use permit, the applicant has to demonstrate that there
378 are very minor impacts to wetlands and surface waters and has to avoid as much impact as possible.
379 He indicated that everything they are doing is outside of the existing wetlands area and there are
380 no direct wetlands impacts. He noted that they are crossing a portion of the wetlands buffer. Mr.
381 Phippard specified that in the Rural District, the wetlands buffer is 75 feet. The building area shown
382 in green on the plan is entirely outside of the wetlands buffer, so it meets the building setback
383 requirements and is just under 10,000 square feet in size.

384 Mr. Phippard stated the plan before the Board shows a proposed driveway layout that utilizes the
385 existing woods road where it meets Old Walpole Road. If you travel up a little over one hundred
386 feet, turn right, and angle up the hill; that portion of the property is entirely within the wetlands
387 buffer. He noted that the shaded area shown on the plan represents new impacts to the wetlands
388 buffer that are being proposed by the applicant.

389 Mr. Phippard then addressed the slope of the driveway. The first option was just over 600 feet in
390 length at an 8% grade. Mr. Phippard felt 8% is very manageable, even in New Hampshire winters;
391 however, he noted that this driveway layout is quite expensive.

392 The second option was to utilize a portion of the existing woods road, with an “S” design as you
393 head up the hill, which would create a driveway that is about 450 feet long with a grade of 10%,
394 rather than 8%. However, he noted that this design would cross through the wetlands buffer in
395 three different locations.

396 The third option would be a driveway starting at the corner of the property that would be 600 feet
397 long and would remain at a 4% grade for most of that length, but would have an 8% grade at the
398 beginning. Mr. Phippard stated he felt this was the most reasonable and safe approach and noted
399 that it would still be expensive. However, this option has a large area going through the wetlands
400 buffer. As a result, the applicant chose to design the driveway so that it would come from Old
401 Walpole Road, follow the existing Woods Road at a 6% grade, transition to be at 15% grade for
402 the next 130 feet of the driveway, and go back to a 6% grade at the proposed building area. This
403 option has the least impact to the wetlands buffer, which is ~2,000 sf in size. He noted that there
404 would be 3,500 square feet of total work within the wetlands buffer, and added that this driveway
405 option does allow for a turnaround at the top of the driveway, which is required by the Fire
406 Department. It is only a 10-foot-wide driveway, which is in compliance with the Board’s driveway
407 regulations. He noted that while this driveway design meets the Board’s standards, it does require
408 a conditional use permit because a portion of it is within that wetlands buffer.

409 Mr. Phippard stated that he had spoken at length with Russ Huntley, a wetlands scientist, about
410 the functions and values of these impacted wetlands. He noted nothing is being proposed near the
411 wetlands area, so there is really almost no disturbance. The entire building site is outside the
412 wetlands area, so it complies and meets the building setback requirements. The only areas the
413 Board is reviewing for the conditional use permit are the driveway coming off of Old Walpole
414 Road and two other areas where wetlands will be impacted. Mr. Phippard noted these wetlands
415 areas are well-established. He indicated it is not uncommon for a site with steep slopes to have
416 wetlands pockets at the bottom of the hill; this is where the water goes. These areas will remain
417 vegetated and undisturbed by the applicant’s activities. Both sides of the road are well-vegetated.
418 Where the grades exceed 5%, the swale on the side of the road will be stone-lined, which will
419 prevent the swale itself from eroding. The road will also be elevated and crowned, so the water is
420 not running down the road or the driveway. It is also being proposed that this driveway is not
421 paved. A crushed stone surface will be used, which Mr. Phippard thinks will hold up well. He
422 stated he has done many driveways in Keene on Hurricane Road with this same material and they
423 have held up very well, and they are also not as slippery as a paved driveway.

424 Mr. Phippard stated he had looked at the cost of adding three inches of pavement to this road
425 surface and this information was provided to the buyer. At today’s estimates, three inches of
426 pavement over that driveway surface would add up to about 3,500 square feet of area including
427 the turnaround. The cost would be \$13 a square foot with a total cost of \$45,500 for the whole
428 driveway. Mr. Phippard stated that the applicant has no interest in paving at this time. The applicant
429 is aware that every three years the driveway will need to be graded and the crown will need to be
430 reconstructed, as plowing will cause the crown to get flat. Mr. Phippard stated he would like to
431 request the Board not move forward with the recommendation from staff that the driveway be
432 paved.

433 Mr. Phippard stated that the wood road has been around for over 100 years. It is a gravel road and
434 has not been maintained in the recent past. Mr. Phippard noted that the rain during these past few
435 weeks has not had an effect on this driveway, which tells him this road has been constructed well
436 and with proper maintenance it will last even longer. He felt that paving the driveway is
437 unnecessary because of the cost to the owner and the potential for increased runoff. Mr. Phippard
438 stated that gravel surfaces always have less runoff compared to paved surfaces.

439 Mr. Phippard went on to say that staff is recommending a condition of approval related to the
440 submittal of a stormwater management plan at the time the applicant applies for a building print.
441 He felt that it didn't make sense to attempt to do one now because the plan for what is going to be
442 constructed is still unknown. What he is however, recommending, is that they allow for the water
443 that hits the driveway to be directed through a culvert to a level spreader in this area, which is
444 outside of the wetlands buffer.

445 Mr. Phippard explained that the level spreader can be lengthened, if necessary to accommodate a
446 25-year design storm. He went on to explain that the woods road is actually an old farmer's road
447 that was installed by the Barrett Family. In reviewing the recommended conditions of approval for
448 the application, Mr. Phippard felt that condition #2.A related to the submittal of a Stormwater
449 Management plan for the site should include the driveway and level spreader, not just the build
450 area and the septic. This concluded Mr. Phippard's comments.

451 Staff comments were next. Mr. Clements stated that with respect to the Determination of Regional
452 Impact, staff had made a preliminary evaluation that the proposed subdivision does not appear to
453 have the potential for "regional impact" as defined in RSA 36:55. He noted that the Board will
454 need to make a final determination as to whether or not the proposal, if approved, could have the
455 potential for regional impact.

456 He went on to say the subject property is an existing 211.4-acre parcel located at 0 Old Walpole
457 Road. The property is located on the north side of the road between the Hilltop Drive and Abbott
458 Road intersections. The applicant proposes to create a new 5.10-acre residential building lot from
459 the 211-acre parent parcel. The new lot will have 449.19 feet of road frontage on Old Walpole
460 Road and the remaining 206.3-acre lot will have 80.30 feet of frontage on Old Walpole Road.

461 He went on to say there is an intermittent stream and wetlands system located on the property and
462 noted that creating site access for the new lot would require impacts to the wetlands system.

463 **Character of Land for Subdivision:** The proposed residential building lot is characterized by steep
464 slopes and wetlands. Available building areas outside these site constraints are minimal and
465 developing the lot without impacting site features will be challenging. The applicant states in their
466 narrative that the subdivision plan demonstrates that the proposed lot has sufficient developable
467 land to support a single-family dwelling with septic system and wellhead, which is permitted in
468 the wetlands buffer, without impacting these site features.

469 **Scattered or Premature Development:** The applicant states in their narrative that the proposed
470 subdivision is located in an area along Old Walpole Rd that is currently developed with low-
471 density single-family residences. A new single-family residential building lot is in keeping with
472 the existing development pattern and will not contribute to an excessive expenditure of public
473 funds or cause danger or injury to the health and safety of the public. Mr. Clements noted the above
474 two standards appear to be met.

475 **Preservation of Existing Features:** The applicant states in their narrative that no steep slopes are
476 proposed to be impacted. The driveway will encroach within the wetlands buffer but mitigation
477 has been proposed to address this issue. It appears that this standard has been met.

478 **Special Flood Hazard Areas:** All parcels associated with this application are outside of the 100-
479 year floodplain. This standard does not apply.

480 **Fire Protection and Water Supply:** The applicant states in their narrative that the proposed
481 driveway turnaround is of sufficient size to accommodate emergency vehicles. Future
482 development of the site will have to meet all applicable fire and life safety codes. This standard
483 has been met.

484 **Utilities:** The new residential building lot will be served by onsite well and septic. The proposed
485 conditions plan depicts a 4k leech field area outside of the wetlands buffer and the 75' wellhead
486 protection radius. The lot is over 5 acres in size and will not need DES subdivision approval. It
487 appears that this standard has been met.

488 **Drainage and Stormwater Management and Driveway:** Mr. Clements stated what has been
489 presented is an example how to develop the property for residential use with the least amount of
490 impact to the wetlands buffer and system. He added that the driveway is not shown on the
491 subdivision plat and the recorded plat won't show the driveway on it. This means that a site access
492 permit will be required from the Public Works Department, which will take into account
493 everything Mr. Phippard proposed. In addition, the stormwater management plan that is also being
494 required will need to be reviewed and approved by the City Engineer

495 With reference to reviewing the Conditional Use Permit, Mr. Clements stated the Planning Board
496 shall issue a Surface Water Protection Conditional Use Permit for the activities described in
497 Section 11.6.1 of the Land Development Code, if it finds that all of the following criteria have
498 been met:

499 *1. The proposed use and/or activity cannot be located in a manner to avoid encroachment*
500 *into the Surface Water Protection Overlay District.*

501 *2. Encroachment into the buffer area has been minimized to the maximum extent possible,*
502 *including reasonable modification of the scale or design of the proposed use.*

503 *3. The nature, design, siting, and scale of the proposed use and the characteristics of the*
504 *site, including but not limited to topography, soils, vegetation, and habitat, are such that*
505 *when taken as a whole, will avoid the potential for adverse impacts to the surface water*
506 *resource.*

507 *4. The surface water buffer area shall be left in a natural state to the maximum extent*
508 *possible. The Planning Board may establish conditions of approval regarding the*
509 *preservation of the buffer, including the extent to which trees, saplings and ground cover*
510 *shall be preserved.*

511 Mr. Clements stated that the Board is not sure where the house is going to be located, even though
512 Mr. Phippard has shown the best-case scenario on the plan where there is plenty of buffer area. He
513 added that the Board's regulations don't prohibit removing vegetation from the wetlands buffer
514 area to create a lawn, for example. However, he noted that the Board can always add additional
515 conditions, if they wanted to preserve those areas.

516 Mr. Clements then outlined the proposed conditions of approval. He indicated that he agrees with
517 Mr. Phippard's suggestion to be very specific that the stormwater management plan includes the
518 building site, driveway, and associated infrastructure.

519 He explained that the City Attorney would like to have copies of the executed maintenance
520 agreement, which would be completed in tandem with plat for the maintenance of the shared
521 driveway.

522 Mr. Clements referred to the request for the driveway to be paved and referred to a comment from
523 Engineering Staff: "*An important consideration for preventing water quality degradation will be*
524 *controlling erosion of the driveway itself. With a significant length of the driveway at 15%, use of*
525 *gravel surfacing will inevitably result in erosion of soil into the downstream surface water directly*
526 *in contradiction to the intent of the Surface Water Protection Ordinance.*" The City Engineer
527 recommends that the Planning Board include a condition of approval stating that the driveway be
528 paved.

529 Mr. Clements stated that he understands what Mr. Phippard stated in regards to the proposed
530 property owner having experience with gravel driveways and the maintenance that is required of
531 them. He noted that this condition may not be relevant to the current property owner, but may be
532 relevant to later property owners who may not be used to maintaining a gravel driveway.

533 This concluded staff comments.

534 Councilor Remy stated that conditions of approval #1.B.ii and 2.B and 2.C conflict. He indicated
535 that the City is not asking for a driveway, but they are asking for a driveway. The Councilor added
536 that condition of approval #2.B refers to shared access and maintenance. Ms. Brunner explained
537 this is to show the easement area, not the design of the driveway. She stated that she recommends
538 that the driveway permit be issued by the City Engineer's office and they would review the actual
539 design details. She indicated she believes that the easement is 20 feet wide and covers the entire
540 length of the western property line of the proposed lot. Mr. Clements added this is just a pass and
541 repass easement. He explained that the woods road is on the parent parcel and the only way for the
542 future property owner to have access along the woods road would be to trespass without the
543 existence of this access and maintenance agreement. The maintenance agreement also explains
544 terms for ownership and responsibility to maintain it in the future.

545 Chair Farrington stated he is trying to sort out the conflicting recommendations. The Conservation
546 Commission seems to be fine with a gravel driveway, but Engineering Staff is not. Ms. Brunner
547 stated that she can clarify as she was at the Conservation Commission meeting and site visit. She
548 noted that the Commission did have a good discussion and asked some questions; however, at the
549 end of the discussion, they just moved on to the next agenda item, so they didn't necessarily make
550 a statement in favor or against or make any formal recommendations. Ms. Brunner stated she does
551 not know if this was really a statement of support, but the Commission did not have any specific
552 recommendations for the Planning Board.

553 Mayor Hansel stated that he understands where the City Engineer is coming from because if the
554 gravel driveway erodes, it would negatively affect water quality. He stated that he has maintained
555 gravel driveways and they require much less sand and salt in the winter, and he felt that this was
556 an important consideration. He referred to a steep driveway on Hurricane Road and even with a
557 large amount of salt used on the driveway, it is still unsafe to drive on in the winter. The Mayor

558 stated that from the City’s perspective, maybe the City should look at this and provide some more
559 specific language around what really works, but he is inclined to support the applicant on this
560 issue.

561 Councilor Remy stated he agrees with the Mayor and stated that he grew up living on a very steep
562 gravel driveway. He agreed that there is maintenance that goes into it, but travel is easier. He also
563 added that at the end of the winter, a paved driveway looks similar to a gravel driveway because
564 of how much sand and salt is used on it.

565 The Chair asked for public comment.

566 Mr. Jim Craig of 141 Walpole Road addressed the Board first. Mr. Craig stated he is an abutter to
567 this property and has lived in this area for 40 plus years. He stated that he has no issue with the
568 development of a portion of this property as a future home site. He referred to the logging road
569 located east of the property and noted that a large amount of water had come down that road during
570 these recent storms at a fast pace and passed the culvert, but fortunately there were no washouts.
571 Mr. Craig stated that he likes the idea of a paved driveway as that would prevent the driveway
572 issues that he has had with this gravel driveway. In closing, he stated that he is in support of this
573 development.

574 With no further public comment, the Chairman closed the public hearing.

575 C. Board Discussion and Action

576 Mayor Hansel stated that he was going to read the motion from the staff report without the
577 condition requiring that the driveway be paved. He went on to make a motion that the Planning
578 Board approve S-10-22 & SWP-CUP-03-23 as shown on the plan set identified as “2 Lot
579 Subdivision Keene Executive Homes, LLC” prepared by Cardinal Surveying & Land Planning at
580 a scale of 1” = 50’ dated August 22, 2022 and last revised July 7, 2023 and the plan identified as
581 “Proposed Driveway Old Walpole Road Keene, NH” prepared by Brickstone Land Use
582 Consultants, LLC at a scale of 1” = 20’ dated April 6, 2023 and last revised July 5, 2023 with the
583 following conditions:

584
585 1. Prior to final approval and signature by the Planning Board Chair, the following conditions
586 precedent shall be met:

587
588 A. Owner’s signature appear on the plan.

589
590 B. Submittal of a revised plan set with the following changes:
591 i. The parcel identification number for the new lot be removed from the plan.
592 ii. A note added to the plan stating that a Street Access Permit shall be required for
593 the new lot.
594 iii. The proposed easement area be more clearly defined.

595
596 C. Inspection of lot monuments by the Public Works Director or their designee following
597 their installation or the submittal of a security in an amount deemed satisfactory to the
598 Public Works Director to ensure that the monuments will be set.

599
600 D. Submittal of four (4) full sized paper copies, two (2) mylar copies, and a digital copy of
601 the final plan set.

602
603 E. Submittal of a check in the amount of \$51.00 made out to the City of Keene to cover
604 recording fees.

605
606 2. Subsequent to final approval and signature by the Planning Board Chair, the following
607 conditions shall be met:

608
609 A. Prior to the issuance of a building permit for new residential development, a Stormwater
610 Management Plan for the site, including the driveway, level spreader and culvert designed
611 in accordance with the NH Stormwater Manual and Section 22.3.10 of the Land
612 Development Code, and prepared by a Professional Engineer licensed in New Hampshire,
613 shall be submitted for review and approval by the City Engineer.

614
615 B. Prior to the issuance of a building permit for new residential development, a copy of the
616 recorded Shared Access and Maintenance Warranty Deed shall be submitted to the
617 Community Development Department.

618
619 The motion was seconded by Councilor Remy.

620
621 Chair Farrington stated he did not feel that this subdivision rose to the level of being considered a
622 Development of Regional Impact.

623
624 The motion made by the Mayor carried on a unanimous vote.

625
626 **VI. Master Plan Update Discussion**

627
628 Ms. Brunner addressed the Board and explained that the City has been putting aside money and
629 budgeting for the next Master Plan update. The update has been delayed by a couple of years for
630 various reasons, including COVID.

631
632 Ms. Brunner explained that her presentation tonight has three parts. The first part is a review of
633 the Master Plan, more generally what the Planning Board's role is; the second part is a review of
634 the 2010 Master Plan; and the third part is the proposed timeline and approach for this upcoming
635 update.

636
637 ***What is the Master Plan?*** Ms. Brunner explained that it is a long-range planning document that
638 serves as a guide for city-wide growth and development. It is also a guide for major capital
639 investments. Having a Master Plan is a prerequisite for having a Capital Improvement Program in
640 New Hampshire. It is also the foundation for public policy, zoning, and land use decisions. The
641 State RSA was amended in 2001 to include a more precise overview of what the purpose of the
642 Master Plan is.

643
644 The first purpose of the Master Plan is to set down as clearly and practically as possible, the best
645 and most appropriate future development of the area under the jurisdiction of the Planning Board.
646 In addition to this, the purpose is to aid the Board in designing ordinances that result in preserving
647 and enhancing the unique quality of life and culture of New Hampshire.

648 Another purpose is to guide the board in the performance of its other duties in a manner that
649 achieves the principles of smart growth, sound planning, and wise resource protection. In addition
650 to this, another purpose is to establish statements of land use and development principles and to
651 establish legal standing for the implementation of ordinances and other planning board regulations.
652

653 Ms. Brunner stated this full description is in RSA, 674:2 - subsection 1.
654

655 She went on to explain that there are two mandatory sections of a Master Plan. The first one is the
656 “Vision” section, which previously was the goals and objectives. There are statements to articulate
657 the desires of the citizens, including a set of guiding principles and priorities. The second required
658 section is the “Land Use” section, which looks at existing land uses, land use trends over time, and
659 proposed future land uses and also looks at data to support that, such as studies of population,
660 economic activity, and resources.
661

662 These two sections are mandatory and are a prerequisite for a zoning ordinance. They are also
663 prerequisites for establishing a Historic District and a Capital Improvement Program.
664

665 Mr. Brunner explained that in addition to the two mandatory sections, there are 15 optional
666 sections. She noted that State Statute does recommend that the Master Plan be revised or updated
667 every 5 to 10 years, and note that the City is on year 13.
668

669 As far as how the Master Plan is adopted or amended, the state statute stipulates that this is done
670 by the Planning Board. The Master Plan has to be adopted at a duly-noticed public hearing with a
671 10-day public notice requirement. It can be adopted one section at a time or as an entire document,
672 and then amendments or updates are adopted following the same process.
673

674 Keene seeks City Council's adoption of the Master Plan, in addition to the Planning Board's
675 adoption. Under state law, it is the Planning Board's vote that is the official vote. Once the Master
676 Plan is voted on, it has to be filed with the City Clerk.
677

678 Ms. Brunner next talked about the Master Plan that was adopted in 2010. The last update to the
679 Master Plan kicked off with an award winning community visioning process in 2008. The process
680 to develop the vision involved extensive public outreach. It was award winning because there were
681 over 2,000 individuals who participated through community forums, focus groups, study circles,
682 etc. It was a wide range of input and through that community vision process, the following six
683 key focus areas were identified:
684

- 685 *-Quality built environment*
- 686 *-Unique natural environment*
- 687 *-Vibrant economy*
- 688 *-Strong citizenship*
- 689 *-Proactive leadership*
- 690 *-Creative learning culture and a healthy community.*

691
692 Prior to the 2010 Master Plan, the City of Keene did a rolling update of the plan where chapters
693 were updated every 2 years. This process created issues because some of the chapters would have

694 different levels of detail, were not always in sync with each other, and at times had contradicting
695 statements or goals. With the 2010 plan, the City decided to move away from that method and go
696 with a comprehensive update where the entire plan was updated at once. Within the 21 topic-
697 oriented chapters, there are goals and recommendations.

698
699 In the 2010 Master Plan, the City had an implementation section that outlined eight high-level
700 recommendations. Of those eight, the City has completed five. The first recommendation was to
701 rewrite the City’s land use zoning regulations to proactively achieve the community’s vision for
702 the future – this was completed with the adoption of the Land Development Code in May of 2021
703 and (it went into effect in September of 2021).

704
705 The second recommendation was to continue to manage and improve the community’s
706 transportation network. This involved making improvements to roads, bridges, intersections,
707 walking and bicycling infrastructure and the adoption of the “Complete Streets” policy and design
708 program, which has been completed but will be an ongoing effort by the City into the future. The
709 Complete Streets policy was adopted in 2014 and the design guidelines were adopted in 2015. The
710 City has been making ongoing road, bridge, and bicycle infrastructure and intersection
711 improvements, which have been funded through our Capital Improvement Program.

712
713 The third recommendation was to make the use of the community's parks and trails system easier.
714 The City has actually made quite a bit of progress on this, and this would be another ongoing
715 initiative that the City will continue to work on. The Bicycle Pedestrian Pathways Advisory
716 Committee has been doing a lot of work on this item as well.

717
718 The fourth recommendation was to develop and adapt neighborhood plans. This is one of the three
719 items that was never completed.

720
721 The fifth recommendation was to adopt low impact design standards as part of the subdivision and
722 site plan regulations. This has been completed and has been integrated into the Site Development
723 Standards in the Land Development Code. These standards are what was previously the combined
724 subdivision and site plan regulations.

725
726 The sixth recommendation was to adopt a City Council Resolution to become a champion in the
727 Council for a Healthier Communities Vision 2020 program – this has been completed. Ms. Brunner
728 stated she does not believe this program exists anymore, but the City did complete the program,
729 which later became the Healthy Monadnock Champions Program.

730
731 The seventh recommendation was to continue to monitor, revise, update, and implement Keene’s
732 Climate Change Plan. Ms. Brunner stated that this recommendation was never started because the
733 Climate Action Plan is from 2004 and was never updated. She did note, however, that the City did
734 complete a Greenhouse Gas Inventory in 2018 and it also has an Energy Plan in place, which could
735 be considered a component of the Climate Action Plan.

736
737 The final recommendation was to include an implementation plan within the Master Plan, so there
738 will be a list of all of the recommendations that come out of the plan and their progress can be
739 tracked.

740

741 Chair Farrington asked how many pages were in the 2010 plan. Ms. Brunner stated she thinks it is
742 about 90 pages long, but with the appendices etc. it could be about 200 pages.

743

744 Ms. Brunner then went over what staff is proposing for the next Master Plan update. The first
745 phase would run from July through December and would be the project preparation phase. Staff
746 have already started brainstorming ideas for people who we might want to be included on a project
747 steering committee. The proposed process for creating the steering committee would be to have
748 members nominated by the Planning Board because it is technically the Planning Board that is
749 responsible for writing and adopting the Master Plan. Those members can then be confirmed by
750 the City Council because in Keene there is the dual adoption process. Ms. Brunner noted that Chair
751 Farrington has agreed to serve on this committee and staff will be looking for one or two other
752 members from the Planning Board to serve as well.

753

754 Mayor Hansel asked whether there were other Boards that the Planning Board has nominated in
755 the past. Ms. Brunner said that the only one she could think of was the Southwest Region Planning
756 Commission, but she could not think of another City Committee that has been nominated by the
757 Board. The Mayor stated he has no issue with the Board coming up with a list of potential people
758 to be on the committee, but to keep it consistent with our processes – he would put that through
759 the Mayor's Office to make the nomination for confirmation by the City Council. Ms. Brunner
760 stated she would like to check with the City Attorney as to whether this would be a typical Ad-
761 Hoc Committee that is appointed and confirmed by the Mayor and which only runs for the term of
762 the Mayor – which was one of staff's considerations.

763

764 Mr. Clancy asked whether a steering committee appointed by the Planning Board would be
765 considered a subcommittee of the Planning Board legally. Ms. Brunner stated they would like to
766 avoid this because a subcommittee of the Planning Board could only consist of Planning Board
767 members and for quorum you would only need four Planning Board members maximum.

768

769 For the scope of work of this project, Ms. Brunner explained that the City would want a larger
770 committee with more diverse membership.

771

772 Councilor Remy stated he appreciates keeping the process consistent, but as a Councilor he did
773 not mind where the nomination came from. The Mayor stated that for the Council to vote on it, he
774 as the Mayor has to add it to the agenda. He felt that for future Mayors' sakes this process should
775 be respected.

776

777 Ms. Brunner stated the second item they would like to work on is to select and hire a consultant.
778 She explained that the goal is to have a consultant hired and in place before the end of December.
779 She noted that staff would like to have at least a couple of members of the steering committee on
780 the consultant selection committee. Depending on the budget, the consultant would be helping
781 with the community visioning process and then with the writing and layout of the document in the
782 second year of the project.

783

784 She explained that the first phase of the project would be working on the community vision and
785 the community snapshot – staff is estimating that it will take about nine months for that process.

786
787 Ms. Brunner noted this would be the most intensive public outreach phase, but the community
788 vision will also be built on prior work. During this phase, the community snapshot will also be
789 updated, which provides statistical data and trends showing factors like social demographic data,
790 economic trends, public health indicators, and housing statistics.

791
792 The second phase will start in October 2024 and run through July 2025, which include writing the
793 plan, developing the future land use map, and creating graphics to be included in the plan. The
794 consultant will continue to work with staff and the project committee during this phase.
795 Community engagement will continue, but not as heavily as during the first phase. Depending on
796 the budget, some of this work might end up with staff, which could affect the timeline.

797
798 For the adoption process, staff are planning for a hybrid Planning Board and City Council process.
799 Once the steering committee is ready and feels the plan is ready, they would refer it to the Planning
800 Board. The Planning Board would hold the statutorily required public hearing on the Master Plan,
801 which would be an opportunity for the public to add their comments.

802
803 Before the Planning Board makes a final vote, the recommendation is to refer it to City Council
804 for Council to review and adopt. Following this, the Planning Board would then adopt the plan.
805 Ms. Brunner explained that they are proposing this route because if the Planning Board adopted
806 the Master Plan before City Council, it could become problematic. If the City Council adopts the
807 plan after the Planning Board and then Council decides to make any changes, it would be too late
808 because the plan is already adopted at that point.

809
810 Ms. Lavigne-Bernier asked whether Keene is the only municipality that follows this process. Ms.
811 Brunner stated she wasn't sure if anyone else follows this process, but stated that it is in the
812 Planning Board's Rules of Procedure and dates back to the early 1990's. She again explained that
813 under State Law, it is only the Planning Board that adopts the Master Plan.

814
815 Mayor Hansel clarified that in order for City Council to review this item, it will be sent to a Council
816 Committee for public input and asked staff to give this some thought. Ms. Brunner stated that she
817 couldn't see a reason why the Planning Board public hearing could not be held after the item went
818 to Council. She felt that the Council could also hold a second public hearing.

819
820 Councilor Remy asked whether there is a process in place to be able to hold a joint Planning
821 Board/City Council public hearing. Ms. Brunner stated that this could be another option, but that
822 her concern was the number of attendees (15 City Councilors and 9 Planning Board members).
823 Councilor Remy stated that he likes this option.

824
825 Councilor Remy asked whether a report from the Planning Board to the Council does not
826 necessarily get referred to a committee. It was indicated that it would not be referred to a Council
827 Committee and would fall under a different section of the City Council agenda.

828
829 Mr. Kost asked what would happen if there were a disagreement between the Planning Board and
830 the Council regarding adoption of the Master Plan how that would be adjudicated. Ms. Brunner
831 stated that this is the reason to make the connection between the two bodies as early in the process

832 as possible to make sure that everyone is on the same page. However, ultimately the Planning
833 Board adopts the Master Plan.

834

835 **VII. Staff Updates**

836

837 Ms. Brunner noted that at this point there are no items for the August Planning Board agenda.

838

839 **VIII. New Business**

840

841 None

842

843 **IX. Upcoming Dates of Interest**

844 • Joint Committee of the Planning Board and PLD – August 14th, 6:30 PM

845 • Planning Board Steering Committee – August 15th, 11:00 AM

846 • Planning Board Site Visit – August 23rd, 8:00 AM – To Be Confirmed

847 • Planning Board Meeting – August 28th, 6:30 PM

848

849 There being no further business, Chair Farrington adjourned the meeting at 8:40 PM.

850

851 Respectfully submitted by,

852 Krishni Pahl, Minute Taker

853

854 Reviewed and edited by,

855 Megan Fortson, Planning Technician

Megan Fortson

Black Brook Rd Extension Request

From: jenoonan fieldstonelandconsultants.com <jenoonan@fieldstonelandconsultants.com>
Sent: Thursday, August 3, 2023 3:40 PM
To: Megan Fortson; Maggie Khermandayan
Cc: Evan Clements; Mari Brunner; cebranon fieldstonelandconsultants.com
Subject: RE: Black Brook Road

Hi Megan,

On behalf of our client, Patriot Holdings, LLC we are sending this email to request a time extension to the Planning Board approval. The Conditional Approval will expire on August 27, prior to the next scheduled Planning Board meeting. All conditions of the approval have been met.

We will send a check for \$25.00 to cover the cost of the extension request.

Best Regards,

John Noonan
Project Manager



Milford Office: 206 Elm Street - Milford NH 03055
Keene Office: 45 Roxbury Street - Keene NH 03431
Tel: 603.672.5456 x 119 - Fax: 603.413.5456
www.FieldstoneLandConsultants.com

STAFF REPORT

S-07-23 – Boundary Line Adjustment – 168 & 180 Court St

Request:

Applicant BCM Environmental & Land Law PLLC, on behalf of owners Tilden Properties, LLC & the James A. Putnam Trust, proposes a Boundary Line Adjustment between the properties located at 168 & 180 Court St (TMP #s 554-010-000 & 554-011-000). Both properties are in the Medium Density District.

Background:

The two subject parcels are located approximately 0.3 miles north of Central Square on the west side of Court St, as shown in Figure 1. Residential uses surround these parcels to the north, east, south, and west. The former Tilden School (now occupied by Surry Village Charter School) is located to the southwest of the property at 168 Court Street.

The property at 180 Court St (TMP #554-011-000) is 0.87 ac in size with an existing single-family home that was owned by Tilden Properties LLC at the time this application was submitted. Following the legal notice of this application, this property was transferred to a new owner. The property at 168 Court St (TMP #554-010-000) is 0.59 ac in size with an existing single-family home that is owned by the James A. Putnam Trust. Both of these parcels are located in the Medium Density District, which currently has a minimum lot size of 8,000 sf for each primary residence and an additional 5,400 sf minimum lot area requirement for each additional dwelling unit. This district also has a 50' frontage requirement.



Figure 1. Aerial imagery of the parcels at 168 & 180 Court Street.

The request is to perform a boundary line adjustment that will transfer 0.03 ac of land from the parcel at 180 Court St to the parcel at 168 Court St. Table 1 shows the size of each lot before and after the boundary line adjustment, as well as the amount of land being transferred. Both of these parcels currently comply with the basic zoning dimensional requirements for the Medium Density District and will continue to comply with these requirements following the BLA. There is no new development proposed as part of this application.

STAFF REPORT

	168 Court St (TMP# 554-010-000)	180 Court St (TMP# 554-011-000)
Prior to Adjustment	0.59 ac	0.87 ac
Amount of Land Transferred	+ 0.03 ac	- 0.03 ac
After Adjustment	0.62 ac	0.84 ac

Determination of Regional Impact:

After reviewing the application, staff have made a preliminary evaluation that the proposed boundary line adjustment does not appear to have the potential for “regional impact” as defined in RSA 36:55. The Board will need to make a final determination as to whether or not the proposal, if approved, could have the potential for regional impact.

Completeness:

The Applicant has requested exemptions from submitting separate existing and proposed conditions plans and all technical reports. Staff have determined that granting these exemptions would have no bearing on the merits of the application and recommend that the Board accept the application as “complete.”

Departmental Comments: There were no departmental comments on this application.

Application Analysis: The analysis provided below is focused on the Planning Board’s standards most relevant to this application.

- 20.8 **Sewer & Water:** Both parcels are currently serviced by City water and sewer. There are no changes to utilities proposed as part of this application.
- 20.9 **Traffic & Access Management:** Each property is currently accessed by an existing driveway. There are no changes proposed to site access as part of this application.
- 20.11 **Surface Waters & Wetlands:** In the project narrative that was submitted, the Applicant noted that there are no surface waters or wetlands present on either parcel.

Recommended Motion:

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

“Approve S-07-23 for a Boundary Line Adjustment between the properties at 168 & 180 Court St, as shown on the plan identified as “Boundary Line Adjustment Plan of Lands of James A. Putnam Trust & Judith H. Putnam Trust, 168 Court Street, Parcel # 554 - 10 and Tilden Properties, LLC, 180 Court Street, Parcel # 554 - 11, City of Keene, Cheshire County, New Hampshire” prepared by Edward C. Goodrich, Jr. at a scale of 1 inch = 20 feet on August 1, 2023 and last revised on September 7, 2023 with no conditions.”



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@keeneh.gov

SECTION 1: PROJECT INFORMATION

PROJECT NAME: 180 & 168 Court Street BLA	NUMBER OF PARCELS AFFECTED: 2
PROJECT ADDRESS(ES): 180 Court Street & 168 Court Street	

SECTION 2: CONTACT INFORMATION

PROPERTY OWNER #1	PROPERTY OWNER #2
NAME/COMPANY: Tilden Properties LLC	NAME/COMPANY: James A. Putnam Trust & Judith H. Putnam Trust
MAILING ADDRESS: P.O. Box 323, Keene, NH 03431	MAILING ADDRESS: c/o 1911 Office LLC, P.O. Box 323, Keene, NH 03431
PHONE: See Agent Info.	PHONE: See Agent Info.
EMAIL: See Agent Info.	EMAIL: See Agent Info.
SIGNATURE: <i>James A. Putnam</i> <i>Judith H. Putnam</i>	SIGNATURE: <i>James A. Putnam</i> <i>Judith H. Putnam</i>
PRINTED NAME: JAMES A. PUTNAM JUDITH H PUTNAM	PRINTED NAME: JAMES A. PUTNAM JUDITH H PUTNAM

APPLICANT / AUTHORIZED AGENT	FOR OFFICE USE ONLY:	
NAME/COMPANY: BCM Environmental & Land Law, PLLC	TAX MAP PARCEL #(s): 594-010-000-000000-0.58 acres 594-011-000000-000-0.9 acres	
MAILING ADDRESS: 41 School Street, Keene, NH 03431	-----	
PHONE: 603-352-1928	PARCEL SIZE: see above	DATE STAMP: RECEIVED AUG 17 2023 By _____
EMAIL: hanna@nhlandlaw.com		
SIGNATURE: <i>Thomas R. Hanna</i>	PROJECT #: S07-23	
PRINTED NAME: Thomas R. Hanna		

Proposed Boundary Line Adjustment 180 Court St. (TMP: 554-011-000) & 168 Court St. (TMP: 551-010-000)

DESCRIPTIVE NARRATIVE

The Applicants propose to adjust the boundary between the parcel at 180 Court Street (Tax Map 554, Lot 11), owned by Tilden Properties LLC, and 168 Court Street (Tax Map 551, Lot 10), owned by the James A. Putnam Trust and Judith H. Putnam Trust. The proposed adjustment will transfer 0.03± acres from the southwest corner of the parcel at 180 Court Street to the northwest corner of the parcel at 168 Court Street. Prior to 1941, this area was part of 168 Court Street. The proposed adjustment will return this land to 168 Court Street and will restore the common boundary to a straight line.

The proposed boundary line adjustment complies with the following subdivision standards in Section 19.2 and site development standards in Article 20 of the City of Keene Land Development Code. An exemption is requested from submitting technical reports (e.g. drainage report, traffic analysis, soil analysis) as no new development or change of use is proposed at this time.

I. Subdivision Standards

19.2.1 Lots - Each of the subject parcels is an existing lot that conforms with the zoning requirements for the Medium Density (MD) District. The proposal will not cause either parcel to become nonconforming.

The minimum lot size in the MD District is 8,000 sq. ft. The parcel at 180 Court Street is currently 0.87± acres (37,897.2± sq. ft.) and will become 0.84± acres (36,590.4± sq. ft.) following the boundary line adjustment. The parcel at 168 Court Street is currently 0.59± acres (25,700.4± sq. ft.) and will become 0.62± acres (27,007.2± sq. ft.) following the boundary line adjustment. Each lot has ample road frontage and no building or pavement setbacks will be reduced after the adjustment.

19.2.2 Character of Land for Subdivision - The parcels subject to this proposal are currently developed with single family homes. The proposal will not impact the existing buildings or structures on either lot.

19.2.3 Scattered or Premature Development - No new development or developable lots or change of use are proposed as part of this application. This standard is not applicable.

19.2.4 Preservation of Existing Features - No significant existing features will be impacted by this proposed boundary line adjustment.

19.2.6 Special Flood Hazard Areas - The parcels are located outside of the 100-Year Floodplain.

19.2.7 Fire Protection and Water Supply - No new development or change of use are proposed as part of this application. There is an existing fire hydrant located on the sidewalk in front of the property at 180 Court Street.

19.2.8 Utilities - The parcels are currently serviced by City water and sewer.

II. Site Development Standards

No development, new lots, or change of use are proposed as part of this application. Therefore, several of the City's Site Development Standards are not applicable to this proposal.

20.2 Drainage and Stormwater Management - The proposed boundary line adjustment will not impact drainage or the flow of stormwater on/from the lots.

20.3 Sediment and Erosion Control - This standard is not applicable.

20.4 Snow Storage and Removal - This standard is not applicable.

20.5 Landscaping - This standard is not applicable.

20.6 Screening - This standard is not applicable.

20.7 Lighting - This standard is not applicable.

20.8 Sewer and Water - See response to Standard 19.2.8 above.

20.9 Traffic and Access Management - This standard is not applicable.

20.10 Filling and Excavation - This standard is not applicable.

20.11 Surface Waters and Wetlands - No surface waters or wetlands are present on the parcels.

20.12 Hazardous and Toxic Materials - No hazardous or toxic materials are known to be present on the existing parcel.

20.13 Noise - This standard is not applicable.

20.14 Architecture and Visual Appearance - This standard is not applicable.

From: [Tara Kessler](#)
To: [Jesse Rounds](#)
Cc: [Mari Brunner](#); [Evan Clements](#); [Megan Fortson](#); [Thomas Hanna](#)
Subject: BLA Application Exemption Request for 168 & 180 Court Street
Date: Sunday, September 3, 2023 8:11:42 PM
Attachments: [S-07-23_Staff Comments Memo.pdf](#)
Importance: High

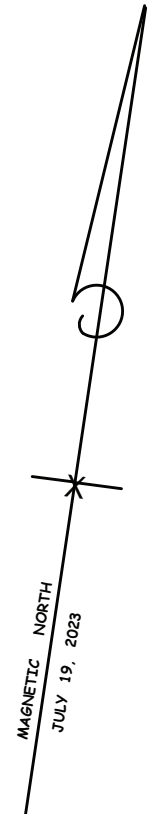
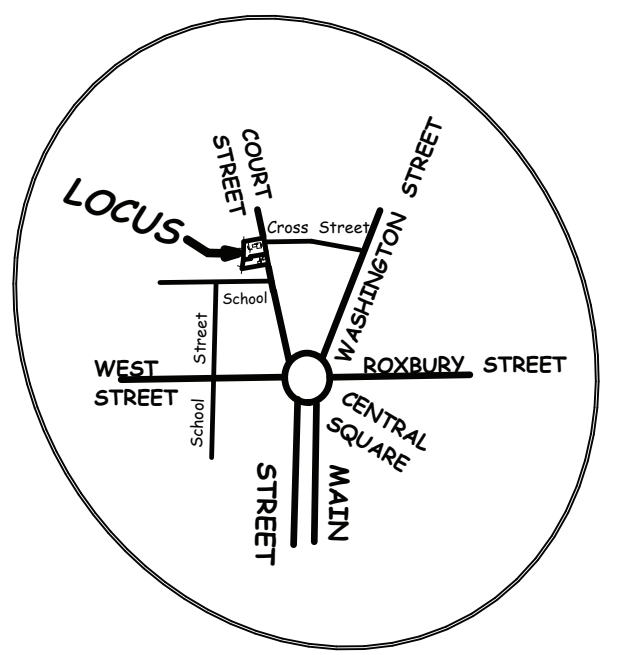
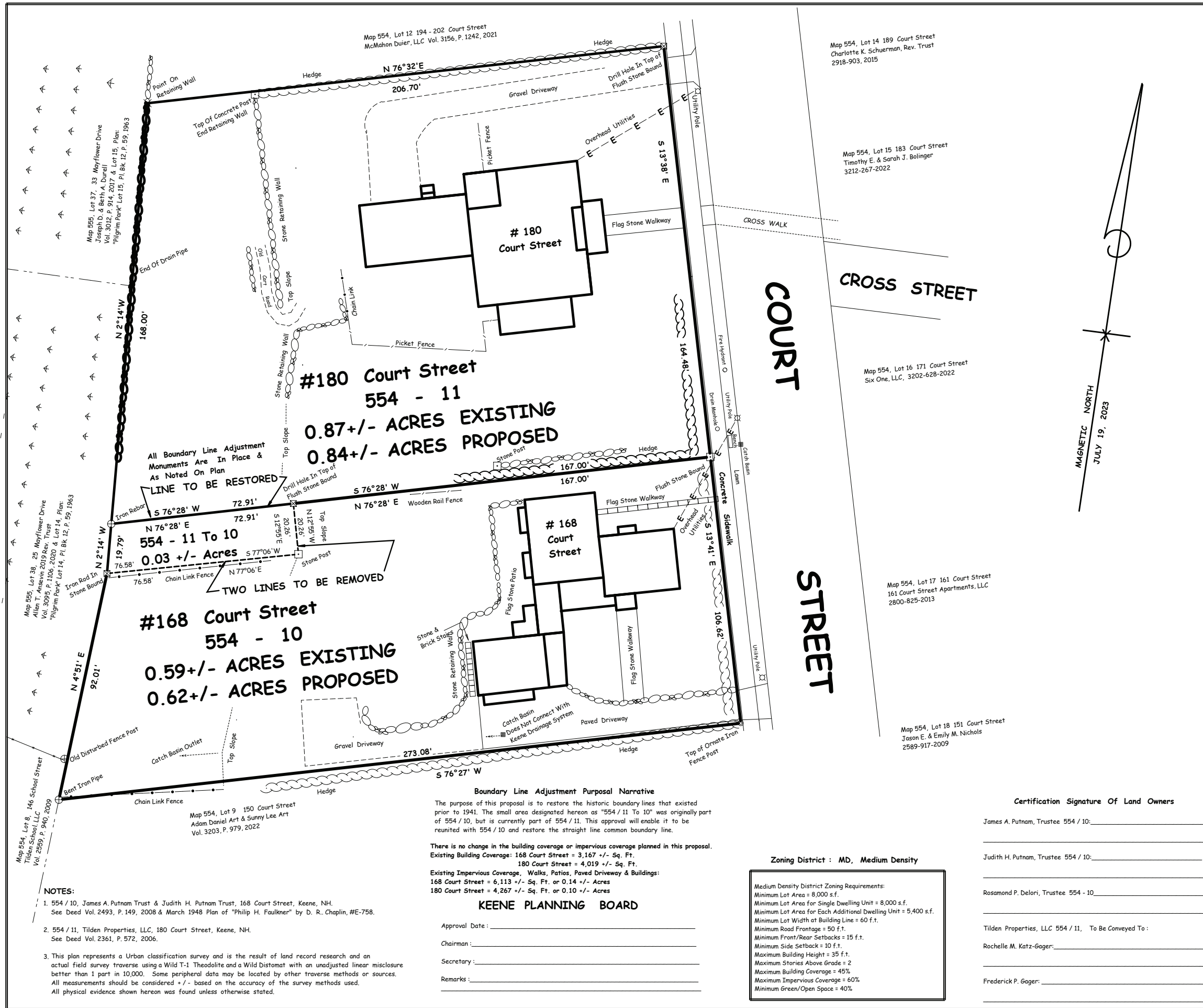
Dear Jessie,

This email relates to the submitted Boundary Line Adjustment Application for the properties at 180 and 168 Court Street and staff comment #2 on the application, which is included on the attached letter.

We formerly request an exemption from the submission requirements for Boundary Line Adjustment Applications in Section 25.10.5.B.2 of the City of Keene Land Development Code that a separate existing conditions plan and proposed conditions plan be submitted. Given the simplicity of the proposed adjustment, we are requesting to provide a single plan that combines existing and proposed conditions. Please let me know if you require additional information regarding this request, and whether this exemption has been/will be administratively approved.

Kind regards,

Tara



BOUNDARY LINE ADJUSTMENT PLAN

OF LANDS OF
JAMES A. PUTNAM TRUST & JUDITH H. PUTNAM TRUST
 168 COURT STREET, PARCEL # 554 - 10
 AND
TILDEN PROPERTIES, LLC
 180 COURT STREET, PARCEL # 554 - 11
 CITY OF KEENE, CHESHIRE COUNTY, NEW HAMPSHIRE

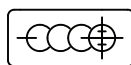
SCALE: 1" = 20'



LEGEND

- Stone Wall
- Wire Fence
- Wet Area
- Now Or Formerly
- Water Course
- Woods Road
- Utility Pole
- Sewer Man Hole
- Catch Basin
- Chain Link Fence

Date of Plan: August 1, 2023
 August 11, 2023, Clerical Revisions
 Sept. 7, 2023, City of Keene Planning
 Department Review Revisions



Edward C. Goodrich, Jr.
 Licensed Land Surveyor NH # 677
 PO Box 132, Marlborough, NH 03455
 Tel # 603-876-4038

STAFF REPORT

S-06-23 – SUBDIVISION – 2-LOT SUBDIVISION – 800 PARK AVENUE

Request:

Applicant Brickstone Land Use Consultants LLC, on behalf of owner Carlisle Park Avenue LLC, proposes to subdivide the existing ~5.66 ac lot at 800 Park Ave (TMP #227-002-000) into two lots that are ~2.64 ac and ~3.02 ac. The parcel is located in the Commerce District.

Background:

The subject parcel is an existing 5.66-acre lot located between Summit Road, Maple Avenue, and Park Avenue, and approximately 600 ft. south of Cheshire Medical Center. The Black Brook runs north-south through the western portion of the parcel. The property contains two existing commercial buildings and 100 on-site parking spaces. An additional 21 parking spaces are located in an existing easement along the southern portion of the property.

The applicant proposes to subdivide the parcel so that each commercial building will be on its own lot. Lot 1 will be a 2.64-acre parcel with an existing 1,935 sf building with an ice cream shop, small bakery, and 30 on-site parking spaces. Lot 2 will be a 3.02-acre parcel with an existing 17,892 sf building with multiple commercial uses including a restaurant, offices, a beauty school, retail space, and a small warehouse use. This lot will have 70 on-site parking spaces as well as an additional 21 parking spaces in the existing southern easement area. Each lot will be granted a blanket right to pass



Fig 1: 800 Park Avenue

and repass over the adjacent lot and a right to park in open parking spaces. Staff recommend that the submittal of the recorded easement be made a condition subsequent to final approval.

No development is proposed as part of this application. Both lots will remain in their currently developed state. A variance, (ZBA23-13) was granted to allow the existing pavement to remain the in the pavement setback along the proposed property line.

Determination of Regional Impact:

After reviewing the application, staff have made a preliminary evaluation that the proposed subdivision does not appear to have the potential for “regional impact” as defined in RSA 36:55. The Board will need to make a final determination as to whether the proposal, if approved, could have the potential for regional impact.

STAFF REPORT

Completeness:

The Applicant has requested exemptions from providing a drainage report, traffic analysis, soil analysis, and 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.”

Application Analysis: The following is a review of the Planning Board subdivision and development standards relevant to this application.

- 19.2.2 Character of Land for Subdivision: The subject parcel is an existing commercial development with two buildings and on-site parking. It appears that this standard is met.
- 19.2.4 Preservation of Existing Features: No new development is proposed as part of this application. This standard is not applicable.
- 19.2.6 Special Flood Hazard Areas: Portions of the property lie within the 100-year floodplain for Black Brook. FEMA flood maps show the flood elevations to be 510 on the south side, rising to 513 on the north side. No changes to the floodplain are proposed. It appears that this standard has been met.
- 19.2.7 Fire Protection and Water Supply: The property is serviced with city water. The larger building has an existing fire sprinkler system in place. It appears that this standard has been met.
- 19.2.8 Utilities: City water and sewer service the existing buildings. No changes are proposed. It appears that this standard has been met.
- 20.2 Drainage: The existing drainage pattern flows to the west side of the property and passes through a vegetative area before entering Black Brook. No changes to the site are proposed and the drainage pattern will remain unchanged. It appears that this standard has been met.
- 20.3 Sediment & Erosion Control: No changes to the site are proposed. This standard is not applicable.
- 20.4 Snow Storage & Removal: Snow is stored around the perimeter of the site and removed as needed. This standard appears to be met.
- 20.5 Landscaping: No changes to the site are proposed. This standard is not applicable.
- 20.6 Screening: No changes to the site are proposed. This standard is not applicable.
- 20.7 Lighting: No parking lot pole lighting exists on site so there will not be any light trespass caused by the new property line. There are two streetlights located at the driveways on Park Avenue and Summit Road. Wall mounted lights are located on the buildings. It appears that this standard has been met.
- 20.8 Sewer & Water: No changes to the existing sewer and water connections are proposed. This standard is not applicable.

STAFF REPORT

- 20.9 Traffic & Access Management: There are no proposed changes to the existing building uses. No increase in traffic is expected with this proposal. It appears that this standard has been met.
- 20.10 Filling & Excavation: No changes to the site are proposed. This standard is not applicable.
- 20.11 Surface Waters & Wetlands: Black Brook passes through the property along the west side of the parcel. No new development is proposed with this application. It appears that this standard has been met.
- 20.12 Hazardous & Toxic Materials: The applicant has no knowledge of hazardous or toxic materials at the site. It appears that this standard has been met.
- 20.13 Noise: No changes to the site are proposed. This standard is not applicable.
- 20.14 Architecture & Visual Appearance: No changes to the site are proposed. This standard is not applicable.

Recommended Motion:

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

Approve S-06-23 as shown on the plan set identified as "Subdivision Plan prepared for Carlisle Park Ave. LLC" prepared by David A. Mann, Land Surveyor at a scale of 1" = 50' dated July 14, 2023 with the following conditions:

1. **Prior to final approval and signature by the Planning Board Chair, the following conditions precedent shall be met:**
 - A. **Owner's signature appears on the plan.**
 - B. **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.**
 - C. **A copy of the draft Pass & Repass Easement document shall be submitted to the City Attorney for review and approval.**
 - D. **Submittal of four (4) full sized paper copies, two (2) mylar copies, and a digital copy of the final plan set.**
 - E. **Submittal of a check in the amount of \$51.00 made out to the City of Keene to cover recording fees.**

2. **Subsequent to final approval and signature by the Planning Board Chair, the following conditions shall be met:**
 - A. **A copy of the recorded Pass & Repass Easement document shall be submitted to the Community Development Department.**



City of Keene, NH Planning Board Subdivision Application

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

SECTION 1: PROJECT INFORMATION

PROJECT NAME: Carlisle Park Avenue LLC Subdivision	NUMBER OF LOTS PROPOSED: 2
PROJECT ADDRESS(ES): 800 Park Avenue	

SECTION 2: CONTACT INFORMATION

PROPERTY OWNER	APPLICANT
NAME/COMPANY: Carlisle Park Avenue LLC	NAME/COMPANY: Same as owner
MAILING ADDRESS: PO Box 421 Keene NH 03431	MAILING ADDRESS:
PHONE:	PHONE:
EMAIL: don.carlisle@gmail.com	EMAIL:
SIGNATURE: 	SIGNATURE:
PRINTED NAME: Don Carlisle	PRINTED NAME:

AUTHORIZED AGENT (if different than Owner/Applicant)	FOR OFFICE USE ONLY:	
NAME/COMPANY: James P Phippard Brickstone Land Use Consultants LLC	TAX MAP PARCEL #(s): 227-002-000-000-000	
MAILING ADDRESS: 105 Winchester St Keene NH 03431	-----	
PHONE: 603-357-0116	-----	
EMAIL: jphippard@ne.rr.com	PARCEL SIZE: 5.76 acres	DATE STAMP:
SIGNATURE: 	ZONING: Commercial	
PRINTED NAME: James P Phippard	PROJECT #: S-de-23	

Subdivision Project Narrative

**Carlisle Park Avenue LLC
800 Park Avenue
Keene, NH**

August 18, 2023

Carlisle Park Avenue LLC is the owner of TMP 227-002-000-000-000 a 5.66 acre lot at 800 Park Avenue which is in the Commerce district. The existing property contains two commercial buildings and 100 on-site parking spaces. Another 21 parking spaces exist in an easement along the south side of the property. The applicant is proposing a two lot subdivision.

Lot 1 will be a 2.64 acre tract containing an existing 1935 sf building with an ice cream shop, a small bakery and 30 on-site parking spaces. Lot 2 will be a 3.02 acre tract containing an existing 17,892 sf building with multiple commercial uses including a restaurant, offices, a beauty school, retail space and a small warehouse space. There will be 70 on-site parking spaces plus 21 parking spaces in an easement along the south property line.

The existing buildings are serviced with city water and city sewer and the larger building has a 6" fire sprinkler service. On-site lighting is provided by existing wall mounted lights and streetlights at the existing driveways.

Screening on the site is provided by six foot solid fencing at the dumpster location.

Each lot will have a blanket right to pass and repass over the adjacent lot and a right to park in open parking spaces.

No changes to the property are proposed other than adding the new property line through the lot. A variance was granted (ZBA 23-13) to allow the existing pavement to remain within the pavement setback areas along the new property line.

Exemptions are requested from providing technical reports, landscaping plans, architectural plans and other information on items not being changed.

Subdivision Narrative

Carlisle Park Avenue LLC
800 Park Avenue
Keene, NH

August 18, 2023

Site Development Standards and Subdivision Standards

19.2.1 Lots- Lot 1 will be 2.64 acres have over 220 feet frontage on Park Avenue and over 400 feet frontage on Maple Avenue. Lot 2 will be 3.02 acres and have over 240 feet frontage on Park Avenue and over 440 feet frontage on Summit Road.

19.2.2 Character of Land – This is an existing commercially developed property with two buildings and on-site parking. No changes to the property are proposed.

19.2.3 Scattered or Premature Development – This is an existing developed commercial lot in a commercial area serviced by city sewer and city water. The existing property has frontage on Park Avenue, Maple Avenue and Summit Road.

19.2.4 Preservation of Existing Features – No changes to the site are proposed.

19.2.5 Monumentation – New pins will be set to mark the proposed new boundary line.

19.2.6 Special Flood Hazard Areas – Portions of this property lie within the 100 year floodplain for Black Brook. The FEMA Flood Map shows flood elevations to be 510 on the south side of the lot, rising to 513 on the north side of the lot. No changes to the area within the floodplain are proposed.

19.2.7 Fire Protection and Water Supply- The property is serviced with city water. The larger building has an existing fire sprinkler system in place.

19.2.8 Utilities – City water and city sewer service the existing buildings. No changes are proposed.

20.2 Drainage & Stormwater Management- The existing site drains to the west side of the site and passes through a large vegetated area before ultimately entering Black Brook. No changes to the buildings or parking areas are proposed. There will be no increase in runoff leaving the site as a result of this proposal.

20.3 Sediment/Erosion Control – There are no changes to the site proposed. No sediment and erosion control is necessary.

20.4 Snow Storage & Removal – Snow is stored around the perimeter of the paved areas. Excess snow will be removed from the site after each snowstorm as needed.

20.5 Landscaping – No changes to landscaping are proposed.

20.6 Screening – The trash containers are screened by 6 foot high solid fencing.

20.7 Lighting – Site lighting is provided by wall mounted lights and by two streetlights at the driveways on Park Avenue and Summit Road. No changes to the site lighting are proposed.

20.8 Sewer & Water – No changes to the existing sewer and water services are proposed.

20.9 Traffic & Access Management – No changes to the existing building tenants are proposed. No increase in traffic is expected.

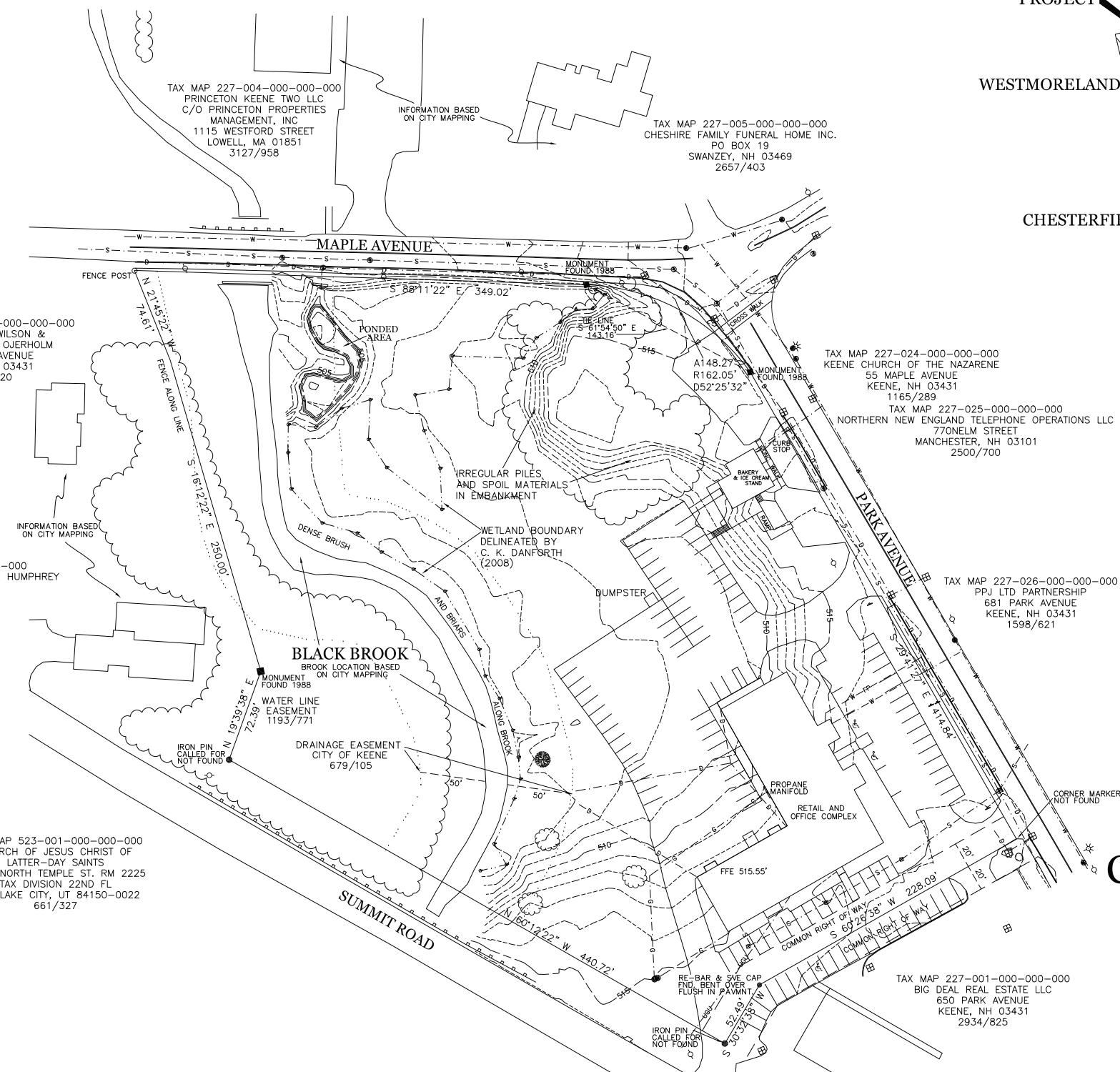
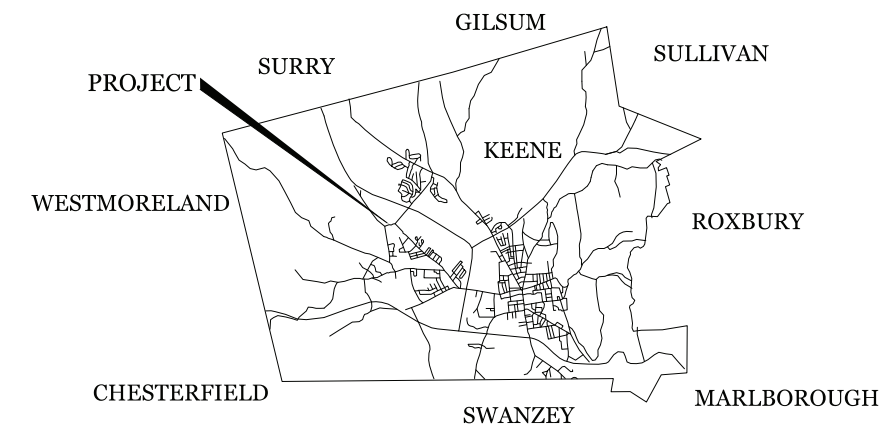
20.10 Filling & Excavation – No filling or excavation is proposed.

20.11 Surface Waters & Wetlands – Black Brook passes through the properties along the west side of the developed areas. No changes are proposed which will affect Black Brook.

20.12 Hazardous or Toxic Materials – The applicant has no knowledge of hazardous or toxic materials at this site.

20.13 Noise – No excessive noise will result from this proposal.

20.14 Architecture & Visual Appearance - The existing buildings will not be changed under this proposal.



NOTES

- BEARINGS ARE BASED ON A 2008 MAGNETIC OBSERVATION.
- PLAN REFERENCES:
A. SITE PLAN, PREPARED BY D. A. M. ASSOCIATES DATED MARCH 27, 1989.
B. CITY OF KEENE GIS UTILITY PLAN AS PROVIDED.
- ASSESSOR INFORMATION AS PROVIDED BY THE CITY:
TAX MAP 227-002-000-000-000
PIAZZA PARK AVENUE LLC
PO BOX 421
KEENE, N.H. 03431
3196/276
NAME CHANGE: FILE NUMBER 5757755, 3-28-2022 S.S.O. TO CARLISLE PARK AVENUE, LLC
- CONTOURS ARE BASED ON 1929 DATUM AND IS BASED ON BENCHMARK DATA PROVIDED BY THE CITY OF KEENE.
- ZONING DISTRICT: COMMERCE
- THE RIGHT OF WAY OF THE RESPECTIVE HIGHWAYS ARE BASED ON THE PLAN REFERENCED ABOVE AND ARE SUBJECT TO AND BENEFITTED BY THE LAYOUT.
- MUCH OF THE ORIGINAL BOUNDARY MONUMENTATION HAS BEEN LOST OR OBLITERATED BY CONSTRUCTION OR OTHER ACTIVITIES. IT IS RECOMMENDED THAT ADDITIONAL SURVEY WORK BE PERFORMED TO FACILITATE THE REPLACEMENT OF MISSING BOUNDARY CORNERS.
- LOT ACREAGE: 5.66 ACRES, 246502 SQ.FT.±
- SUBSURFACE UTILITIES ARE BASED ON THE PLANS REFERENCED IN NOTE #2 ABOVE.

EXISTING CONDITIONS PLAN
PREPARED FOR
CARLISLE PARK AVE LLC
SUMMIT ROAD, PARK AVENUE &
MAPLE AVENUE
CITY OF KEENE
COUNTY OF CHESHIRE
STATE OF NEW HAMPSHIRE
SCALE: 1 INCH = 50 FEET
JULY 14, 2021

LEGEND

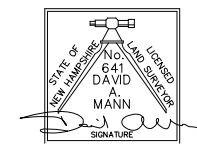
- 4 WETLANDS FLAG
- X SPOT ELEVATION
- * FIRE HYDRANT
- SIGN
- GATE VALVE
- X CURB STOP
- UTILITY POLE
- PK NAIL SET
- IRON PIN FOUND
- MANHOLE
- STORM WATER MANHOLE
- ⊕ CATCH BASIN
- GUY WIRE
- PINE TREES
- TREES
- CURB
- WOOD POST FENCE
- GAS LINE
- TREE LINE
- GUARDRAIL
- ADA PARKING SPACE
- UNDERGROUND UTILITIES
- OVERHEAD WIRES
- WATER LINES
- SEWER LINES
- DRAINAGE LINES

TAX MAP 523-001-000-000-000
CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS
50 E. NORTH TEMPLE ST. RM 2225
TAX DIVISION 22ND FL
SALT LAKE CITY, UT 84150-0022
661/327

TAX MAP 523-030-000-000-000
PRINCETON KEENE LLC
1115 WESTFORD STREET
LOWELL, MA 01851
1861/138

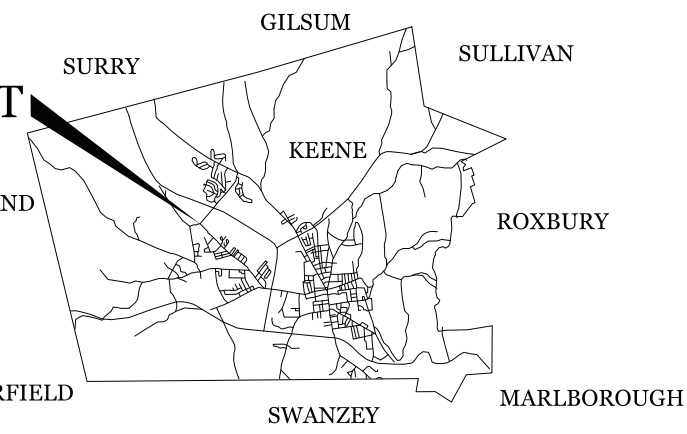
THIS SURVEY AND PLAT WERE PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION FROM A TOTAL STATION RANDOM OFFSET CONTROL TRAVERSE. THIS IS A RURAL STANDARD PROPERTY SURVEY. DIMENSIONS SHOWN HEREON ARE SUBJECT TO THE CLOSURE WITH RESPECT TO THE SURVEY CLASSIFICATION. THIS SURVEY AND PLAT ARE INVALID WITHOUT AN ORIGINAL SIGNATURE AND SEAL. THIS SURVEY AND PLAT ARE SUBJECT TO ANY ITEMS THAT A TRUE AND ACCURATE TITLE ABSTRACT AND OPINION MAY REVEAL. CONSULT LEGAL COUNSEL FOR ALL MATTERS REGARDING TITLE.

DAVID A. MANN LLS 641



DAVID A MANN SURVEY
40 GULF ROAD
CHESTERFIELD, N.H. 03443
603-993-7559
REVISION BLOCK: 8-15-2021.DAM_ADD UTILITIES
8-8-2023.DAM_TEXT





PROJECT

TAX MAP 523-0045-000-000-000
BLACK BROOK LOGISTICS LLC
7 CORPORATE DR.
KEENE, NH 03431
3043/1086

TAX MAP 227-003-000-000-000
C&S WHOLESALE GROCERS INC
7 CORPORATE DRIVE
KEENE, NH 03431-5042
2662/791

TAX MAP 227-004-000-000-000
PRINCETON KEENE TWO LLC
1115 WESTFORD STREET
LOWELL, MA 01851
3127/958

TAX MAP 227-005-000-000-000
CHESHIRE FAMILY FUNERAL HOME INC.
PO BOX 19
SWANZEY, NH 03469
2657/403

APPROVED BY THE
KEENE PLANNING BOARD

DATE: _____

CHAIRMAN: _____

SECRETARY: _____

TAX MAP 523-046-000-000-000
KATHRYN ANNE WILSON
23 MAPLE AVENUE
KEENE, NH 03431
3226/1009

TAX MAP 523-047-000-000-000
DENNIS A. & CONSTANCE J.
BASSINGTHWAITE
15 MAPLE AVE
KEENE, NH 03431
3043/1086

TAX MAP 523-049-000-000-000
MICHAEL BARRETT & JENNIFER MARIE HUMPHREY
93 SUMMIT ROAD
KEENE, NH 03431-1543
3043/1086

TAX MAP 523-001-000-000-000
CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS
50 E. NORTH TEMPLE ST. RM 2225
TAX DIVISION 22ND FL
SALT LAKE CITY, UT 84150-0022
661/327

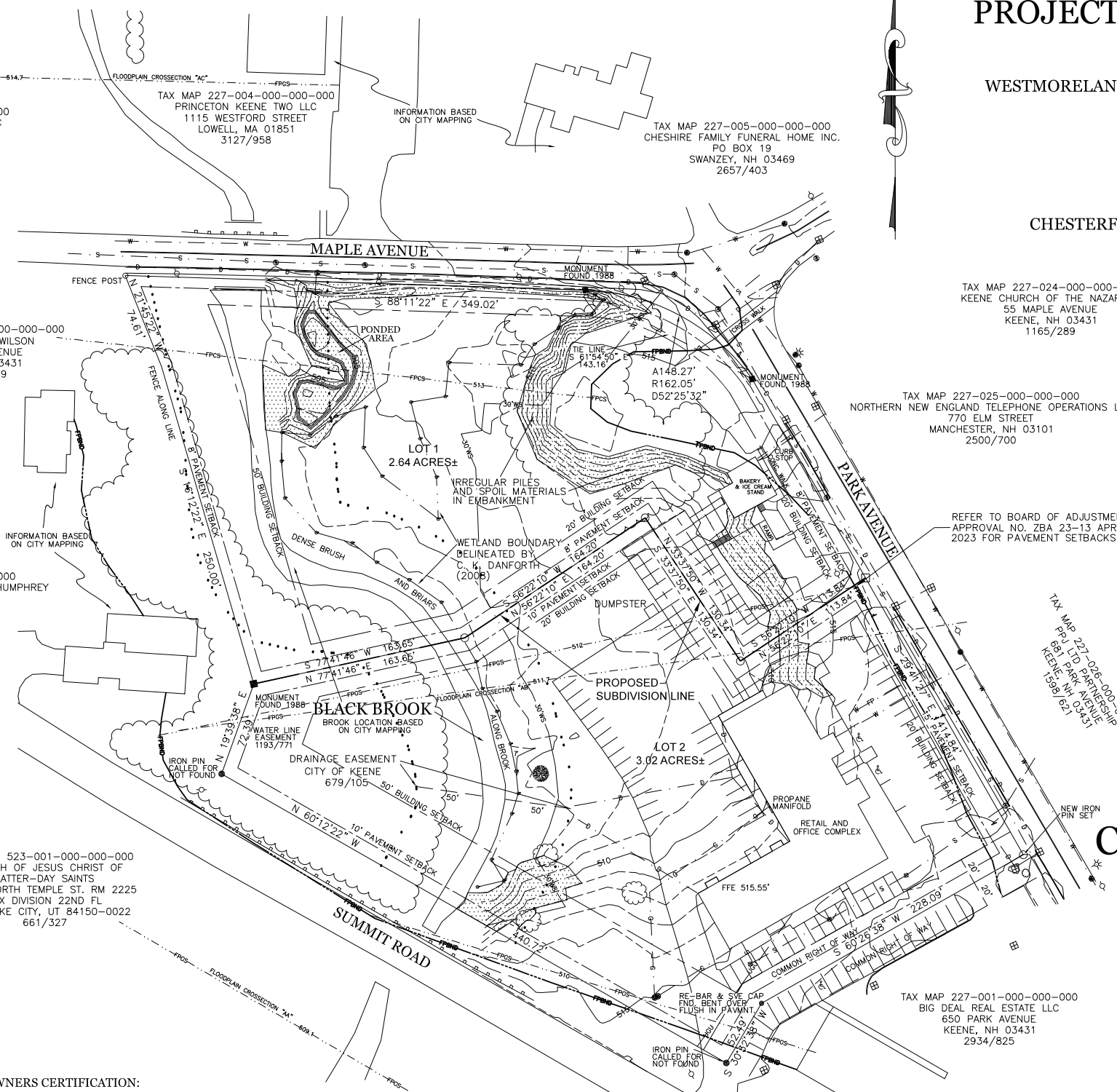
TAX MAP 526-030-000-000-000
PRINCETON KEENE LLC
1115 WESTFORD STREET
LOWELL, MA 01851
1861/138

TAX MAP 227-024-000-000-000
KEENE CHURCH OF THE NAZARENE
55 MAPLE AVENUE
KEENE, NH 03431
1165/289

TAX MAP 227-025-000-000-000
NORTHERN NEW ENGLAND TELEPHONE OPERATIONS LLC
770 ELM STREET
MANCHESTER, NH 03101
2500/700

REFER TO BOARD OF ADJUSTMENT
APPROVAL NO. ZBA 23-13 APRIL 3,
2023 FOR PAVEMENT SETBACKS

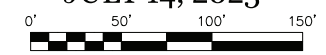
TAX MAP 227-001-000-000-000
BIG DEAL REAL ESTATE LLC
650 PARK AVENUE
KEENE, NH 03431
2934/825



NOTES

- BEARINGS ARE BASED ON A 2008 MAGNETIC OBSERVATION.
- PLAN REFERENCES:
A. SITE PLAN, PREPARED BY D. A. M. ASSOCIATES DATED MARCH 27, 1989.
B. CITY OF KEENE GIS UTILITY PLAN AS PROVIDED.
C. FLOOD INSURANCE RATE MAP, #33005C0254E
- ASSESSOR INFORMATION AS PROVIDED BY THE CITY:
TAX MAP 227-002-000-000-000
CARLISLE PARK AVENUE, LLC
PO BOX 421
KEENE, NH 03431
SOURCE DEED: D-L-C SPOFFORD LLC TO PIAZZA PARK AVENUE LLC 3196/276 12-29-2021. SEE NAME CHANGE PIAZZA PARK AVENUE LLC TO CARLISLE PARK AVENUE, LLC FILING NUMBER 5757755, 3-28-2022.
- CONTOURS ARE BASED ON 1929 DATUM AND IS BASED ON BENCHMARK DATA PROVIDED BY THE CITY OF KEENE.
- ZONING DISTRICT: COMMERCE
- THE RIGHT OF WAY OF THE RESPECTIVE HIGHWAYS ARE BASED ON THE PLAN REFERENCED ABOVE AND ARE SUBJECT TO AND BENEFITTED BY THE LAYOUT.
- MUCH OF THE ORIGINAL BOUNDARY MONUMENTATION HAS BEEN LOST OR OBLITERATED BY CONSTRUCTION OR OTHER ACTIVITIES. IT IS RECOMMENDED THAT ADDITIONAL SURVEY WORK BE PERFORMED TO FACILITATE THE REPLACEMENT OF MISSING BOUNDARY CORNERS.
- LOT ACREAGE: 5.66 ACRES, 246502 SQ.FT.±
- SUBSURFACE UTILITIES ARE BASED ON THE PLANS REFERENCED IN NOTE #2 ABOVE.

SUBDIVISION PLAN
PREPARED FOR
CARLISLE PARK AVE. LLC
SUMMIT ROAD, PARK AVENUE &
MAPLE AVENUE
CITY OF KEENE
COUNTY OF CHESHIRE
STATE OF NEW HAMPSHIRE
SCALE: 1 INCH = 50 FEET
JULY 14, 2023



LEGEND

- MONUMENT FOUND
- MONUMENT SET
- WETLANDS FLAG
- × SPOT ELEVATION
- ⋄ FIRE HYDRANT
- ⋆ SIGN
- ⊕ GATE VALVE
- ⊖ CURB STOP
- ⊙ UTILITY POLE
- ⊙ PK NAIL SET
- ⊙ IRON PIN FOUND
- IRON PIN SET
- ⊙ MANHOLE
- ⊙ STORM WATER MANHOLE
- ⊙ CATCH BASIN
- ⊙ GUY WIRE
- ⊙ PINE TREES
- TREES
- CURB
- WOOD POST FENCE
- GAS LINE
- TREE LINE
- GUARDRAIL
- ADA PARKING SPACE
- UNDERGROUND UTILITIES
- OVERHEAD WIRES
- WATER LINES
- SEWER LINES
- D DRAINAGE LINES
- 30' WETLAND SETBACK
- FLOOD PLAN LINES
- FLOODPLAIN CROSSSECTIONS
- AREAS OF PROHIBITIVE SLOPE >25%

OWNERS CERTIFICATION:

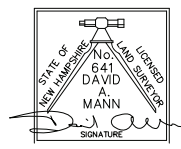
I CERTIFY THAT I AM THE OWNER OF THIS PROPERTY AND THAT I APPROVE OF THIS SUBDIVISION.

DATED _____

CARLISLE PARK AVENUE, LLC
DON D. CARLISLE, MANAGER

THIS SURVEY AND PLAT WERE PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION FROM A TOTAL STATION RANDOM OFFSET CONTROL TRAVERSE. THIS IS A RURAL STANDARD PROPERTY SURVEY. DIMENSIONS SHOWN HEREON ARE SUBJECT TO THE CLOSURE WITH RESPECT TO THE SURVEY CLASSIFICATION. THIS SURVEY AND PLAT ARE INVALID WITHOUT AN ORIGINAL SIGNATURE AND SEAL. THIS SURVEY AND PLAT ARE SUBJECT TO ANY ITEMS THAT A TRUE AND ACCURATE TITLE ABSTRACT AND OPINION MAY REVEAL. CONSULT LEGAL COUNSEL FOR ALL MATTERS REGARDING TITLE.

DAVID A. MANN LLS 641



DAVID A. MANN, LAND SURVEYOR
40 GULF ROAD
CHESTERFIELD, N.H. 03443
603 903 7259



September 07, 2023

Evan Clements, Planner
 Keene Community Development Department
 3 Washington Street
 Keene, NH 03431

Re: Response to Staff Comments, S-06-23, Carlisle Park Avenue LLC, 800 Park Avenue

Dear Evan,

In response to your letter dated August 30, 2023, I offer the following additional information:

1. **Lot Coverage Calculations** – We have calculated the lot coverages for the existing lot and the proposed lots as follows:

Existing Lot – 5.66 acres	Building –	15,523 sf = 6.3%
	Pavement –	54,421 sf = 22.1%
	Total -	69,944sf = 28.4%
Proposed Lot 1 – 2.64 acres	Building -	2,000 sf = 1.7%
	Pavement –	8,926sf = 7.8%
	Total -	10,926 sf = 9.5%
Proposed Lot 2 – 3.02 acres	Building -	13,523 sf = 10.3%
	Pavement -	45,495 sf = 34.6%
	Total -	59,018 sf = 44.9%

80% Lot Coverage is permitted in the Commerce District

2. **Lighting** – There are no pole lights on the property, only building mounted lights. There will be no light trespass over the proposed boundary line. No new lights are proposed.
3. **Lot Data Table** – A Lot Data Table will be provided after I return from vacation on Sept. 18.

4. Parking –

Proposed Lot 1 –

Bakery & Ice Cream Shop 2000 sf @ 4 spaces/1000 sf = 8 spaces required

30 spaces provided

Proposed Lot 2 -

Beauty Academy 6345 sf @ 4 spaces/1000 sf = 25 spaces required

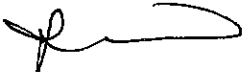
Restaurant 44 seats @ 1/5 seats = 9 spaces required

Office/Retail 9755 sf @ 4 spaces/1000 sf = 39 spaces required

Total = 73 spaces required

91 spaces provided

Sincerely,



James P. Phippard, agent



City of Keene

New Hampshire

NOTICE OF DECISION

ZONING BOARD OF ADJUSTMENT

CASE NUMBER: ZBA 23-13
Property Address: 800 Park Ave.
Zone: Commerce District
Owner: Carlisle Park Avenue, LLC
Petitioner: A. Eli Leino, Bernstein, Shur, Sawyer & Nelson, PA
Date of Decision: April 3, 2023

Notification of Decision:

Petitioner, Carlisle Park Avenue, LLC, of Keene, represented by A. Eli Leino of Bernstein, Shur, Sawyer & Nelson of Manchester NH, requested a Variance for property located at 800 Park Ave., Tax Map #227-002-000-000-000, is in the Commerce District. The Petitioner requested a parking area within eight feet and ten feet of the proposed property line per Chapter 100, Article 9.4, Table 9-2 of the Zoning Regulations. This request was approved 4-0 according to the Variance Findings of Fact listed below and as further specified in the minutes of the meeting.

Criteria 1: This proposal will allow the property owner to preserve the property in a sensible way, that will not make it worse, 4-0.

Criteria 2: The Board voted in favor, 4-0.

Criteria 3: This proposal will not have a negative impact on the public but will provide benefits to the property owner with a cleaner property, 4-0.

Criteria 4: This proposal will not diminish the value of surrounding properties, 4-0.

Criteria 5: There are special conditions of the property that distinguish it from surrounding properties, a denial will place an unnecessary hardship on the property, and the proposal is a reasonable one 4-0.

Condition: None

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


Joseph Hoppock, Chair

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 Appraiser
City Attorney
File Copy

STAFF REPORT

SPR-04-13, Mod. 1 & S-08-23 – SUBDIVISION & SITE PLAN – 2-LOT SUBDIVISION – 150 CONGRESS STREET

Request:

Applicant and Owner Markem Corporation proposes to subdivide 150 Congress St (TMP #598-002-000) into two lots and remove pavement and portions of an existing tunnel structure. A waiver from Sec. 20.7.3.C of the Land Development Code has been requested. The parcel is located in the Industrial Park District.

Background:

The subject parcel is an existing, 31.82-acre industrial site owned and occupied by the Markem-Imaje Corp., an industrial printing and labeling company. The site consists of three existing buildings and associated improvements including drive aisles, parking spaces, and landscaping. The parcel is located to the west of Optical Avenue and north of NH-101 with frontage on Congress Street, Tiffin Street, and Brown Street.

The applicant proposes to subdivide a new, 4.02-acre parcel that includes the building located directly adjacent to Tiffin Street.

The existing 21,130 sf building, referred to as the INF Building, is a two-story brick building with an attached one-story steel warehouse. The applicant intends to sell the new lot and building to a prospective buyer.

In order to meet pavement and building setback requirements, a Site Plan modification has been submitted that depicts the removal of two drive aisles to the west of the INF Building and the removal of a tunnel structure between the IMF Building and the main Markem-Imaje building. This modification will disconnect the new lot from the Markem-Imaje campus.

The applicant has submitted a waiver request from section 20.7.3.C of the Land Development Code, which states *"The maximum light level of any light fixture cannot exceed 0.1-footcandle measured at the property line and cannot exceed 1-footcandle measured at the right-of-way line of a street."* This waiver is requested to accommodate light trespass that may be caused due to the new common lot line created by the subdivision.



Fig 1: 150 Congress Street

STAFF REPORT

Determination of Regional Impact:

After reviewing the application, staff have made a preliminary evaluation that the proposed subdivision does not appear to have the potential for “regional impact” as defined in RSA 36:55. The Board will need to make a final determination as to whether the proposal, if approved, could have the potential for regional impact.

Completeness:

The Applicant has requested exemptions from providing a drainage report, traffic analysis, soil analysis, grading plan, elevations, historic evaluation, screening analysis, architectural & visual appearance analysis, and 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.”

Application Analysis: The following is a review of the Planning Board development standards relevant to this application.

- 19.2.2 Character of Land for Subdivision: The subject parcel is an existing industrial development with multiple buildings, drive aisles, and parking areas. The proposed alterations to the site are to make the new lots comply with zoning regulations. It appears that this standard has been met.
- 19.2.4 Preservation of Existing Features: No new development is proposed as part of this application. This standard is not applicable.
- 19.2.6 Special Flood Hazard Areas: A portion of the parent lot is located within the 100-year flood plain. No development is proposed with this application and the flood plain will not be altered or impacted with new development. It appears that this standard has been met.
- 19.2.7 Fire Protection and Water Supply: All buildings on site are serviced with municipal water and are equipped with fire sprinkler systems that are served by a separate fire service from the municipal water source. It appears that this standard has been met.
- 19.2.8 Utilities: The existing water and sewer services will continue to be utilized. A new underground electric service will be installed by the applicant to separate the INF building from the Markem-Imaje site. The applicant notes that a blanket utility cross easement will be granted for the utilities for the Markem-Imaje facility that cross the proposed lot. Staff recommend that submittal of the recorded easement be a condition subsequent to final approval.
- 20.2 Drainage: The proposed work will not alter the drainage pattern on the site and the existing drainage facilities will continue to operate as designed and installed. It appears that this standard has been met.
- 20.3 Sediment & Erosion Control: Site work that will require erosion control will be minimal. Catch basins located near pavement removal will have silt socks installed prior to the beginning of the work. These areas will be loamed and seeded to stabilize the site disturbance. The site is mostly flat. It appears that this standard has been met.

STAFF REPORT

- 20.4 Snow Storage & Removal: Snow is stored around the perimeter of the site and removed as needed. This standard appears to be met.
- 20.5 Landscaping: No changes to the site landscaping are proposed. This standard is not applicable.
- 20.6 Screening: The proposed changes to the site will not require screening. This standard is not applicable.
- 20.7 Lighting: No new lighting fixtures are proposed for the site. The applicant has requested a waiver from section 20.7.3.C of the Land Development Code to allow light to trespass in excess of .1-footcandles across the newly proposed property line.

A written waiver request has been included with this application. In deciding whether or not to grant this waiver request, the Board should find by a majority vote that the criteria outlined in Section 25.10.14 of the LDC have been met:

- "1. Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations; and,*
- 2. Granting the waiver will not increase the potential for creating adverse impacts to abutters, the community or the environment; and,*
- 3. Consideration will also be given as to whether strict conformity with the regulations would pose an unnecessary hardship to the applicant."*

- 20.8 Sewer & Water: No changes to the existing sewer and water connections are proposed. This standard is not applicable.
- 20.9 Traffic & Access Management: There are no proposed changes to the existing building use. No increase in traffic is expected with this proposal. The removal of the two drive aisles will prevent traffic circulation between the new lot and the remaining Markem-Imaje campus. It appears that this standard has been met.
- 20.10 Filling & Excavation: No filling or excavation is proposed. This standard is not applicable.
- 20.11 Surface Waters & Wetlands: There are no surface waters or wetlands on the site. This standard is not applicable.
- 20.12 Hazardous & Toxic Materials: No hazardous or toxic materials are stored on site. It appears that this standard has been met.
- 20.13 Noise: The changes to the site will not alter the existing industrial use of the property. The noise generated from the site will not change due to this application. It appears that this standard has been met.
- 20.14 Architecture & Visual Appearance: No architectural changes to the buildings are proposed. This standard is not applicable.

STAFF REPORT

Recommended Motions:

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

Site Plan:

Approve SPR-04-13, Mod. 1 as shown on the plan set identified as "Site Development Plans Markem-Imaje 2 Lot Subdivision" prepared by Fieldstone Land Consultants, PLLC at a scale of 1" = 50' and 1"-100' dated August 17, 2023 and last revised August 31, 2023 with the following condition:

1. Prior to final approval and signature by the Planning Board Chair, the owner's signature appears on the plan.

Subdivision Plan:

Approve S-08-23 as shown on the plan set identified as "Site Development Plans Markem-Imaje 2 Lot Subdivision" prepared by Fieldstone Land Consultants, PLLC at a scale of 1" = 50' and 1"-100' dated August 17, 2023 and last revised August 31, 2023 with the following conditions:

1. Prior to final approval and signature by the Planning Board Chair, the following conditions precedent shall be met:
 - A. Owner's signature appears on the plan.
 - B. 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.
 - C. A copy of the draft Utility Easement document shall be submitted for review and approval by the City Attorney.
 - D. Submittal of four (4) full sized paper copies, two (2) mylar copies, and a digital copy of the final plan set.
 - E. Submittal of a check in the amount of \$51.00 made out to the City of Keene to cover recording fees.
2. Subsequent to final approval and signature by the Planning Board Chair, the following condition shall be met:
 - A. A copy of the recorded Utility Easement document shall be submitted to the Community Development Department.




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@keeneh.gov

SECTION 1: PROJECT INFORMATION

PROJECT NAME: Markem-Imaje Subdivision		TYPE OF APPLICATION BEING SUBMITTED:	
PROJECT ADDRESS(ES): 150 Congress Street		<input type="checkbox"/> MAJOR PROJECT APPLICATION <input checked="" type="checkbox"/> MINOR PROJECT APPLICATION	
EXISTING OR PREVIOUS USE: Industrial		PROPOSED USE: Industrial	
GROSS FLOOR AREA OF NEW CONSTRUCTION (in square feet) 0		GROSS FLOOR AREA OF EXISTING BUILDINGS/STRUCTURES (in square feet) 21,130 SF	
AREA OF PROPOSED NEW IMPERVIOUS SURFACES (in square feet) 0		TOTAL AREA OF LAND DISTURBANCE (in square feet) 7,800 (pavement removal)	

SECTION 2: CONTACT INFORMATION

PROPERTY OWNER	APPLICANT
NAME/COMPANY: Markem-Imaje Corp.	NAME/COMPANY: Same as Owner
MAILING ADDRESS: 150 Congress St.	MAILING ADDRESS:
PHONE: 800-322-0116	PHONE:
EMAIL: smarsh@markem-imaje.com	EMAIL:
SIGNATURE: 	SIGNATURE:
PRINTED NAME: <i>Shawn T. Marsh Sr</i> Sean Marsh <i>17 Aug 23</i>	PRINTED NAME:

AUTHORIZED AGENT (if different than Owner/Applicant)	FOR OFFICE USE ONLY:
NAME/COMPANY: Fieldstone Land Consultants, PLLC	TAX MAP PARCEL #(s): 598.002.000.000.000
MAILING ADDRESS: 206 Elm St. Milford, NH 03055	_____
PHONE: 603-672-5456	PARCEL SIZE: 31 acres DATE STAMP:
EMAIL: jnoonan@fieldstonelandconsultants.com	ZONING DISTRICT: Industrial Park
SIGNATURE: 	RECEIVED AUG 18 2023 By _____
PRINTED NAME: John Noonan	
	PROJECT #: SPR-4-B, Mod. 1 \$ 80823




City of Keene, NH
Planning Board
Subdivision Application

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

SECTION 1: PROJECT INFORMATION

PROJECT NAME: Markem-Imaje Subdivision	NUMBER OF LOTS PROPOSED: 2
PROJECT ADDRESS(ES):	

SECTION 2: CONTACT INFORMATION

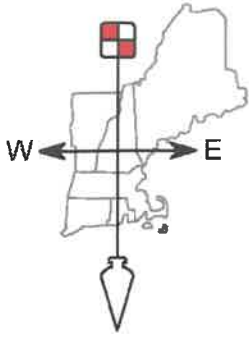
PROPERTY OWNER	APPLICANT
NAME/COMPANY: Markem-Imaje Corp.	NAME/COMPANY: Same
MAILING ADDRESS: 150 Congress Street	MAILING ADDRESS:
PHONE: 603-283-2012	PHONE:
EMAIL: smarsh@markem-imaje.com	EMAIL:
SIGNATURE: 	SIGNATURE:
PRINTED NAME: Shawn Marsh	PRINTED NAME:

AUTHORIZED AGENT (if different than Owner/Applicant)	FOR OFFICE USE ONLY:
---	----------------------

NAME/COMPANY: Fieldstone Land Consultants, PLLC	TAX MAP PARCEL #(s): 598.002.000 . 000.000
MAILING ADDRESS: 206 Elm Street	-----
PHONE: 603-672-5456	-----
EMAIL: jglefevre@fieldstonelandconsultants.com	PARCEL SIZE: 31 acres DATE STAMP:
SIGNATURE:	ZONING: Industrial Park
PRINTED NAME: Jonathan G. Lefebvre	PROJECT #: SPR-04-B, Mod. I



88-08-23



FIELDSTONE

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

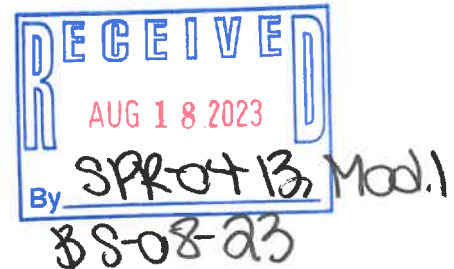
LAND CONSULTANTS, PLLC

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

Subdivision and Site Plan Application Narrative

Markem-Imaje Site Plan
Industrial Park Facility – 2 Lot Subdivision
Tax Map Parcel 598, Lot 2
150 Congress Street
Keene, New Hampshire

August 18, 2023



Project Narrative:

Fieldstone Land Consultants, on behalf of the Markem-Imaje Corporation, is submitting this narrative as part of the Planning Board Subdivision and Site Plan applications. The proposal consists of subdividing the existing lot at 150 Congress Street into two lots. The proposed lot will include an existing building, paved parking lots, landscaped areas, and associated pavement. The applicant has a buyer for the proposed building and lot, which is contingent on local approvals. The subdivision was presented at the preliminary hearing.

The site is located on Tax Map 598, Lot 2 with the street access from three City Streets; Congress Street, Tiffin Street, and Martin Street. The subject lot will be subdivided into two lots, as depicted on the Subdivision plans. The existing parent lot is approximately 31.825 acres in size and has three buildings on the lot for the manufacturing facility known as Markem-Imaje Corporation. The proposed lot will be 4.025 acres in size and will include one building (known as the INF Building) that has a footprint of 21,130 square feet. The INF Building is a two-story brick building with an attached steel warehouse building. The intent is to sell this lot and building to a perspective buyer, as soon as possible.

The proposed lot lines of the two-lot subdivision create new setback lines along the front of the Markem-Imaje main building. The pavement will be removed in portions in this area to meet the parking/pavement setbacks as listed in the Land Development Code, as depicted on the Site Plan. This area was historically the main entrance to the Markem-Imaje facility. The main entrance will be moved to another door location on the west side of the Markem-Imaje building, which has vehicle access from Optical Avenue and Belmont Avenue.

The existing INF Building does not meet the current building setbacks from Tiffin Street and the large parking lot along Tiffin and Martin Street also does not meet current parking/pavement setbacks. The building dates back to the early 1900s and the parking lot was constructed long before Keene had Zoning requirements. The property lines in this location are existing and there are no proposed changes to those lot lines. The building and parking lot are existing, non-conforming features on the property that will remain unaltered.

Currently there is an enclosed sidewalk/tunnel that connects the Main Building to the INF Building. This structure has full glass sides and a curved, corrugated steel roof that was constructed around 1974. The applicant will remove a large portion of this tunnel to separate the two buildings. The enclosure and concrete slab will be removed. The portion that will remain is closest to the INF Building, where the two sidewalks provide access to the doors on the east and west side. The perspective buyer intends to use this section of tunnel as a greenhouse.

Overall, the physical changes to the property are very minor as shown on the Site Plan.

Below is an outline of the Site Development Standards on the Site Plan application and how each is addressed:

20.2 Drainage & Stormwater Management:

There will be no change to the stormwater management systems that exist on site. There will be a minor reduction in impermeable surfaces with the proposed plan. The stormwater is managed via catch basins in the parking lots and driveways. Some are tied to the City storm-drainage system and the larger parking lot catch basins outlet to a large drainage swale that runs from Tiffin Street to a stormwater pond near NH Route 101. These systems have been in place since the 1950s and are not proposed to change.

20.3 Sediment and Erosion Control:

Sediment and erosion control measures will be minimal, as there is only very minor site work proposed. The catch basins adjacent to any work will have silt socks installed. The areas where pavement is removed will be stabilized with loam and seed. The site is very flat in grade.

20.4 Snow Storage & Removal

The site is large enough to store snow on site with snow placed along the edge of the large parking lot and along the edges of the paved areas. The development has existed at this location for a very long time, and snow storage has never been an issue.

20.5 Landscaping

The site is well landscaped along Congress Street, as this was the former main entrance to Markem-Imaje. There is no proposed landscaping associated with the subdivision. The landscaping will not be altered by this subdivision, and all trees and shrubs will remain.

20.6 Screening

There are no ground mounted equipment or dumpsters visible from the public way. No screening is required or proposed.

20.7 Lighting

The lighting is not proposed to be changed, and has existed for many years. The building mounted lights were upgraded to full-cut off, LED fixtures in recent years. None of the existing fixtures glare onto abutting properties or City streets.

20.8 Sewer & Water

The site is serviced by municipal water and sewer, which will remain unchanged. A utility crossing easement will be recorded to allow for the continued use of the utilities by both parties. The water and sewer for the remaining Markem-Imaje site cross the proposed lot at Congress Street and Martin Street. The INF Building on the proposed lot has water and sewer connections directly off Tiffin Street.

20.9 Traffic & Access Management

Traffic to the site will be from Tiffin Street with direct access into the parking lots from Congress Street

3551.00 Markem-Imaje Sub.

and Martin Street extensions.

20.10 Filling & Excavation

The project does not propose any filling or excavation. All existing grades will remain unchanged. Any pavement removal will be loamed and seeded at the same grade. Any utility trenching, such as for a new electrical service, will be trenched and filled to maintain the existing grades.

20.11 Surface Water & Wetlands

The proposed lot does not have any wetlands or surface waters.

20.12 Hazardous & Toxic Materials

The subdivided lot and building will not contain any hazardous or toxic materials, based on the potential buyer's plan. Markem-Imaje Corporation does have hazardous materials stored on site as part of the manufacturing business that produces ink for industrial printers. These materials are heavily regulated and inspected to meet compliance with local, state, and federal permits. These materials will not be stored in the building that is being subdivided from the subject lot.

20.13 Noise

There would be no increase or change to noise levels, as the site has operated as an industrial business for over a 100 years. The noise generated will likely continue to be from delivery trucks, fork-trucks, lawn maintenance and snow removal equipment.

20.14 Architecture & Visual Appearance

There is no change to architecture of the buildings as part of this plan. The buildings on both lots are brick construction that vary in age. The INF Building on the proposed lot is a two-story brick building with an attached steel warehouse. The brick structure dates to the early 1900s and the steel warehouse was constructed in the 1950s.

Below is an outline of the Subdivision Standards on the Subdivision application and how each is addressed:

19.1.2 Lots:

Only one lot is proposed to be subdivided from the parent lot. The lot will meet minimum lot size and setbacks will be met along the proposed lot lines. The existing lot lines along Tiffin Street and Martin Street are existing, non-conforming situations. The previous setbacks for Industrial Park had no pavement or building setbacks. The building and parking lots have existed prior to zoning regulations.

19.2.2 Character of Land for Subdivision:

The property consists of existing industrial buildings, parking lots, and landscaped areas. The only change after subdivision will be the partial demolition of the enclosed sidewalk (tunnel) that connects the two existing buildings. Also portions of pavement will be removed to meet the current pavement/parking lot setbacks. The character of the lot will remain unchanged.

19.2.3 Scattered or Premature Development:

The development has existed for many years and the subdivided lot will not create a scattered development.

19.2.4 Preservation of Existing Features:

Almost all of the existing features will be preserved, other than the modification to the pavement and enclosed walkway. All landscaping will remain and vegetated buffers between the industrial and residential zones will not be changed as part of the subdivision.

19.2.5 Monumentation:

Following approval and recording of the subdivision, new monuments will be set in the locations shown.

19.2.6 Special Flood Hazard Areas:

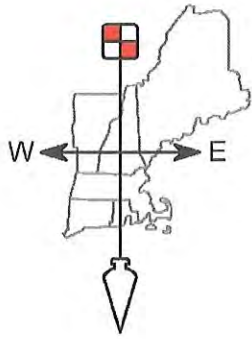
There is no proposed change in grades on site or impacts within flood hazard areas.

19.2.7 Fire Protection & Water Supply:

All buildings owned by Markem-Imaje are fully sprinklered via municipal water supply. The building to be subdivided and sold is serviced off of Tiffin Street for both domestic and fire supply.

19.2.8 Utilities:

There is extensive water and sewer infrastructure on this industrial site. The water line makes a loop around the Markem-Imaje facility and is fed off Congress Street and Martin Street. The sewer also connects in two locations on Congress and Martin Streets for the Main and Chemical Buildings. The INF Building has water fed from Tiffin Street and sewer connects to both Congress Street and Tiffin Street municipal sewer lines. The electrical feed for the INF Building currently is underground from a transformer adjacent to the Chemical Building, which is ultimately fed from NH Route 101. The applicant will be installing a new underground electrical service from Congress Street to separate the INF building from the remainder of the Markem-Imaje electrical grid. As part of the subdivision, there will be a blanket utility crossing easement, for the utilities for the Markem-Imaje facility that cross the proposed lot.



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206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

City of Keene Planning Board

Attn: Evan J. Clements, AICP
Community Dev. Planner
City of Keene
3 Washington St – 4th Floor
Keene, NH 03431

August 31, 2023

RE: WAIVER/EXEMPTION REQUEST (Revised)
Markem-Imaje Subdivision & Site Plan
150 Congress Street

Mr. Clements:

On behalf of our client, Markem-Imaje Corporation, we are hereby submitting this revised waiver and exemption request for Planning Board approval. Based on the Preliminary Hearing, the project will include both a subdivision application and site plan application. The exemptions and waivers are based on the site plan application requirements, as listed below:

Waiver #1: Section 20.7.3.C Lighting Trespass of the Land Use Development Code to allow for light levels that exceed .1-footcandle at the property line:

1. *Strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulation:* The lights that currently exist on the buildings and in the parking lots have been in place for a very long time. The wall pack lights are full cut-off, LED fixtures. The locations of the lights on the buildings and parking lots would not glare into a public way or impact abutters. The direct abutters to the proposed lot, are owned by the applicant, directly across Tiffin Street. Strict conformity of the lighting standard would only cause delays in the project with no gain to the public, as the applicant owns the properties on both sides of the proposed lot.
2. *Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations ...:* The specific circumstance of the site plan is that there are no changes to the existing conditions relative to parking lot layout, sidewalk locations, and the existing lighting. The lighting was installed many years ago to provide safe lighting at entrances and in parking areas, and this lighting will not impact abutting residential properties or the public way. For these reasons, the spirit and intent of the lighting regulation is observed in the existing condition.
3. *In granting a waiver, the Planning Board may require any mitigation that is reasonable and necessary to ensure that the spirit and intent of the standard being waived will be preserved and to ensure that no increase in adverse impacts associated with granting the waiver will occur.:* The lights on this site have existed for many years with no complaints from abutters or the public. The lights provide adequate light at the entryways, sidewalks, and parking lots. These lights were upgraded to efficient LEDs using retrofit kits in the parking lots, and new fixtures for the building mounted lights. The replaced fixtures are full cutoff, LED fixtures. We do not foresee any need for the Planning Board to require any mitigation or changes to the current light fixtures.

Exemptions (per Site Plan Application Page 2):

Exemption #1: Grading Plan: There are no changes to the existing grading or stormwater infrastructure.

Exemption #2: Landscaping Plan: This area of the property has substantial plantings consisting of various shrubs and trees. The proposed subdivision will not alter any of the existing landscaping on the property.

Exemption #3: Lighting Plan: There are no changes to the existing lighting as a result of this application.

Exemption #4: Elevations: There are no changes to the existing buildings on both proposed lots.

Exemption #5: Drainage Report: There are no changes to the existing stormwater infrastructure and the impervious areas will be reduced in the post-development scenario, slightly reducing runoff.

Exemption #6: Traffic Analysis: There will be no increase in traffic on the City Streets.

Exemption #7: Soil Analysis: There is no change to stormwater infrastructure or grading.

Exemption #8: Historical Evaluation: There is no change to the buildings, and the property is not in the Historical district.

Exemption #9: Screening Analysis: There is no change to the site and no dumpsters or equipment are visible from the public way.

Exemption #10: Architecture & Visual Appearance Analysis: There are no proposed changes to the building architecture.

Thank you for your consideration in granting the waivers and exemptions as outlined above.

Best Regards,

Fieldstone Land Consultants, PLLC



John Noonan
Project Manager

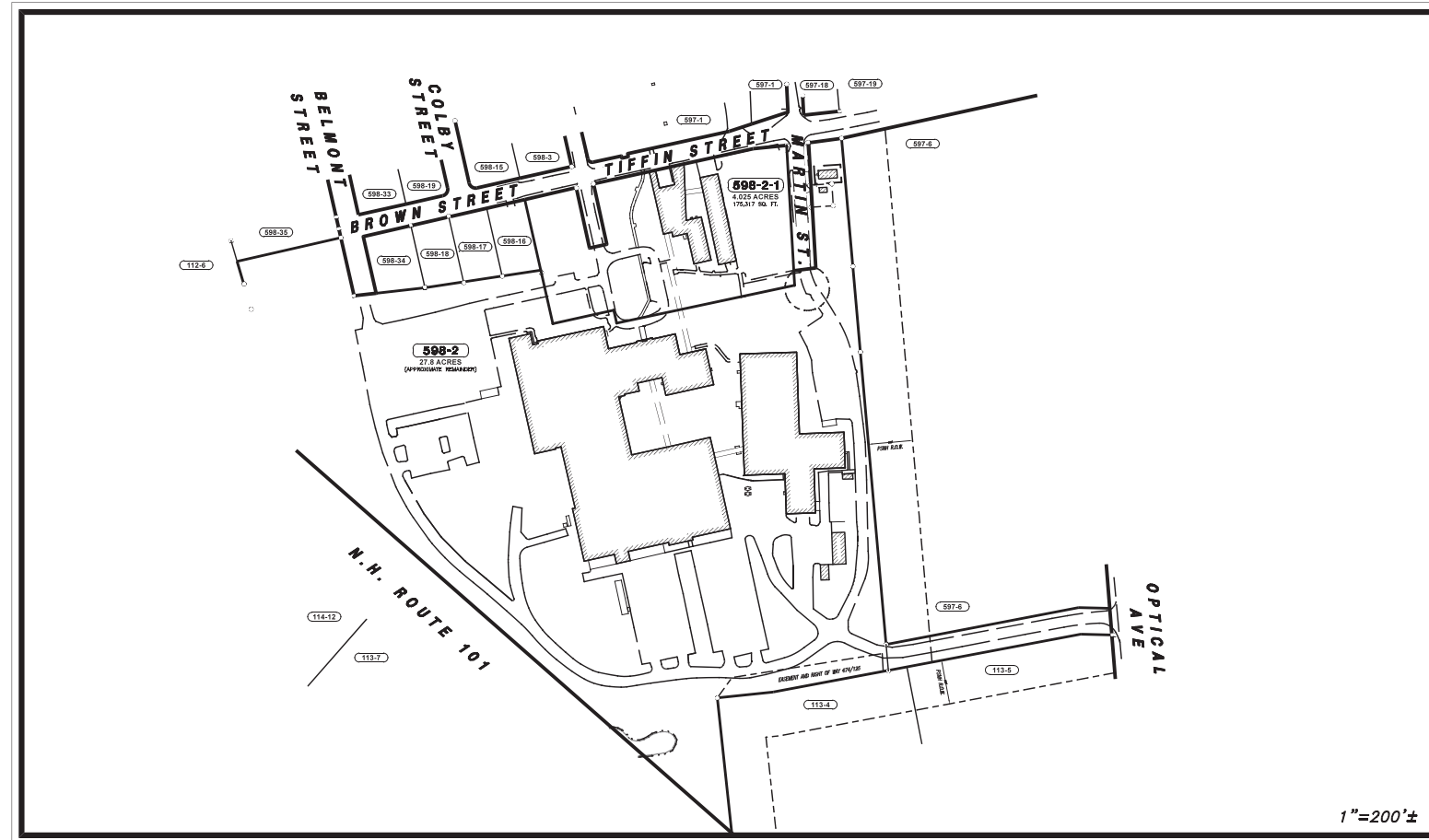
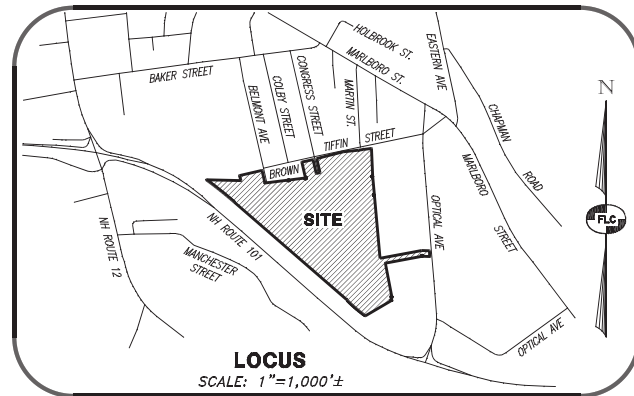
SITE DEVELOPMENT PLANS

- TAX MAP 589, LOT 2

MARKEM-IMAJE 2 LOT SUBDIVISION

150 CONGRESS STREET
KEENE, NEW HAMPSHIRE

AUGUST 18, 2023



SHEET INDEX		
PAGE	SHEET	TITLE
1	CV-1	COVER SHEET
2	SP-1	SITE PLAN
1	SB-1	OVERALL SUBDIVISION PLAN
2	SB-2	DETAILED SUBDIVISION PLAN

PREPARED FOR:
TAX MAP 598 LOT 2
(150 CONGRESS STREET)
KEENE, NEW HAMPSHIRE

LAND OF:
MARKEM-IMAJE CORPORATION
150 CONGRESS STREET, KEENE, NH 03431



8/18/23

- THE LOCATION OF THE UTILITIES SHOWN ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND PRESERVE ALL UTILITY SERVICES.
- THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING AND COORDINATING WITH ALL UTILITY COMPANIES AND JURISDICTIONAL AGENCIES PRIOR TO AND DURING CONSTRUCTION.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND PROPOSED WORK PRIOR TO CONSTRUCTION.

CONTACT DIG SAFE
72 HOURS PRIOR
TO CONSTRUCTION

DIGSAFE.COM
811

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APPROVAL:

THE SITE PLAN REGULATIONS OF THE TOWN OF CANTERBURY ARE HEREBY INCORPORATED BY REFERENCE AS PART OF THE APPROVAL OF THIS PLAN.

THIS SITE PLAN IS HEREBY APPROVED BY THE PLANNING BOARD AT AN OFFICIAL MEETING HELD ON

DATE

CHAIRMAN OF THE PLANNING BOARD

REV.	DATE	DESCRIPTION	C/O	DR	CK

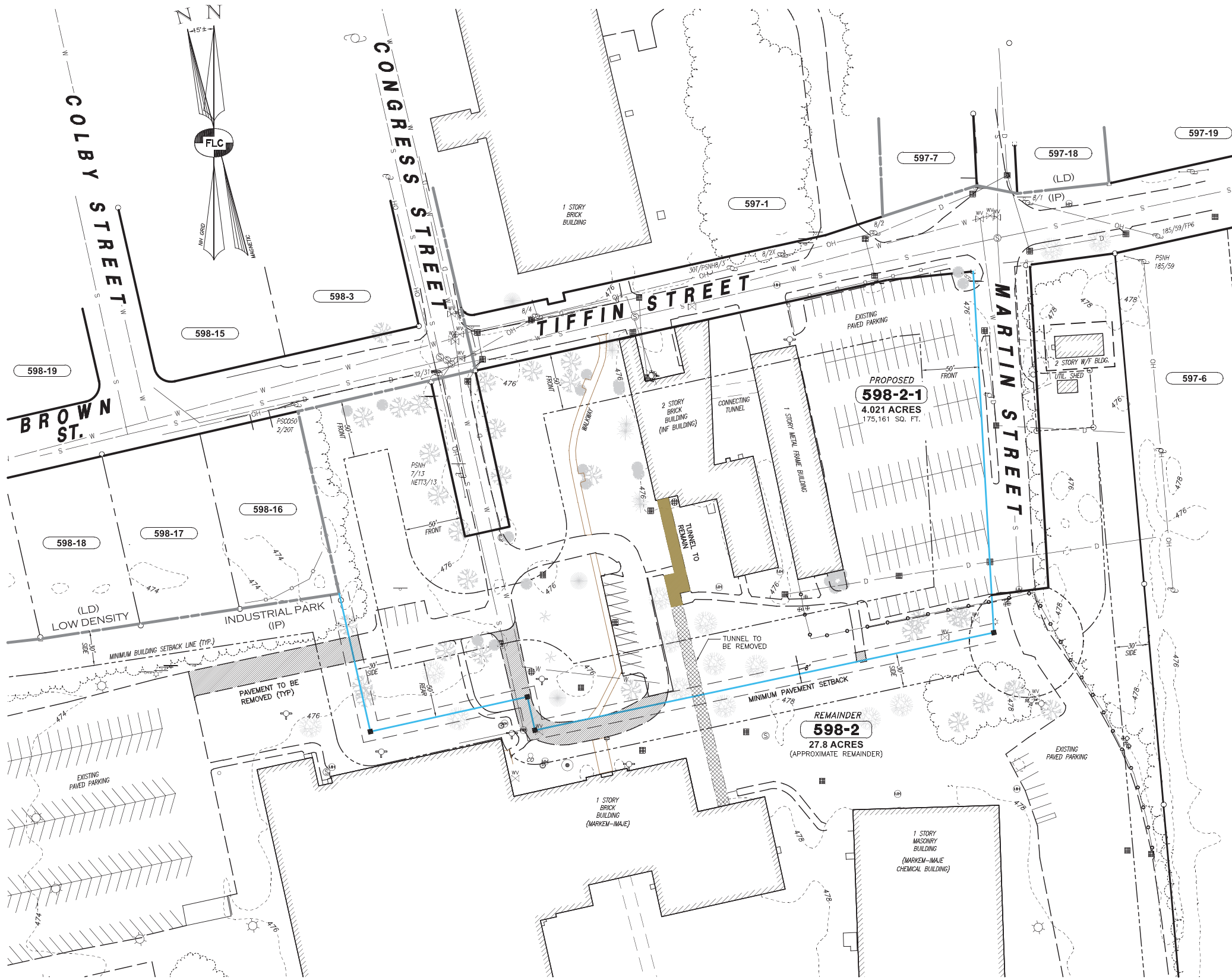
FILE: 3551CV00.dwg PROJ. NO. 3551.00 SHEET: CV-1 PAGE NO. 1 OF 2

LEGEND:

- RIGHT-OF-WAY LINE
- BOUNDARY LINE
- ABUTTING LOT LINE
- ZONING LINE
- BUILDING SETBACK LINE
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- CURB LINE
- STONE WALL
- EDGE OF TREE LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- 10' CONTOUR INTERVAL
- 2' CONTOUR INTERVAL
- CHAIN-LINK FENCE
- STOCKADE FENCE
- FORMER TRACT LINE
- CULVERT
- OVERHEAD UTILITY LINE
- UNDERGROUND UTILITY LINE
- WATER LINE
- UTILITY POLE
- SEWER LINE
- CATCH BASIN (SQUARE)
- DRAIN MAN-HOLE
- SEWER MAN-HOLE
- MANHOLE
- WATER HYDRANT
- WATER VALVE
- WATER SHUT-OFF
- SINGLE SIGN POST
- EXISTING BUILDING
- TAX MAP & LOT NUMBER
- GRANITE BOUND FOUND
- IRON PIN FOUND
- IRON PIPE FOUND
- GRANITE BOUND TO BE SET
- 100 YEAR FLOOD ZONE LINE

PROPOSED FEATURES:

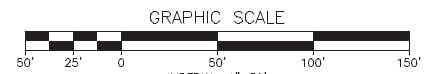
- EDGE OF PAVEMENT
- BUILDING
- PARKING STRIPING
- PAVEMENT TO BE REMOVED



NOTES:

1. THE OWNER OF RECORD FOR PARCEL 598-2 IS MARKEM-IMAJE CORPORATION OF 150 CONGRESS ST., KEENE, NH 03431.
2. THE PURPOSE OF THIS PLAN IS TO DEPICT A SITE LAYOUT AND SUBDIVISION FOR TAX MAP 598 PARCEL 2 AS SHOWN. EXISTING STRUCTURE KNOWN AS INF BUILDING WILL BE REFERRED TO AS TAX MAP 598 PARCEL 2-1.
3. ZONING FOR THE PARCEL IS INDUSTRIAL PARK (IP). REQUIREMENTS INCLUDE:

INDUSTRIAL PARK (IP)	REQUIRED	598-2-1 PROPOSED	598-2 PROPOSED
MIN. LOT AREA	4 ACRES	4.025 ACRES	27.8 ACRES
MIN. LOT FRONTAGE	50 FT	758 FT	150 FT
MIN. FRONT SETBACK	50 FT	0 FT	50 FT
MIN. SIDE SETBACK	30 FT	30+ FT	30+ FT
MIN. REAR SETBACK	50 FT	50+ FT	50+ FT
MAX. BUILDING COVERAGE	25%	11.7%	17.2%
MAX IMPERVIOUS COVERAGE	70%	46%	44%
4. PROPOSED LOT 598-2-1 IS THE RESULT OF A PRECISE FIELD SURVEY MADE ON THE GROUND BY THIS OFFICE DURING THE MONTH OF MAY, 2023. REMAINDER LOT 598-2 IS SHOWN PER DEEDS, PLANS OF RECORD AND PHYSICAL EVIDENCE FOUND, AND IS NOT TO BE CONSIDERED A BOUNDARY SURVEY BY THIS OFFICE.
5. HORIZONTAL ORIENTATION AND VERTICAL DATUM ARE NAD83 AND NAVD 88 PER A GPS CORS SOLUTION.
6. A PORTION OF REMAINDER LOT 598-2 IS SUBJECT TO THE 100 YEAR FLOOD HAZARD ZONE "AE" PER FEMA FLOOD INSURANCE RATE MAP CO. 33005C0267E, EFFECTIVE DATE 5/23/2006. APPROXIMATE GRAPHICAL LOCATION IS DEPICTED HEREON.
7. A PORTION OF THE SUBJECT PREMISES (NOTED TO BE PARCEL 598-2-1-2) IS AFFILIATED WITH THE AMALGAMATED SQUASH, CHOWDER AND DEVELOPMENT CORPORATION. IN 1976 WHEN THE FORMER LOCATION ON WEST STREET WAS SOLD, THE BUILDING WAS MOVED TO THIS LOCATION. NO DEED WAS RECOVERED BY THIS OFFICE FOR THE CURRENT BUILDING LOCATION. C.C.R.D. PLAN C11-007-0506 NOTES THIS SPACE TO BE A 40' X 60' LEASE AREA.
8. A PORTION OF THE SUBJECT PREMISES (NOTED TO BE PARCEL 598-2-2-2) IS AN EASEMENT AREA CONVEYED TO NEW ENGLAND TELEPHONE & TELEGRAPH COMPANY (SEE C.C.R.D. BK. 1505 PG. 789 & PLAN C11-007-0506). THIS EASEMENT AREA DOES NOT TAKE INTO ACCOUNT A NEW LAYOUT FOR MARTIN STREET AND PORTIONS OF THIS EASEMENT LYE WITHIN THE MARTIN STREET RIGHT OF WAY.
9. MARTIN STREET WAS ORIGINALLY LAID OUT ON JULY 2, 1916 IN VOL. 4, PG. 327 (35' WIDE). A PORTION WAS DISCONTINUED IN 1922 (SEE CITY REPORT PG. 70). IT WAS THEN EXTENDED TO TIFFIN ST., OCT. 22, 1937 IN VOL. 6 PG. 118-121 (35' WIDE). A FURTHER EXTENSION BY RESOLUTION #43, FEB. 20, 1958. SEE RETURN OF LAYOUT (50' X 284') AND RESOLUTION #38 FEB. 20, 1958 (50' CUL-DE-SAC).
10. A PORTION OF CONGRESS STREET RELATIVE TO THE SUBJECT PROPERTY WAS DISCONTINUED MAY 3, 1979. SEE RESOLUTION #R-79-30.
11. TAX MAP 598 LOT 2 IS SUBJECT TO A RIGHT OF WAY AND EASEMENT RELATIVE TO DRAINAGE. SEE C.C.R.D. BK. 674 PG. 126 DATED 8/29/1960 FOR FURTHER DESCRIPTION.
12. TAX MAP 598 LOT 2 MAY BE SUBJECT TO OTHER EASEMENTS OR RIGHTS NOT NOTED OR SHOWN ON THIS PLAN.
13. A SECTION OF THE TUNNEL CONNECTING BUILDINGS ON 598-2 AND 598-2-1 IS TO BE REMOVED ALONG WITH AN AREA OF PARKING TO REMAIN COMPLIANT WITH THE CITY OF KEENE ZONING REQUIREMENTS. SEE SITE PLAN PREPARED BY THIS OFFICE DATED 8/14/2023.5. HORIZONTAL ORIENTATION AND VERTICAL DATUM ARE NAD83 AND NAVD 88 PER A GPS CORS SOLUTION.



A	8/31/23	ADDED NORTH ARROW PER STAFF COMMENTS	SJB	JEN
REV.	DATE	DESCRIPTION	C/O	DR

SITE PLAN
TAX MAP 598 LOT 2
(150 CONGRESS STREET)
KEENE, NEW HAMPSHIRE
 LAND OF:
MARKEM-IMAJE CORPORATION
 150 CONGRESS STREET, KEENE, NH 03431

SCALE: 1" = 50' AUGUST 17, 2023

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APPROVED BY KEENE PLANNING BOARD

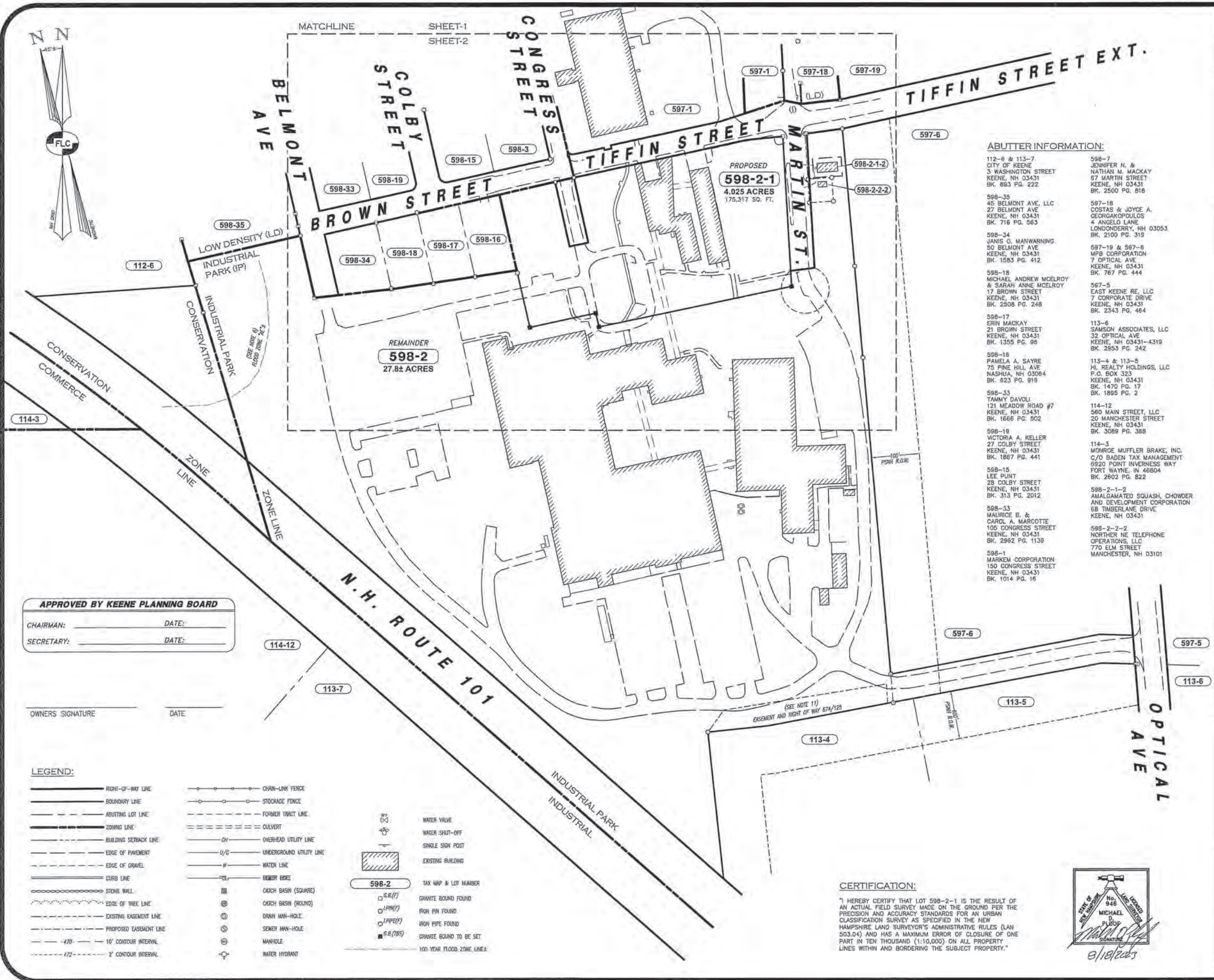
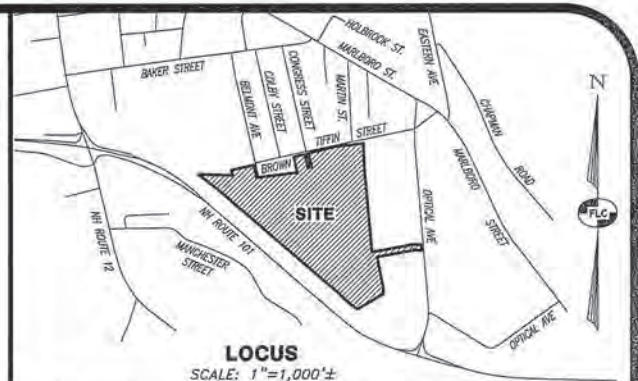
CHAIRMAN: _____ DATE: _____

SECRETARY: _____ DATE: _____

OWNERS SIGNATURE _____ DATE _____

CERTIFICATION:

"I HEREBY CERTIFY THAT LOT 598-2-1 IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND PER THE PRECISION AND ACCURACY STANDARDS FOR AN URBAN CLASSIFICATION SURVEY AS SPECIFIED IN THE NEW HAMPSHIRE LAND SURVEYOR'S ADMINISTRATIVE RULES (LAN 503.04) AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND (1:10,000) ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY."

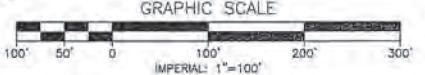


ABUTTER INFORMATION:

- 112-6 & 113-7
CITY OF KEENE
3 WASHINGTON STREET
KEENE, NH 03431
BK. 893 PG. 222
- 598-35
45 BELMONT AVE. LLC
27 BELMONT AVE
KEENE, NH 03431
BK. 716 PG. 583
- 598-34
JANIS O. MANWARING
50 BELMONT AVE
KEENE, NH 03431
BK. 1583 PG. 412
- 598-18
MICHAEL ANDREW MCELROY
& SARAH ANNE MCELROY
17 BROWN STREET
KEENE, NH 03431
BK. 2508 PG. 248
- 598-17
ERIN MACKAY
21 BROWN STREET
KEENE, NH 03431
BK. 1355 PG. 98
- 598-16
PAMELA A. SAYRE
75 FINE HILL AVE
NASHUA, NH 03084
BK. 823 PG. 819
- 598-33
TAMMY DAVOLI
121 MEADOW ROAD #7
KEENE, NH 03431
BK. 1666 PG. 502
- 598-19
VICTORIA A. KELLER
27 COLBY STREET
KEENE, NH 03431
BK. 1867 PG. 441
- 598-15
LEE PUNT
28 COLBY STREET
KEENE, NH 03431
BK. 313 PG. 2012
- 598-33
MAURICE B. &
CAROL A. MARCOTTE
105 CONGRESS STREET
KEENE, NH 03431
BK. 2992 PG. 1139
- 598-1
MARKEM CORPORATION
150 CONGRESS STREET
KEENE, NH 03431
BK. 1014 PG. 16
- 598-7
JENNIFER K. &
NATHAN M. MACKAY
67 MARTIN STREET
KEENE, NH 03431
BK. 2500 PG. 818
- 597-18
COSTAS & JOYCE A.
GEORGAKOPOULOS
4 ANGELO LANE
LONDONDERRY, NH 03053
BK. 2100 PG. 319
- 597-19 & 597-6
MPB CORPORATION
7 OPTICAL AVE
KEENE, NH 03431
BK. 767 PG. 444
- 597-5
SAMSON ASSOCIATES, LLC
32 OPTICAL AVE
KEENE, NH 03431-4319
BK. 2953 PG. 242
- 113-4 & 113-5
HL REALTY HOLDINGS, LLC
P.O. BOX 323
KEENE, NH 03431
BK. 1470 PG. 17
BK. 1895 PG. 2
- 114-12
560 MAIN STREET, LLC
20 MANCHESTER STREET
KEENE, NH 03431
BK. 3088 PG. 388
- 114-3
MONROE MUFFLER BRAKE, INC.
C/O BADEN TAX MANAGEMENT
6920 POINT INVERNESS WAY
FORT WAYNE, IN 46804
BK. 2602 PG. 822
- 598-2-1-2
AMALGAMATED SQUASH, CHOWDER
AND DEVELOPMENT CORPORATION
68 TIMBERLANE DRIVE
KEENE, NH 03431
- 598-2-2-2
NORTHERN TELEPHONE
OPERATIONS, LLC
770 ELM STREET
MANCHESTER, NH 03101

NOTES:

1. THE CURRENT OWNER OF TAX MAP 598 LOT 2 IS MARKEM-IMAJE CORPORATION (F.K.A. MARKEM CORPORATION, F.K.A. MARKEM MACHINE COMPANY) 150 CONGRESS STREET, KEENE, NH 03431. SEE C.C.R.D. BK. 886 PG. 526 DATED 7/15/1974, BK. 878 PG. 336 DATED 1/18/1974 AND BK. 776 PG. 189 DATED 12/29/1987.
2. THE PURPOSE OF THIS PLAN IS TO DEPICT A TWO LOT SUBDIVISION OF TAX MAP 598 LOT 2, CREATING ONE NEW INDUSTRIAL LOT.
3. ZONING FOR TAX MAP 598 LOT 2 IS INDUSTRIAL PARK (IP).
INDUSTRIAL PARK (IP) REQUIRED:
MIN. LOT AREA 4 ACRES
MIN. LOT FRONTAGE 50 FT
MIN. FRONT SETBACK 30 FT
MIN. SIDE SETBACK 30 FT
MIN. REAR SETBACK 30 FT
MAX. BUILDING COVERAGE 25%
MAX IMPERVIOUS COVERAGE 20%
4. PROPOSED LOT 598-2-1 IS THE RESULT OF A PRECISE FIELD SURVEY MADE ON THE GROUND BY THIS OFFICE DURING THE MONTH OF MAY, 2023. REMAINDER LOT 598-2 IS SHOWN PER DEEDS, PLANS OF RECORD AND PHYSICAL EVIDENCE FOUND, AND IS NOT TO BE CONSIDERED A BOUNDARY SURVEY BY THIS OFFICE.
5. HORIZONTAL ORIENTATION AND VERTICAL DATUM ARE NAD83 AND NAVD 88 PER A GPS CORS SOLUTION.
6. A PORTION OF REMAINDER LOT 598-2 IS SUBJECT TO THE 100 YEAR FLOOD HAZARD ZONE "AE" PER FEMA FLOOD INSURANCE RATE MAP CO. 33005C0267E, EFFECTIVE DATE 5/23/2008. APPROXIMATE GRAPHICAL LOCATION IS DEPICTED HEREON.
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12. TAX MAP 598 LOT 2 MAY BE SUBJECT TO OTHER EASEMENTS OR RIGHTS NOT NOTED OR SHOWN ON THIS PLAN.
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APPROVED BY KEENE PLANNING BOARD

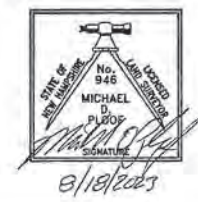
CHAIRMAN: _____ DATE: _____
SECRETARY: _____ DATE: _____

OWNERS SIGNATURE _____ DATE _____

- LEGEND:**
- RIGHT-OF-WAY LINE
 - BOUNDARY LINE
 - - - ABUTTING LOT LINE
 - - - FORMER TRACT LINE
 - - - ZONING LINE
 - - - BUILDING SETBACK LINE
 - - - EDGE OF PAVEMENT
 - - - EDGE OF GRAVEL
 - - - CURB LINE
 - - - STONE WALL
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 - OVERHEAD UTILITY LINE
 - UNDERGROUND UTILITY LINE
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 - SEWER EDGE
 - CATCH BASIN (SQUARE)
 - CATCH BASIN (ROUND)
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 - TAX MAP & LOT NUMBER
 - GRANITE BOUND FOUND
 - IRON PIN FOUND
 - IRON PIPE FOUND
 - GRANITE BOUND TO BE SET
 - 100-YEAR FLOOD ZONE LINE

CERTIFICATION:

I HEREBY CERTIFY THAT LOT 598-2-1 IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND PER THE PRECISION AND ACCURACY STANDARDS FOR AN URBAN CLASSIFICATION SURVEY AS SPECIFIED IN THE NEW HAMPSHIRE LAND SURVEYOR'S ADMINISTRATIVE RULES (LAN 503.04) AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND (1:10,000) ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY.



REV.	DATE	DESCRIPTION	C/O	DR	CK

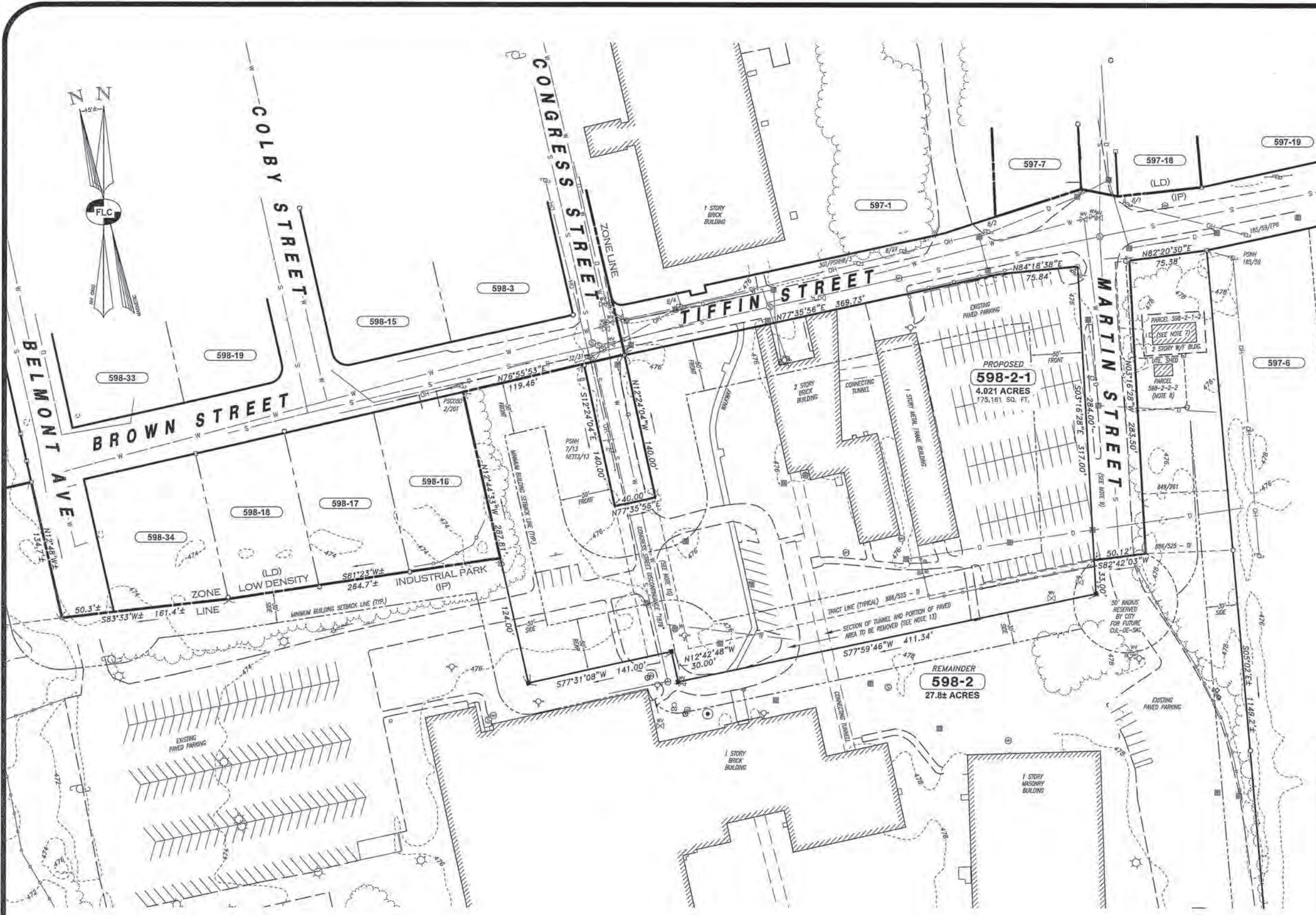
SUBDIVISION PLAN
TAX MAP 598 LOT 2
(150 CONGRESS STREET)
KEENE, NEW HAMPSHIRE
LAND OF:
MARKEM-IMAJE CORPORATION
150 CONGRESS STREET, KEENE, NH 03431

SCALE: 1" = 100' AUGUST 17, 2023

Surveying + Engineering + Land Planning + Permitting + Septic Designs

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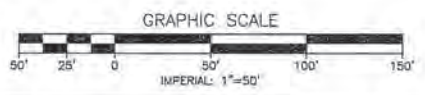
LOT DETAILS:

598-2-1 (PROPOSED)				
FRONTAGE:	BROWN ST.	CONGRESS ST.	TIFFIN ST.	MARTIN ST.
	119.46'	320.00'	435.57'	284.00'

598-2 (REMAINDER)					
FRONTAGE:	BELMONT AVE	TIFFIN ST. EXT.	MARTIN ST.	OPTICAL AVE	ROUTE 101
	185'±	75.36'	333.62'	80.3'±	1,888'±

NOTES CONTINUED FROM SHEET 1:
 14. PROPOSED LOT 598-2-1 SHALL BE SUBJECT TO A BLANKET UTILITY EASEMENT FOR ALL EXISTING UTILITY CONNECTIONS SERVING REMAINDER LOT 598-2.

- REFERENCE PLANS:**
- "BAKER STREET VICINITY - LAND SURVEY FOR THE - UNION SCHOOL DISTRICT - KEENE, NEW HAMPSHIRE" SCALE: 1"=80', DATED JUNE 1969, PREPARED BY R.K. PIPER AND FOUND ON FILE AT THE CITY OF KEENE.
 - "SITE PLAN - OFFICE ADDITION & RENOVATIONS - M.P.B. - KEENE, NH" SCALE: 1"=80', DATED 6/10/85, PREPARED BY THE MACMILLIN COMPANY, INC. AND FOUND ON FILE AT THE CITY OF KEENE.
 - "TAX MAP SECTION 906 BLOCK 22 LOTS 1 & 11 - BOUNDARY LINE ADJUSTMENT PLAN - OWNED BY - JAMES D. & RUTH D. EWING & - MARKEM CORPORATION - OPTICAL AVENUE, KEENE, NEW HAMPSHIRE - PREPARED FOR - JAMES D. & RUTH D. EWING" SCALE: 1"=50', DATED DEC. 27, 2001, PREPARED BY TFM, INC. AND RECORDED AT THE C.G.R.D. AS PLAN NO. C12-D07-0072.
 - "A MAP OF - BAKER MANOR - AT - KEENE, N.H. - DEVELOPMENT OF - THE INDEPENDENT LAND CO." SCALE: 1"=40', DATED JUNE 1924, PREPARED BY A. LATIMER AND RECORDED AT THE C.G.R.D. AS PLAN NO. P0002-0125.
 - "PLAT - OF - THE HEFFRON LOT - KEENE, N.H." SCALE: 1"=100', DATED JUNE 1913, LAST REVISED JUNE 1943, PREPARED BY D.R. CHAPLIN AND RECORDED AT THE C.G.R.D. AS PLAN NO. P0006-0078.
 - "REVISED PLAN OF LOTS - ON - THE ADAMS LAND - OWNED BY W.R. KIRK - KEENE, N.H." SCALE: 1"=50', DATED SEPT. 1916, PREPARED BY H.B. ONEIL AND RECORDED AT THE C.G.R.D. AS PLAN NO. P0001-0108B.
 - "COLBY STREET PLAN - DESIGNED FOR: - ARMAND R. PAQUETTE" SCALE: 1"=50', DATED 3/16/55, LAST REVISED 7/1/55, PREPARED BY WALTER F. ONEIL AND RECORDED AT THE C.G.R.D. AS PLAN NO. P0008-0063.
 - "MARKEM - KEENE, NEW HAMPSHIRE" SCALE: 1"=100', DATED JAN. 22, 1991, PREPARED BY DUFEINE HENRY, INC., PROVIDED BY CLIENT.
 - "PLAN SHOWING PROPOSED EXTENSIONS OF TIFFIN AND MARTIN STREETS" SCALE: 1"=40', DATED 10/21/37, PREPARED BY AND FOUND ON FILE AT THE CITY OF KEENE ENGINEERING DEPARTMENT.
 - "CITY OF KEENE - PLAN SHOWING LAYOUT OF - TIFFIN STREET EXTENSION" SCALE: 1"=50', DATED NOV. 1955, FOUND ON FILE AT THE CITY OF KEENE ENGINEERING DEPARTMENT.
 - "F.A. PUTNAM MFG. CO. - WITH ADJOINING LAND" SCALE: 1/4"=1', DATED JAN. 1950, PREPARED BY D.R. CHAPLIN AND FOUND IN FILE AT THE CITY OF KEENE.
 - "STATE OF NEW HAMPSHIRE - DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS - PLANS OF PROPOSED - FEDERAL AID URBAN PROJECT - U 013-1(B) - N.H. PROJECT NO. P-3435-C - CITY OF KEENE - COUNTY OF CHESHIRE" SCALE: 1"=50', DATED 12/10/62, FOUND ON FILE AT THE N.H. DEPT. OF TRANSPORTATION.
 - "SUBDIVISION PROPOSAL - FOR - M.P.B. CORPORATION - KEENE, N.H. - TRACT B TO BE CONVEYED TO - GASTON E. & LEONA M. PICHETTE - KEENE, N.H." SCALE: 1"=50', DATED 5/3/76, PREPARED BY JOHN C. CALHOUN JR. AND RECORDED AT THE C.G.R.D. AS PLAN NO.
 - "NEW ENGLAND - TELEPHONE & TELEGRAPH - COMPANY - EASEMENT ON LAND OF - MARKEM CORPORATION - MARTIN STREET - KEENE, NEW HAMPSHIRE" SCALE: 1"=20', DATED 7/28/94, PREPARED BY T&M ASSOCIATES, INC. AND RECORDED AT THE C.G.R.D. AS PLAN NO. C11-D07-0506.



REV.	DATE	DESCRIPTION	C/O	DR	CK

SUBDIVISION PLAN
TAX MAP 598 LOT 2
(150 CONGRESS STREET)
KEENE, NEW HAMPSHIRE
 LAND OF:
MARKEM-IMAJE CORPORATION
 150 CONGRESS STREET, KEENE, NH 03431

SCALE: 1" = 50' AUGUST 17, 2023

Surveying ♦ Engineering ♦ Land Planning ♦ Permitting ♦ Septic Designs

FIELDSTONE
LAND CONSULTANTS, PLLC

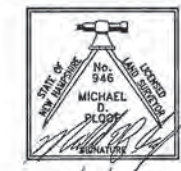
206 Elm Street, Milford, NH 03055
 Phone: (603) 672-5456 Fax: (603) 413-5456
 www.FieldstoneLandConsultants.com

APPROVED BY KEENE PLANNING BOARD

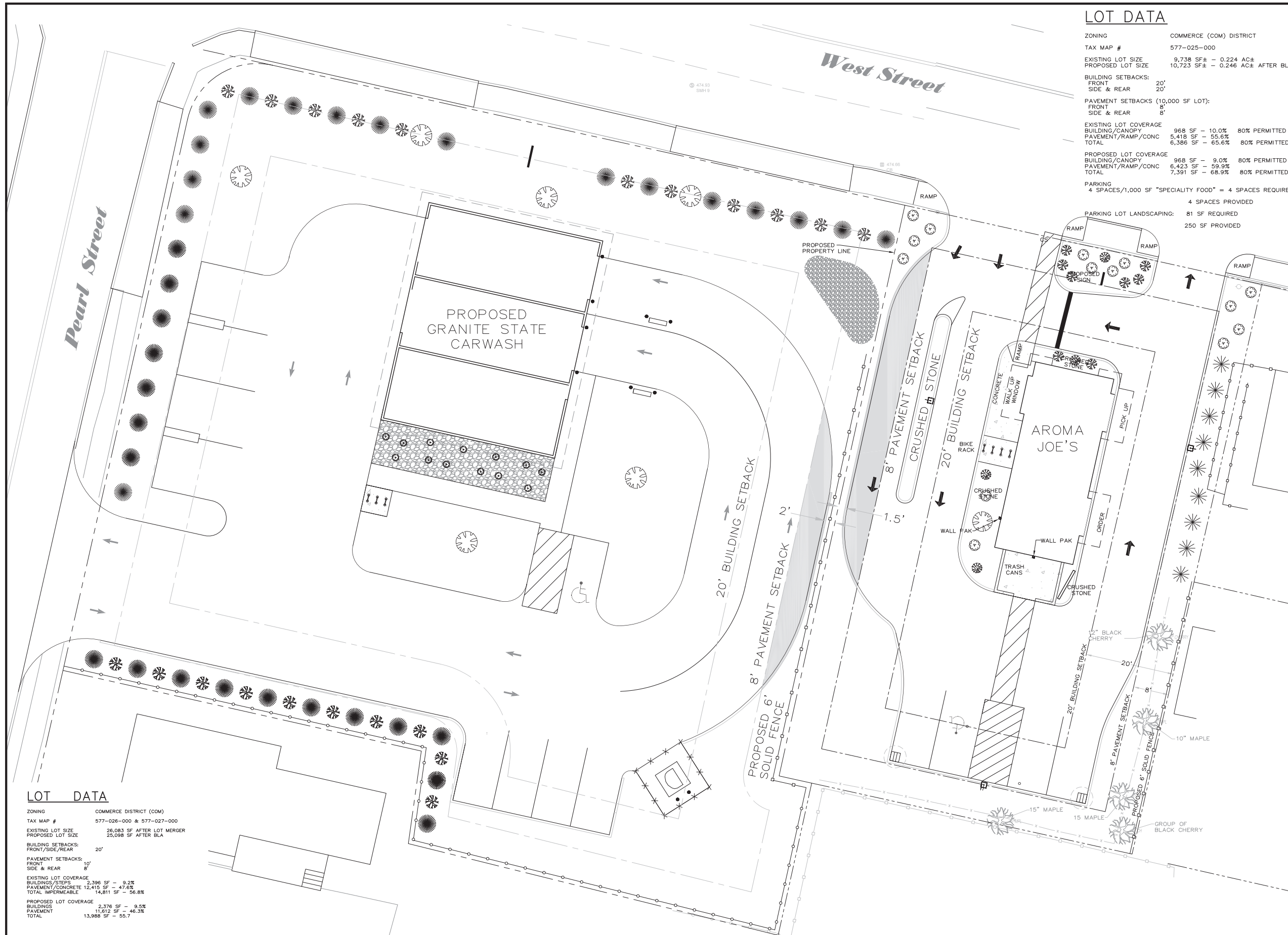
CHAIRMAN: _____ DATE: _____
 SECRETARY: _____ DATE: _____

OWNERS SIGNATURE _____ DATE _____

CERTIFICATION:
 I HEREBY CERTIFY THAT LOT 598-2-1 IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND PER THE PRECISION AND ACCURACY STANDARDS FOR AN URBAN CLASSIFICATION SURVEY AS SPECIFIED IN THE NEW HAMPSHIRE LAND SURVEYOR'S ADMINISTRATIVE RULES (LAN 503.04) AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND (1:10,000) ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY."



SEE LEGEND ON SHEET 1



LOT DATA

ZONING	COMMERCE (COM) DISTRICT
TAX MAP #	577-025-000
EXISTING LOT SIZE	9,738 SF ± - 0.224 AC ±
PROPOSED LOT SIZE	10,723 SF ± - 0.246 AC ± AFTER BLA
BUILDING SETBACKS:	
FRONT	20'
SIDE & REAR	20'
PAVEMENT SETBACKS (10,000 SF LOT):	
FRONT	8'
SIDE & REAR	8'
EXISTING LOT COVERAGE	
BUILDING/CANOPY	968 SF - 10.0% 80% PERMITTED
PAVEMENT/RAMP/CONC	5,418 SF - 55.6% 80% PERMITTED
TOTAL	6,386 SF - 65.6%
PROPOSED LOT COVERAGE	
BUILDING/CANOPY	968 SF - 9.0% 80% PERMITTED
PAVEMENT/RAMP/CONC	6,423 SF - 59.9%
TOTAL	7,391 SF - 68.9%
PARKING	
4 SPACES/1,000 SF "SPECIALITY FOOD" = 4 SPACES REQUIRED	
	4 SPACES PROVIDED
PARKING LOT LANDSCAPING:	
	81 SF REQUIRED
	250 SF PROVIDED

LOT DATA

ZONING	COMMERCE DISTRICT (COM)
TAX MAP #	577-026-000 & 577-027-000
EXISTING LOT SIZE	26,083 SF AFTER LOT MERGER
PROPOSED LOT SIZE	25,098 SF AFTER BLA
BUILDING SETBACKS:	
FRONT/SIDE/REAR	20'
PAVEMENT SETBACKS:	
FRONT	10'
SIDE & REAR	8'
EXISTING LOT COVERAGE	
BUILDINGS/STEPS	2,396 SF - 9.2%
PAVEMENT/CONCRETE	12,419 SF - 47.6%
TOTAL IMPERMEABLE	14,815 SF - 56.8%
PROPOSED LOT COVERAGE	
BUILDINGS	2,376 SF - 9.5%
PAVEMENT	11,612 SF - 46.3%
TOTAL	13,988 SF - 55.7%

REVISIONS:

ENGINEER:

SVE
 Engineering
 Planning
 Landscape Architecture
 Surveying

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

OWNERS:

348 WEST STREET
 WEST STREET
 AJ'S LLC

364 WEST STREET
 A&B LLC

9 WHITE PINE WAY
 BERWICK, ME 03906

PLANNER:

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

AROMA JOE'S
 348 WEST STREET
 KEENE, NH

SITE PLAN

SCALE: 1"=20'

DATE: JUNE 15, 2023

SHEET ZBA 1

From: [Patty Little](#)
To: [Heather Fitz-Simon](#)
Subject: FW: Interested in serving on a City Board or Commission
Date: Thursday, November 3, 2022 2:26:39 PM

From: helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us>
Sent: Thursday, November 3, 2022 12:45 PM
To: Helen Mattson <hmattson@keenenh.gov>
Cc: Patty Little <plittle@keenenh.gov>; Terri Hood <thood@keenenh.gov>
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Thu, 11/03/2022 - 12:44</p>

<p>Submitted values are:</p>

First Name:

kenneth

Last Name:

Kost

Address

79 Ridgewood Avenue

How long have you resided in Keene?

two years

Email:

Cell Phone:

Employer:

WSP

Occupation:

planner/business development

Retired

No

Please list any organizations, groups, or other committees you are involved in

Monadnock Interfaith Project

Alternate, Keene Planning Board

PLEASE NOTE I CHECKED PLANNING BOARD BELOW BECAUSE THERE IS NOT A CHECK BOX FOR KEENE COMMISSIONER TO SWRPC. I AM INTERESTED IN THE SWRPC COMMISSIONER ROLE. THANK YOU ,

Have you ever served on a public body before?

Yes

Please select the Boards or Commissions you would be interested in serving on:

Planning Board

Please share what your interests are and your background or any skill sets that may apply.

PLEASE SEE ABOVE-

There is no a choice for Keene Commissioner to the SWRPC. This is the role I am interested in. I just checked Planning Board so the form goes through.

Why are you interested in serving on this committee

I have a strong interest in regional planning. I have a strong interest in transportation and housing. I have met with Tim Murphy , Executive Director of SWRPC and he encouraged me to serve in this capacity

Please provide 2 personal references:

Tom Julius

References #2:

Rabbi Dan Aronson

September 05, 2023

Harold Farrington
Chair
Planning Board
3 Washington Street
Keene, NH 03431

RE: REQUEST FOR COMMENT – KEENE 41590; ROUTE 101 IMPROVEMENTS PROJECT, KEENE, NH

Dear Mr. Harold Farrington:

Comprehensive Environmental Inc. (CEI) is currently assisting the New Hampshire Department of Transportation (NHDOT) with proposed roadway improvements in Keene, NH. The Route 101 project begins east of Optical Avenue and continues approximately one mile to Branch Road (see attached location map).

The goal of the project is to provide better pedestrians and bicycle facilities, improve the Route 101 roadway structure, improve the condition of the bridge over the Branch River, and improve the safety at the intersection of Swanzey Factory Road. Route 101 upgrades may require rehabilitation/widening or replacing the existing bridge over the Branch River. According to 1933 as-built plans, the roadway base includes a 20-foot wide reinforced concrete pavement. Much of the corridor parallels, or is in the proximity of, the Branch River, and the Otter and Minnewawa Brooks.

The corridor serves as one of the gateways into the City of Keene, and the abutting properties reflect the diverse zoning along Route 101, which includes the City's industrial, commerce, high density, and rural zones. One of the primary design considerations is to improve the intersection sight distance deficiencies at the intersection of Swanzey Factory Road and Route 101. The design development will include an alternative evaluation of improving the intersection's safety and may include relocating the intersection. Swanzey Factory Road is also dedicated as a "Bicycle Street" in the City's complete streets guidelines and this project may be a means to improving bicycle operations in the area. Various alternatives for the corridor will be evaluated and will undergo a thorough review and analysis of their impact to traffic flow, right-of-way, and environmental resources.

The purpose of this letter is to solicit your initial input on the aforementioned proposed project. For your information, a Public Informational Meeting will be scheduled in the future, and you will be notified of the date, time and location. Responses are welcome prior to and/or following the Public Informational Meeting. Additional project information will be provided at the Meeting.

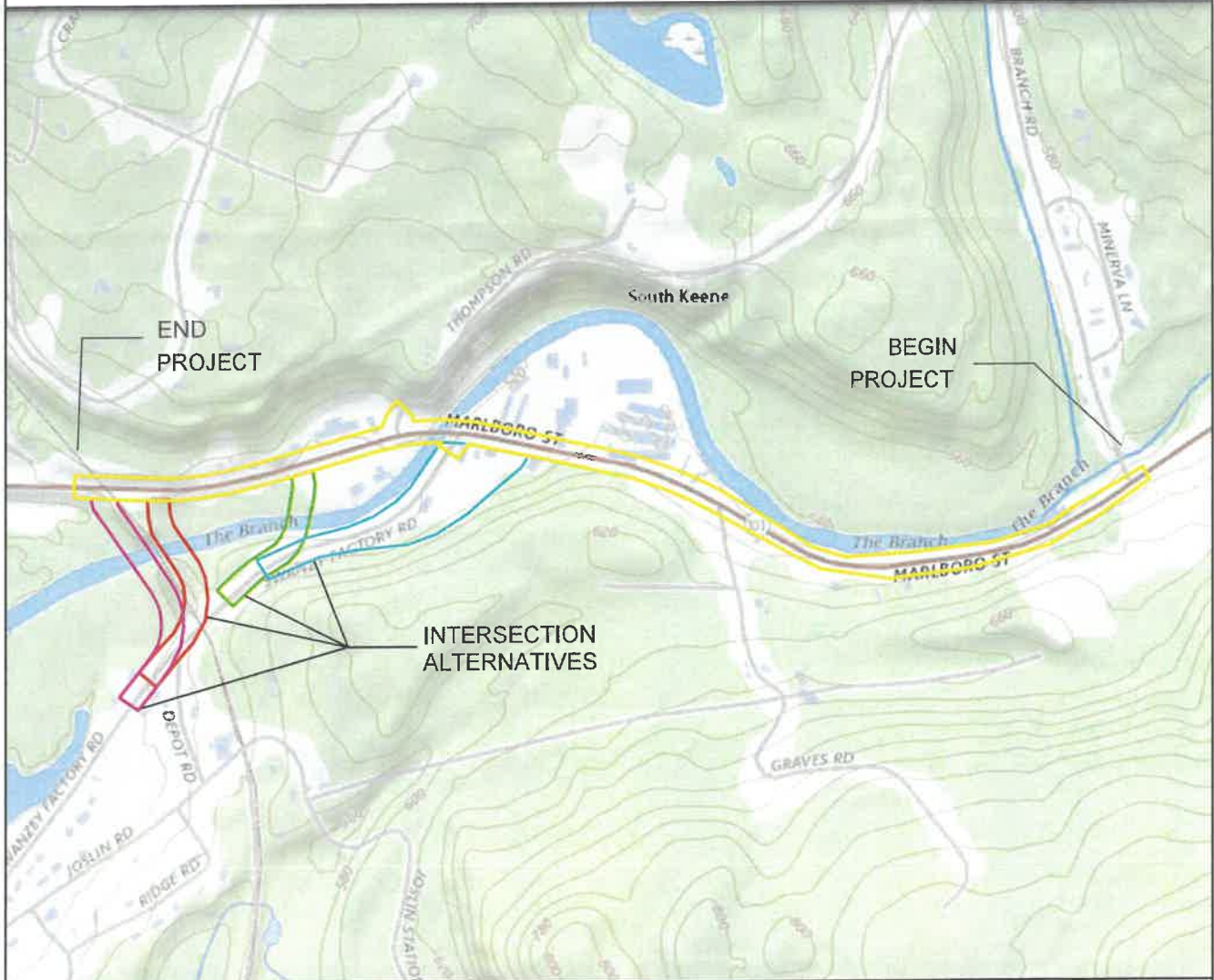
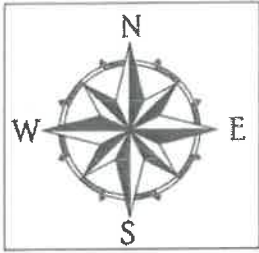
We would greatly appreciate your responding to this request and providing any comments related to the proposed rehabilitation project. We ask that you clearly identify your comments relative to each portion of the project. Please contact me if you have questions or require additional information at 603-424-8444 ext. 305.

Sincerely,
COMPREHENSIVE ENVIRONMENTAL INC

A handwritten signature in blue ink that reads "Matthew Lundsted". The signature is written in a cursive, flowing style.

Matthew Lundsted, P.E.
Principal, Project Manager

Enclosure



750 0 750 1500

SCALE 1" = 750'

GENERAL NOTES

1. Locus map based on USGS
7.5x7.5 Grid US
Topo Map of Keene, NH from the
USGS map webstore:
<http://www.store.usgs.gov>
2. Map scale is relative to printed size

Figure 1
USGS Locus Map
NHDOT PROJECT NO. 41590
ROADWAY IMPROVEMENTS
& BRIDGE REHABILITATION,
ROUTE 101, KEENE, NH



**COMPREHENSIVE
ENVIRONMENTAL
INCORPORATED**

21 Depot Street
Merrimack, NH 03054